



# **Agreement on the Conservation of Albatrosses and Petrels**

## **Report of the Sixth Meeting of the Advisory Committee**

***GUAYAQUIL, ECUADOR, 29 AUGUST – 2 SEPTEMBER 2011***

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<sup>1</sup> “A dispute exists between the Governments of Argentina and the United Kingdom of Great Britain and Northern Ireland concerning sovereignty over the Falkland Islands (Islas Malvinas), South Georgia and the South Sandwich Islands (Islas Georgias del Sur y Islas Sandwich del Sur) and the surrounding maritime areas”.

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## List of Acronyms

<b>AC</b>	Advisory Committee
<b>ACAP</b>	Agreement on the Conservation of Albatrosses and Petrels
<b>APEC</b>	Asia Pacific Economic Cooperation forum
<b>ASOC</b>	Antarctic and Southern Ocean Coalition
<b>BSWG</b>	Breeding Sites Working Group
<b>CCAMLR</b>	Commission for the Conservation of Antarctic Marine Living Resources
<b>CCSBT</b>	Commission for the Conservation on Southern Bluefin Tuna
<b>CMS</b>	Convention on Migratory Species
<b>ERA</b>	Ecological Risk Assessment
<b>FAO</b>	Food and Agriculture Organization of the United Nations
<b>GNI</b>	Gross National Income
<b>HSI</b>	Humane Society International
<b>IATTC</b>	Inter-American Tropical Tuna Commission
<b>IBA</b>	Important Bird Area
<b>ICCAT</b>	International Commission for the Conservation of Atlantic Tunas
<b>ICG</b>	Intersessional Contact Group
<b>IOTC</b>	Indian Ocean Tuna Commission
<b>IPCC</b>	International Panel on Climate Change
<b>MoP</b>	Meeting of the Parties
<b>NGO</b>	Non-governmental Organisation
<b>NPOA</b>	National Plan of Action
<b>RFMO</b>	Regional Fisheries Management Organisation
<b>SBWG</b>	Seabird Bycatch Working Group
<b>STWG</b>	Status and Trends Working Group
<b>ToR</b>	Terms of Reference
<b>TWG</b>	Taxonomy Working Group
<b>UK</b>	United Kingdom
<b>UN</b>	United Nations
<b>USA</b>	United States of America
<b>WCPFC</b>	Western and Central Pacific Fisheries Commission
<b>WG</b>	Working Group
<b>WWF</b>	World Wide Fund for Nature

# REPORT OF THE SIXTH MEETING OF THE ADVISORY COMMITTEE

**GUAYAQUIL, ECUADOR, 29 AUGUST – 2 SEPTEMBER 2011**

## 1. OPENING REMARKS

- 1.1 The Sixth Meeting of the Advisory Committee (AC) to the Agreement on the Conservation of Albatrosses and Petrels (ACAP) was held in Guayaquil, Ecuador from 29 August – 2 September 2011, with Dr Marco Favero as Chair and Mr Mark Tasker as Vice-chair.
- 1.2 Twelve Parties were represented: Argentina, Australia, Brazil, Chile, Ecuador, France, New Zealand, Peru, South Africa, Spain, the United Kingdom (UK) and Uruguay. Norway notified their apologies for not being able to attend.
- 1.3 In addition three Range States were represented: Canada, Japan and the United States of America (USA).
- 1.4 The Antarctic and Southern Ocean Coalition (ASOC), BirdLife International, Chinese Wild Bird Federation, Humane Society International (HSI) and Worldwide Fund for Nature (WWF) attended the meeting as Observers.
- 1.5 The list of participants is provided in ANNEX 1. The list of meeting documents and information papers is provided at ANNEX 2.
- 1.6 The meeting commenced with welcoming addresses by Ms Maria Elena Porras, Coordinadora General de Derechos y Garantías (Ministerio de Relaciones Exteriores, Comercio e Integración), and Mr Nelson Zambrano López, Director de Gestión y Coordinación Marina y Costera (Ministerio de Ambiente de Ecuador). In their remarks they made mention of the world-famous Galapagos Islands, home to many seabird species, including the ACAP-listed Waved Albatross *Phoebastria irrorata*, as well as Isla de la Plata off Ecuador's mainland, the only other breeding site of this Critically Endangered albatross.
- 1.7 Mr Warren Papworth, ACAP Executive Secretary and Dr Favero thanked Ms Porras and Mr Zambrano López for their kind words and drew attention to the work of the Agreement since 2007 in developing an action plan for the Waved Albatross, for which a round-table to discuss implementing and reviewing the plan had been held on the preceding weekend.
- 1.8 On behalf of the Advisory Committee the Chair thanked the Government of Ecuador for its generous hospitality and support for the work of the Agreement.
- 1.9 The Chair then opened the meeting.
- 1.10 Opening statements received at the meeting are included in ANNEX 22.

## 2. ADOPTION OF THE AGENDA

- 2.1 An agenda was adopted by the meeting (ANNEX 3).



### 3. RULES OF PROCEDURE

- 3.1. The Vice-chair introduced a number of proposed amendments to the Rules of Procedure (AC6 Doc 10). These proposals followed intersessional correspondence on several issues, as requested by the Advisory Committee at AC5. A proposal to extend voting rights to those Parties that were two years or less behind with their budget contributions did not gain consensus and it was felt that the Meeting of Parties might consider this issue. Proposals to amend rule 20 were not agreed on and a small intersessional group was established to work on this rule under the leadership of Argentina. All other amendments were agreed on and the amended Rules of Procedure were adopted (ANNEX 4).
- 3.2 The proposed attendance of a member economy of the Asia Pacific Economic Cooperation forum (APEC) raised questions particularly in relation to nomenclature, but also in relation to the application of Rule 3.1. The issue of nomenclature was resolved for this meeting by accepting the nomenclature used in APEC (Chinese Taipei) for an Observer to the preceding Working Group meetings. A second issue was raised by the United Kingdom in relation to the application of the words “in respect of Article VIII, paragraph 15 of the Agreement”. The Advisory Committee noted that similar questions may be raised in relation to the Rules of Procedure of the Meeting of the Parties, and it was agreed that the Secretariat should be asked to draw them to the attention of Parties as soon as possible, to allow for full consideration prior to MoP4.
- 3.3 With reference to the application of Rule 3.1, Australia noted that in its view the rule was clear and that member economies of APEC may send Observers to the Committee and its working groups, who shall have the right to participate in these meetings.
- 3.4 The USA expressed disappointment that Chinese Taipei did not participate in the Advisory Committee meeting here in Ecuador. The USA is aware that events triggered by different interpretations of the Rules of Procedure (Rule 3 paragraph 1) resulted in Chinese Taipei’s non-attendance.
- 3.5 The USA noted that the Advisory Committee since the inception of the agreement has prioritised the important issue of seabird bycatch, and specifically, how ACAP coordinates with RFMOs and on international fishery issues. If the Advisory Committee is to address the Agreement’s goal of obtaining a favourable conservation status for the ACAP listed albatrosses and petrels, so many of which are threatened by fishing, it must engage all of the major fishing fleets in the world. The adoption of best practice seabird conservation in pelagic longline fisheries is a high priority for ACAP. Chinese Taipei, with its major distant water fishing fleet, has recognised the impact its fishing can have on seabirds, including ACAP-listed seabirds, and has taken major steps to support seabird bycatch research. The importance of the scientific and technical information they have to offer, and ultimately the potential conservation benefit of their participation here, cannot be understated.
- 3.6 The United States encouraged the Advisory Committee to pursue the participation of Chinese Taipei or any other entities or countries with significant fishing fleets that impact ACAP species for the next Advisory Committee meeting.

## **4. REPORT OF DEPOSITORY**

- 4.1 Australia, in its position as the Depository to the Agreement, notified the meeting that there had been no new accessions or notifications to the Agreement since the Fifth Meeting of the Advisory Committee (refer AC6 Doc 07).
- 4.2 The Executive Secretary advised the Committee that where opportunities were available at international fora and other events, he discussed with non-Party Range States the possibility of engaging in ACAP. However, he noted that there was no clear strategy involved and sought direction from Parties on their priorities for engagement with non-Party Range States.
- 4.3 Australia noted the benefits to be gained for the Agreement's work through the accession of new Range States to the Agreement, as well as the wider participation of non-Parties as Observers to meetings of the Agreement. Further discussion on this issue by Parties was encouraged.
- 4.4 The United States advised that it has been taking the steps necessary for acceding to ACAP. Many of these steps are completed, but there are several others yet to be done. The Obama administration submitted a letter in 2010 to Congress indicating its support for comprehensive legislation to implement the Agreement. It is now in the hands of Congress to take action to agree to legislation that would implement the Treaty.

## **5. ACAP SECRETARIAT**

### **5.1 Activities undertaken in 2010/11 intersessional period**

- 5.1.1 The Executive Secretary reported to the Committee on activities undertaken by the Secretariat during the intersessional period (AC6 Doc 06). A significant achievement was the development and implementation of a web-based reporting system, for Parties' report on implementation of the Agreement and for submission of data relating to species' population status, breeding sites and bycatch.
- 5.1.2 Secretariat members were also actively engaged in progressing the Agreement's regional fisheries management organisations (RFMO) strategy, coordinating activities, preparing papers and advancing the ACAP's objectives in relevant meetings. Progress was made in a number of RFMOs on the development of ecological risk assessments and in laying the groundwork for achieving progress in the year ahead on the revision of seabird conservation measures.
- 5.1.3 Support was also provided for implementation of the Advisory Committee's Work Programme, for example with the operation of the AC Grants Programme, hosting workshops on the prioritisation process and bycatch data collection, and in supporting the work of AC Officials. It was noted that the active engagement in these activities of Dr Favero, the Advisory Committee's Chair, contributed significantly to the many positive outcomes achieved.
- 5.1.4 The Chilean delegation appreciated the official visit of the Executive Secretary of ACAP in October 2010, as the meetings held with the fisheries authorities; Under Secretary of Fishery and the Executive Director of National Institute of Fishery Researches (IFOP) clearly strengthened the work of the Agreement within Chile.
- 5.1.5 The Secretariat also hosted two secondments in this period. The first by Dr Elisa Goya

from IMARPE (Peru), who undertook a study to characterise the artisanal fishing fleets of South America, and the second by Mr Juan Pablo Seco Pon from CONICET (Argentina), who coordinated intersessional work on the prioritisation process. The financial support of the New Zealand Government for Mr Seco Pon's secondment was acknowledged with appreciation.

- 5.1.6 The continued support of the Tasmanian Government for the Secretariat's operations in Hobart was also noted with appreciation.

## **5.2 Secretariat Work Programme 2010-2012**

- 5.2.1 The Executive Secretary presented a report on progress made with implementation of the Secretariat Work Programme between 2010-2011 (AC6 Doc 21). Following presentation of the report a number of Advisory Committee officials noted that the Science Officer's appointment had resulted in significant progress being made with the provision of scientific documentation on ACAP-listed species, such as the species assessments, conservation guidelines and the provision of improved population data as a result of the development of the web based reporting system linked to the ACAP database.
- 5.2.2 It was also noted in the reports of the joint meeting of the Status and Trends and Breeding Sites Working Groups, that the support provided by the Science Officer is essential for the continued provision of accurate and timely scientific advice on the conservation and population status of ACAP species. In view of the vital role played by this position, it was recommended that it be listed as an ongoing position within the Secretariat. It was agreed to address this issue when discussing the Agreement's budget under agenda item 6.2.
- 5.2.3 The Advisory Committee noted with appreciation the high level of support provided by the Executive Secretary and Secretariat staff for the work of the Advisory Committee.
- 5.2.4 Following a review of funding requests from the 2012 Advisory Committee work programme it was decided that none were of a core nature. As a result, all of the funds allocated to the work programme in 2012 would be allocated through the ACAP Grants Review process.

## **5.3 Secretariat Work Programme 2013-2015**

- 5.3.1 The Executive Secretary presented the draft work programme for the Secretariat for the 2013-2015 triennium (AC6 Doc 22). It was noted that this programme would be amended to incorporate tasks arising from the Advisory Committee Work Programme 2013-2015.
- 5.3.2 A number of comments were provided on improving the format of the report, for example by indicating the cost of budgetary items for each triennium year and identifying more clearly what the costs comprised. The Executive Secretary undertook to incorporate these comments in the next revision of the document.

# **6. AGREEMENT'S FINANCIAL MATTERS**

## **6.1 Financial Report**

- 6.1.1 The Executive Secretary presented the interim financial report for 2011 (AC6 Doc 08 Rev2). The General Fund, consisting of Appropriations 1, 2 and 3, had expenditure of

AUD 492,022 against the AUD 559,393 budgeted, leaving a balance of AUD 74,575. The Special Fund had expenditure of AUD 126,672 against the AUD 95,621 budgeted, resulting in an over-expenditure of AUD 31,051. It was noted that the Special Fund is operated on a cash basis and that the over-expenditure reflected the payment of funds carried forward from previous financial years.

- 6.1.2 In relation to income received, the Executive Secretary noted that at the time of preparing the interim financial report, approximately one third of Parties contributions were still outstanding. Although this did not cause any cash flow issues during the financial year, this could have been a concern if all outstanding commitments from the Advisory Committee's work programme had been paid. He noted that a number of payments had been received since the report was prepared and that advice had been received from Spain that its 2011 contribution would be paid within the next two months, and that Peru had advised that its outstanding contributions would also be paid shortly. Brazil advised that payment of its 2011 contribution had been made recently. The Executive Secretary subsequently confirmed receipt of this payment. Argentina noted that the difference during year 2009 was due to a change in Australian currency, and that the payment of contributions pending to year 2011 was in progress.
- 6.1.3 Chile advised the Advisory Committee that its late payment related to administrative difficulties and that it expected a payment to be made shortly.
- 6.1.4 The Advisory Committee encouraged all Parties to pay their financial contributions on time to ensure the ongoing effective operation of the Agreement.
- 6.1.5 The Executive Secretary provided an explanation for items where significant over or under-expenditures had occurred against budgeted approvals. He noted that Parties' approval had been sought for any items of significant over-expenditure, prior to them being incurred.
- 6.1.6 South Africa requested that, should financial reports be revised close to the meetings of the Advisory Committee/Meeting of Parties (i.e. after delegates have opportunity to print the documents), consideration be given to providing delegates with hard copies at the meetings.

## **6.2 Agreement budget 2013-2015**

- 6.2.1 The Executive Secretary presented a draft budget for the Agreement for the 2013-15 triennium (refer AC6 Doc 09 Rev1). It was noted that the budget had been prepared on a zero real growth basis, with an inflator of 3% for inflation increases. The outcomes of the Advisory Committee work programme for 2013-15 were incorporated into this document in Appropriation No. 4, resulting in a significant increase to the size of the draft budget, above that currently approved.
- 6.2.2 It was noted that a number of Parties face a stringent financial situation due to the current global economic situation. France expressed the fact that in these difficult financial times savings were needed. France was unable to accept an increase in the budget, even presented as an adjustment for inflation of 3%, which seemed high. France requested that its annual contribution for the next triennium not exceed the amount paid in 2011. France also indicated its preference for smoothing contributions over the three year period, so that their contribution in the final year of the triennium, which is when the Meeting of Parties occurs, did not lead to an increase in their contribution.

- 6.2.3 Discussion followed on whether a balanced draft budget should be presented to MoP4, or whether a deflator or inflator should be applied. It was agreed that the budget should be presented as shown in AC6 Doc 09 Rev2 with additional text included in the introduction to the budget providing an explanation for significant variances to amounts previously budgeted, and for new budget requests. France requested that this information be provided item by item, to facilitate informed discussion of the budget at MoP4.
- 6.2.4 It was also agreed that the Secretariat would prepare a document with two budgets, one including an inflator to reflect inflation, the other with zero growth. These budgets will be provided to MoP4 delegates as an electronic spread-sheet file prior to MoP4 by the Secretariat.

### **6.3 Scale of Contributions**

- 6.3.1 The Executive Secretary presented the results of work undertaken by an intersessional contact group (ICG) on a review of the scale of contributions used to calculate Parties' contributions (AC6 Doc 34). The elements of this review, agreed to in the margins of AC5, were used by the ICG to establish criteria against which to evaluate a number of different methodologies to calculate Parties' contributions.
- 6.3.2 The results of this evaluation (Table 1, AC6 Doc 34) revealed that use of the United Nations (UN) assessment formula, Gross National Income (GNI) per capita, or a combination of these two methodologies best met the evaluation criteria. Parties were surveyed and asked to decide which of the proposed methodologies they supported. The results of this survey (Table 2, AC6 Doc 34) revealed strong support for use of either the UN or the GNI methodologies.
- 6.3.3 In relation to transitional arrangements for phasing in of a new contribution formula, all respondents to the survey agreed that the new method should be phased in over a three year period.
- 6.3.4 Parties were also asked to advise their preferences for the use of additional funds arising from a new Party joining the agreement in the intersessional period. Of those responding to the survey, three were in favour of continuing the current approach, that is that they be used to grow the existing budget, while two respondents were against this approach. The Advisory Committee supported growing the budget if/when a new Party joins the Agreement during an intersessional period, noting that it would be too complex administratively for Parties to reduce their contributions intersessionally and would be unlikely to result in significant savings to individual Parties.
- 6.3.5 The ICG also sought Parties' opinions on the financial principles adopted at MoP3. The ICG advised that depending on which calculation method is adopted at MoP4, it is possible that Principles A2, A3 and B2 will need to be revised. The ICG was unable to make any recommendations on how these principles could be amended, until a new calculation method is agreed to and Parties decide if the accession of a new Party will result in a reduction of existing Parties' contributions.
- 6.3.6 The meeting agreed to continue intersessional work post AC6, with a view to identifying the financial impact that the AC's preferred methodologies, the UN scale, GNI, or a combination of the two, would have on Parties' level of contributions. It was agreed that the current formula should also be included for comparison purposes.
- 6.3.7 Australia, Brazil, Canada, France, South Africa, the UK and USA indicated their

willingness to participate in this intersessional work, with a view to developing a revised paper for consideration at MoP4 on ACs preferred methodologies for calculations.

## **7. OBSERVER REPORTS**

### **7.1 Reports from ACAP Observers at International Meetings**

- 7.1.1 Reports from observers at international meetings were addressed in the reports of the working groups (AC6 Doc 14 Rev2 and AC6 Doc 11 Rev4).

### **7.2 Reports from Observers to AC6**

- 7.2.1 The Convention on Migratory Species (CMS) reported that it is conducting a survey of the impacts of gill netting on migratory marine fauna, including, but not limited to, seabirds. The survey's report is expected to be considered at the Tenth Session of the Conference of Parties to the CMS, to be held in Bergen, Norway in November 2011. It was considered that this report would be of value to the work of the Seabird Bycatch Working Group (SBWG). Ecuador noted that it was conducting its own domestic study of the effects of artisanal gill netting.
- 7.2.2 Verbal reports were given by four non-governmental organisations, Antarctic and Southern Ocean Coalition (ASOC), BirdLife International, Humane Society International and World Wildlife Fund (WWF). All expressed their appreciation in continuing to being able to collaborate with ACAP, especially in relation to addressing seabird bycatch issues at regional fishery management organisations that deal with tuna fisheries (tuna RFMOs). The meeting expressed its thanks for the positive contributions made by NGOs to the work of ACAP.
- 7.2.3 Written statements received at the meeting from Observers are included in ANNEX 22.
- 7.2.4 South Africa thanked Observers attending the Advisory Committee meeting for the substantial contributions they had made to assisting South Africa in its implementation of the Agreement, as well as to overall functioning of the Agreement.
- 7.2.5 BirdLife International noted with appreciation the excellent intersessional collaboration with the ACAP Secretariat, Parties and Advisory Committee Working Groups, on a wide variety of issues, especially those relating to interactions with RFMOs.
- 7.2.6 WWF expressed its appreciation for the opportunity to formally observe the Sixth Advisory Committee meeting to ACAP and congratulated the Agreement on achievements to date to improve the conservation status of ACAP species. The importance of formal advice and technical knowledge imparted by ACAP cannot be underestimated. WWF reiterated that it is committed to supporting the work of the Agreement on a global scale.

## **8. CONSERVATION PRIORITIES FOR ACAP**

- 8.1 New Zealand introduced AC6 Doc 15, an update on progress with the development of a prioritisation framework for land-based and at-sea threats. Substantial progress had been achieved since the framework was adopted in principle at AC5.
- 8.2 In particular, the land-based framework had been essentially completed. Data on

populations and threats had been updated and verified, costings for conservation actions had been estimated and a paper prepared for AC6 setting out the results of the process had been prepared and presented.

- 8.3 Progress for at-sea priorities included the secondment of Mr Juan Pablo Seco Pon to the ACAP Secretariat, a workshop in Hobart, Australia, to peer review data, and a session at the South American Observer Programme Workshop funded by the Advisory Committee to peer review a substantial amount of data from that region. A simulation exercise had also been conducted to compare the initial results of the framework with expert opinion. Further work was, however, still necessary to complete the framework in time for MoP4.
- 8.4 The Advisory Committee agreed to a number of recommendations including those proposed by the Seabird Bycatch Working Group and Breeding Sites and Status and Trends Working Groups. These agreed recommendations are attached as ANNEX 19.

## **9. REVIEW OF WEB-BASED REPORTING SYSTEM**

- 9.1 The Secretariat presented AC6 Doc 16 Rev1, summarising progress with the development of a web-based system for Implementation Reports. Following discussions at AC5, the reporting template (see AC5 Doc 16) was incorporated into the ACAP database as two independent sections – an Advisory Committee Report, addressing reporting requirements arising from the Agreement’s Action Plan, to be completed preceding each Advisory Committee Meeting; and a MoP Report, for Parties’ reports on their progress in implementing the Agreement, to be completed triennially prior to the AC preceding a Meeting of Parties. National Contact Points and Observers were provided with login details and invited to complete both reports online.
- 9.2 In the course of completing their reports, respondents identified a number of issues which were presented for consideration at AC6. The AC reviewed the issues identified and endorsed some modifications to the reporting format and process:
  - i. Timing of request for report completion

AC6 agreed that in future, three months be provided for Parties to complete their implementation reports, i.e. requests will be made six months prior to the deadline for submission of AC docs.
  - ii. Antarctic and disputed sites

AC6 expressed a preference for all Antarctic sites (south of 60°) to be included in each Party’s report, so that only one AC report per Party needs to be submitted.
  - iii. AC Report Section D: Funding received and provided

This section generated some questions as to the merit of asking for this information, as well as the level of detail able to be presented in the current format. Although AC6 Members felt that this question could be useful in generating capacity indicators in the future, and should therefore be retained, they expressed concern regarding the availability and confidentiality of information needed to answer this question, as well as the complexity of compiling this information. Members agreed that to reflect this, the question could be qualified with “where readily available”.

iv. Accessing bycatch forms outside AC Report

The AC agreed with the SBWG recommendation that the fisheries component be made available outside of the AC reporting process so that it can be updated on an ongoing basis, as happens with population and breeding site data.

v. Overlapping information requested for AC and MoP reports

a) AC report section D asks for research and capacity building information, while the MoP report requests information on research programmes and education (which could include capacity building) in sections 5 and 6.

The AC suggested that the information in both sections could be somehow linked, and the Secretariat has agreed to develop this concept for the next round of reporting.

b) MoP Report: The difference between question 2.7 (Has the Party implemented any legal or policy instruments for environmental impact assessments?) and 4.1 (Has the Party completed any new environmental impact assessments related to albatrosses and petrels?) was not clear.

The interpretation of the two questions was discussed and a small breakout group concluded that both questions are valid and should remain unchanged. Parties are welcome to direct any specific queries regarding these questions during report collation to the Secretariat.

vi. Reporting forms

To accommodate non-Party reporting, the Secretariat and WWF suggested that a separate report could be constructed for NGOs who have been accepted as Observers at the meeting of the Advisory Committee preceding the reporting request.

The Argentine delegation agreed that if Parties decided to accept what this request implies, the NGOs that would be allowed to submit a report have to be necessarily those that were accepted by the Parties as “Observers” at the meeting of the Advisory Committee preceding the reporting request. In addition, Argentina stated that the reports of those NGOs would have to fully comply with the understandings agreed in the framework of ACAP, such as, for example, Resolution 2.9. There were no objections to this proposal. South Africa, Brazil, and Ecuador welcomed the opportunity for NGO data to be submitted as part of ACAP reporting, noting that it would best be done with the cooperation and consultation of the Parties cited in those reports, and that indeed this already is the case for several Parties. BirdLife noted that some data is owned exclusively by NGOs, but that this information is intended to be seen and used by Parties. The AC agreed that NGOs provide a very valuable contribution to the Agreement. The United States supports the ability of NGOs, who are Observers to ACAP meetings, to present pertinent information to the AC and working groups. There should be no concern about redundancy or source of information as the current reporting format identifies the source in the online report. The scientific and technical information that NGOs have to offer, and ultimately the potential conservation benefit of their participation in AC and working group meetings, is of great importance. The AC can only address the Agreement’s goal of obtaining a favourable conservation status for the ACAP listed albatrosses and



petrels when it proceeds on the best and most complete information available.

BirdLife offered to work intersessionally with the Secretariat to develop these forms prior to the AC7 reporting deadline.

## **10. REPORT ON THE IMPLEMENTATION OF THE AGREEMENT**

- 10.1 The Executive Secretary introduced AC6 Doc 17 Rev1. It was noted that the new web-based reporting system had enabled more comprehensive information to be provided in a concise and informative manner.
- 10.2 The Committee was requested to review the information contained in this document and agree on the components that would be of most use to MoP4 in determining progress with implementation of the Agreement. The Committee expressed its satisfaction with the format followed in the previous report.
- 10.3 In updating its national report, Australia noted that its national Recovery Plan for Albatrosses and Giant Petrels entered into force on 25 May 2011.
- 10.4 A joint NGO statement that expressed serious concern about the recently released Draft Seabird Policy by the New Zealand Government was presented. A copy of this statement is provided in ANNEX 22.
- 10.6 In relation to the above, New Zealand provided the Advisory Committee with the following update on progress in developing a seabird bycatch management framework.
- 10.7 New Zealand released a National Plan of Action for Seabirds in 2004. While effective in some fisheries, New Zealand's Minister of Fisheries requested that the NPOA be reviewed to ensure that it was effective across all fisheries with a seabird problem. The Government also introduced a number of mandatory seabird mitigation measures in trawl and longline fisheries, including streamer lines, night setting and line weighting. A draft seabird bycatch policy was released by the Ministry of Fisheries for public comment in May 2011. A number of public comments were received, the majority of which raised issues that required further consideration. New Zealand's Ministry of Fisheries and Department of Conservation are working together on a revised policy document. It is intended that the revised policy will be re-released for further public comment.
- 10.8 New Zealand welcomed the input of those present at the meeting and encouraged them to participate in the public consultation process.
- 10.9 In relation to AC6 Inf 15, the Argentine delegation asked for the floor to read its note from the 26th of August 2011 addressed to the Sixth Advisory Committee of ACAP. The Argentine delegation requested its intervention be included in the final report of the AC6 (see ANNEX 23).
- 10.10 The Argentine delegation also observed that *"in the Report on the Implementation of the Agreement 2008-2011 of the United Kingdom, the possibility of creating a Marine Protected Area (MPA) in the surrounding waters of Islas Georgias del Sur is mentioned in the aforementioned document (page 7, item 3.3). The Argentine Delegation notes that the eventual adoption of such a measure is under the competence of CCAMLR. The Argentine delegation notes that if there were a pretension of adopting a norm in the scope of ACAP that contradicts the CCAMLR regime, it would be invalid, as Article XIII of ACAP recognises that rights and obligations of Parties deriving from*

*international treaties must be preserved, including a specific reference to CCAMLR”.*

- 10.11 The UK delegation stated that it did not believe that ACAP is an appropriate forum to raise sovereignty issues of any kind, which are outside the scope and purpose of the Agreement on the Conservation of Albatrosses and Petrels. The UK reiterated that *“The UK has no doubts about its sovereignty over the Falkland Islands, South Georgia and the South Sandwich Islands and their surrounding maritime areas. In that regard, the UK has no doubt about its ability to manage its maritime areas. In addition, it remains wholly committed to the principles and objectives of CCAMLR. It intends to ensure that the highest standards of fisheries and marine management are implemented in its jurisdictional waters – including through the imposition of tough management measures that are in line with, and back up, the provisions of CCAMLR.”* (see ANNEX 24).

## **11. ADVISORY COMMITTEE REPORT TO THE FOURTH MEETING OF PARTIES**

- 11.1 The Chair of the Advisory Committee presented a draft outline report from the Advisory Committee to the Fourth Session of the Meeting of the Parties (AC6 Doc 20). The report to MoP4 will be prepared by the Chair and the Vice-chair after the conclusion of the current meeting (AC6), in order to incorporate its outcomes.
- 11.2. Comments were made on a number of matters to be incorporated in a revised report. These included (1) the need to strengthen the section on taxonomy to better reflect decisions of this issue; (2) the importance of having adequate financial and human resources to achieve the goals; (3) the importance of engaging with and orchestrating more Parties and stakeholders in order to cope with the demands of an increasing and more complex agenda; (4) the need to carefully revise, and prioritise, the nature and contents of the recommendations; (5) the identification of data and other gaps that can help guide further actions; and (6) the importance of engaging and fostering collaboration with other organisations, including RFMOs, with agendas relevant to the Agreement.
- 11.2 The document will be circulated intersessionally among the Members of the Advisory Committee for review and approval prior to MoP4.

## **12. JOINT MEETING OF STATUS & TRENDS/ BREEDING SITES WORKING GROUPS**

### **12.1 Introduction and Progress during Intersessional period**

- 12.1.1 The Convenors of the Status and Trends Working Group (STWG: Dr Rosemary Gales) and Breeding Sites Working Group (BSWG: Dr Richard Phillips) introduced the report of the joint meeting of the 6th meeting of the STWG and the 4th meeting of the BSWG (AC6 Doc 11 Rev4). The report documented the intersessional work of the STWG and the BSWG and the discussions at the joint WG meeting that was held in Guayaquil, Ecuador on 25-26 August 2011. The meeting was attended by Members of the WGs from Australia, Chile, France, New Zealand, South Africa, United Kingdom, Canada and BirdLife International, as well as Advisory Committee Members from Argentina and

New Zealand and Observers from a wide range of government and non-government agencies.

- 12.1.2 The Committee recognised that considerable progress had been achieved by the WGs since AC5. It was evident that progress for many tasks was on schedule and results of analyses from the BSWG and STWG were becoming increasingly integrated in the formulation of advice to the Committee. With the assistance of the Secretariat's Science Officer, significant advances had been achieved in the extent and capacity of the ACAP database to curate and query information relating to the breeding sites and status and trends of ACAP species. This comprehensive database now provides the foundation for rigorous analyses of the population status and on-land threats to ACAP species. The Committee acknowledged the importance of Parties and others ensuring that population and site data contributions are complete and up-to-date.
- 12.1.3 Particular effort was also made during the intersessional period to ensure that ACAP hold the most up-to-date information available on islands where introduced vertebrates are currently present, have been eradicated since 2000, or an eradication is planned (i.e., a feasibility plan exists) and the proposed year for the eradication, and to review threats listed for all sites. This served to improve comparability among sites and ensure the robustness of the prioritisation process.
- 12.1.4 WG Members were approached during the intersessional period with a request for updates to population, demographic or breeding site information. All Parties reviewed or updated data, with the exception of Ecuador and New Zealand. Ecuador is yet to nominate a WG member who could coordinate future data updates. New Zealand acknowledged that a thorough review and update of existing data for New Zealand ACAP sites was not possible prior to the meeting and that results from a number of major studies are currently under review. The Committee welcomed New Zealand's commitment to providing these data to the ACAP database prior to AC7. The Committee also notes the agreement by the Parties to update information for the 2010-11 breeding season by the end of 2011, and by the end of June each year for subsequent breeding seasons.

## **12.2 Species Assessments Update**

- 12.2.1 All 29 ACAP species assessments have been completed and are available in English, Spanish and French, and some assessments have been updated to reflect changes in conservation status. The Committee noted the importance of ensuring that the information in the assessments remains current so that they continue to represent the most comprehensive and accurate reviews of ACAP species.

## **12.3 ACAP Breeding Sites and Global Procellariiform Tracking Database Link**

- 12.3.1 The Committee was informed that in March 2011 an agreement between ACAP and BirdLife International was reached whereby meta-data from the BirdLife Global Procellariiform Tracking Database can be exported and associated with the breeding sites listed in the ACAP database. This will enable evaluations of extent of tracking information available for each population/site. The WG recommended that the task of reviewing the extent of available tracking information, and identifying gaps and priorities should transfer from the purview of the Seabird Bycatch Working Group to the BSWG (or the proposed merged WG). The WG then conducted a preliminary assessment of gaps in tracking data for ACAP species and recommended a series of priority tracking programmes for each jurisdiction/region (AC6 Doc 11 Rev4 Paragraph

4.4.1; and ANNEX 8 of this report). Progress achieved against these priorities should be presented and reviewed at AC7.

## **12.4 Internationally Important Breeding Sites and Areas**

- 12.4.1 As the ACAP database now holds virtually all of the existing census data for ACAP species, updatable lists have been produced of the individual breeding sites that hold 1%, 2%, 5% and 10% of the global population of each ACAP species. These lists, and a breakdown by species of the number of sites where the population exceeds the various thresholds, and the quality of the count data, appear in AC6 Doc 11 Rev4 Annex 3 and Annex 4. New Zealand and France have jurisdiction over considerably more internationally important sites than any other Party. For most ACAP species, there are only a few sites that hold >1% of the global population.

## **12.5 Population Status and Trends**

- 12.5.1 The WGs discussed BSWG4/STWG6 Doc 5 by BirdLife International, which identifies candidate BirdLife Important Bird Areas (IBAs) in the Atlantic sector of Antarctica (including the South Shetland and South Orkney Islands). The only ACAP species breeding in this area is the Southern Giant Petrel *Macronectes giganteus*, populations of which would only trigger IBA criteria if they exceed 1% of the global population (c. 485 pairs). However some IBAs triggered by other seabird species also contain breeding giant petrels. The IBA analysis, taking account of different levels of certainty over population data and also examining sensitivity to scale-dependent effects, identifies some 40 “confirmed” IBAs and 60 “potential” IBAs. Of the “confirmed” IBAs, Southern Giant Petrels breed at two, Avian Island (Antarctic Peninsula; 197 pairs) and Penguin Island (South Shetland Islands; 634 pairs). Of the “potential” IBAs, Southern Giant Petrels breed at ten. Overall, the IBAs identified include all six of the important breeding sites for ACAP Species holding >1% of the global population.
- 12.5.2 The Committee noted that no changes had occurred to the threat status of ACAP species in the 2011 revision of the IUCN Red List, and thus since the previous report on this topic to AC5 (AC6 Doc 30). The WG notes that the next revision of the IUCN Red List, in 2012, would be the major quadrennial review of all species. The Committee also welcomed the intent of BirdLife International who indicated their wish to work closely with the ACAP Secretariat to undertake a major re-evaluation of the status of ACAP species in 2012, based on the population data available in the ACAP database. In order to report the global trends of ACAP populations to the MoP in 2012, the WGs shall apply the algorithms used by BirdLife International to determine global status thereby ensuring consistency in analyses and advice.
- 12.5.3 The most recent information on population status and trends that has been made available to ACAP by the Parties was summarised for consideration by the Committee. It was noted that these summaries reflect only data that has been submitted to the database. The rigour therefore of this information is reliant on timely and comprehensive provision of relevant information by all Parties. At present, there are 248 islands where populations of ACAP species breed. The 29 ACAP species that are listed currently comprise 2.95 million pairs each year, breeding at 141 “island groups” which in turn comprise 571 populations (excluding sites with single or mixed pairs). The rarest of the ACAP species remains the Critically Endangered Amsterdam Albatross *Diomedea amsterdamensis* (30 pairs p.a.), and the most abundant is the Vulnerable White-chinned Petrel *Procellaria aequinoctialis* (ca. 1 million pairs pa).

- 12.5.4 The currency of the monitoring of ACAP populations was reviewed and, for populations within island groups that represent at least 5% of the global population, six have not been counted for over 20 years (since 1991) and nine have not been counted for over 10 years (since 2001). These island groups were all located within with French or New Zealand jurisdictions, reflecting the considerable number of ACAP breeding sites, and hence monitoring responsibilities that fall within the responsibility of these Parties.
- 12.5.5 At the island group level (site trend extrapolated to island group), 8 of the 29 species have current (2001-2010) population trend information for most (75 – 100%) of the global population, including all three North Pacific species. In contrast, very limited current population trend data are available for Northern Giant Petrel *M. halli*, Grey-headed Albatross *Thalassarche chrysostoma* and Southern Royal Albatross *D. epomophora*, and there are no recent trend data for 14 ACAP species, including the five burrowing petrel species.
- 12.5.6 The Committee shared the WGs concern for species where significant proportions of global populations are declining, especially the Tristan *D. dabbenena* and Antipodean albatrosses *D. antipodensis*, for which over 90% of the global population is in decline. Over 50% of the populations (extrapolated to island group level) of Wandering Albatross and Black-browed Albatross *T. melanophris* are also in decline. At least 50% of the global population of seven ACAP species were increasing in numbers. These include the three North Pacific albatrosses, the Amsterdam Albatross, Shy Albatross *T. cauta* and Southern Giant Petrel, most of which are now recovering from major historical reductions in population size.
- 12.5.7 The Committee recognised that an understanding of population status requires information derived from studies of survival rates and productivity. This requires long-term mark-recapture studies, particularly for ACAP species, which are long lived and slow to mature. Based upon the information provided to ACAP by the Parties to date, and discussion at the WG meeting, for the 29 ACAP species, it was determined that adult survival rates are available for 27 species, juvenile survival rates are available for 20 species and breeding success statistics are available for 26 species. The Committee was encouraged that new studies have recently been initiated to determine survival rates for several ACAP species. These will complement the existing important demographic monitoring studies being undertaken by several Parties (AC6 Doc 11 Rev4 Annex 6).

## **12.6 ACAP Priorities for Population Monitoring by Region and Jurisdiction**

- 12.6.1 Comprehensive population studies are fundamental to many aspects of albatross and petrel conservation, and vital to monitoring the effectiveness of management actions and the Agreement. The Committee considered the WGs examination of the level of status and trends information for populations managed by the different jurisdictions. Current status of knowledge of size, trends and demographic parameters remains inadequate for many ACAP populations. For four jurisdictions/Parties, over 20% of the populations remain of unknown size (AC6 Doc 11 Rev4 Annex 7). There are even less data for current population trend; indeed, five Parties have very limited information on population trends of ACAP species breeding in their jurisdictions. The WGs discussed population trends and knowledge gaps for each jurisdiction, treating the Disputed regions separately. At AC5 in 2010 the Committee requested the identification of priorities for population monitoring. In order to provide this guidance and advice to AC6, representatives with specific expertise in the regional monitoring programmes

assessed the information available, and identified the highest priority programmes that should be continued or initiated (AC6 Doc 11 Rev4 Section 6.2.4; and ANNEX 9 of this report).

- 12.6.2 After considering these priorities, the AC recommended long term population monitoring programmes should be continued and that new programmes identified at AC6 should be implemented as a priority.

## **12.7 Priorities for Breeding Sites Threats and Management**

- 12.7.1 A breakdown of the proportion of sites, and of the global population that are subjected to threats that meet the ACAP criteria are listed in the joint report of the WGs. Habitat destruction and predation by introduced mammals are by far the most common threats to breeding sites of ACAP species. Those affecting the most breeding sites (site-species combinations) were predation by Feral Cat *Felis catus*, Black Rat *Rattus rattus* and Brown Rat *R. norvegicus*, and habitat destruction by Reindeer *Rangifer tarandus*. All other threats affected only a few sites, although were severe in some cases (including the effects of Avian Cholera at Amsterdam Island). The species affected at the most breeding sites were the burrow-nesting Grey Petrel *Procellaria cinerea* and White-chinned Petrel.
- 12.7.2 The WGs discussed BSWG4/STWG6 Doc 8, which described the prioritisation of land-based threats using the framework developed by an ad hoc Priorities Working Group led by Spencer Clubb (NZ). Priorities were determined by a formula that combined vulnerability (reflecting the global population size, proportion of global population at site and population trend), magnitude of threat and likelihood of success of management intervention for each breeding site by species by threat combination from the ACAP database. Scores for threats that applied to more than one species at a site were then combined. The results of the framework were set out in Table 1 in BSWG4/STWG6 Doc 8, showing the relative priority of addressing each threat (such as eradication of pigs or cats from a particular island).
- 12.7.3 The WGs agreed that the results were consistent with expert opinion, and also made a number of suggestions for improving the framework: placing greater weight on single site endemics (e.g. Tristan Albatross at Gough Island); using minimum population size thresholds for inclusion in the framework, and; grouping together similar scoring threats and presenting them in bands such as “high priority”. These suggestions were incorporated into a revised version of BSWG4/STWG6 Doc 8.
- 12.7.4 A single score for each threat on each island was calculated as the sum of the prioritisation scores for all species present, and the mean of the prioritisation scores if there are multiple breeding sites on the same island. A summary of these threats is provided in Table 11 in the joint WG report. The priority level (High, Medium or Low) reflected natural breaks in the distribution of scores for each type of threat. For “Habitat loss or destruction/predation by alien species”, this includes a small outlying group (High priority), a large intermediate group with scores that all differ from each other by  $\leq 2$  and which would not be appropriate to further sub-divide (Medium priority), and one outlier with a low score (Low priority).
- 12.7.5 On this basis, the highest priority action with regard to a Parasite or Pathogen would be to address the threat from Avian Cholera at Amsterdam Island, with regard to “Increased competition with native species”, to exclude Australasian Gannet *Morus serrator* from Pedra Branca, and; with regard to “Habitat loss or destruction/predation

by alien species” would be to remove pigs from Auckland Island, rabbits and Black Rats from Macquarie Island, and House Mouse *Mus musculus* from Gough Island. Sensitivity tests suggested that these conclusions were robust, and the WGs agreed that the results of the prioritisation framework were consistent with expert opinion.

- 12.7.6 Information that has been made available to ACAP through the database web portal on any ongoing or planned management actions associated with threats to ACAP-listed species at breeding sites are listed in AC6 Doc 11 Rev4 Annex 8. Parties were requested to provide updates on actions currently being undertaken to address these threats, or reasons why no management response is in place, through the annual reporting process and by AC7, focussing more clearly on actions to address high priority threats.
- 12.7.7 The WG noted that major resources will be necessary to accomplish the priority tasks involving alien eradications and related site/habitat management, and there are likely to be substantial potential benefits of collaborations of both technical and practical nature, and of joint applications for funding.
- 12.7.8 The working group identified a number of research gaps in relation to land-based threats to ACAP species, including studies of disease prevalence and transmission, and improved pre- and post-eradication monitoring of effects of baiting campaigns on non-target species

## **12.8 ACAP Priority Populations**

- 12.8.1 Following a request from the SBWG to identify an interim list of priority populations on which ACAP might focus ahead of the outcome of at-sea prioritisation assessment, the joint WG examined the available data on population size and trends in the ACAP database. This identified five populations representing sizeable proportions (>10% of the global total) that were declining rapidly (>3% per annum), for which a major underlying cause was incidental mortality in fisheries. These were the Wandering Albatross population at South Georgia (Islas Georgias del Sur)<sup>1</sup> that had already been identified, Black-browed Albatrosses at South Georgia (Islas Georgias del Sur)<sup>1</sup>, Tristan Albatrosses at Gough Island, and Sooty Albatrosses *Phoebastria fusca* at the Crozet and Prince Edward islands. These were all considered to be of high-priority, and the WGs agreed that addressing threats to their population required urgent and coordinated international action. Detailed assessments for each of these populations appear in ANNEX 10 and will be posted on the ACAP website.

## **12.9 ACAP Indicators**

- 12.9.1 The WGs reviewed progress on the development of indicators, based on AC5 Inf 16 Rev1 (which summarises the situation at the last AC meeting) and intersessional developments and discussion, as set out in AC6 Doc 27 and AC 6 Inf 07. Based on these documents and in respect of breeding sites and population status and trends, a preliminary list of most potential candidate indicators to evaluate was developed by the WGs (ANNEX 11).

## **12.10 Breeding Sites Conservation Guidelines and Reviews**

- 12.10.1 The WG Convenors indicated to the working groups that the Eradication Guidelines available from the ACAP website would be updated with improved advice on monitoring and mitigation of non-target mortality by end 2011, incorporating lessons learned from recent large-scale aerial baiting operations at Macquarie Island and South

Georgia (Islas Georgias del Sur)<sup>1</sup>. Dr Anton Wolfaardt (UK) provided an update on the status of the recently-posted, best-practice Biosecurity Guidelines for ACAP breeding sites. The working groups noted that the aim of the guidelines is to provide generic guidance for ACAP Parties, who should then go on to produce their own site-specific plans.

- 12.10.2 Dr Anton Wolfaardt (UK) presented BSWG4/STWG6 Doc 6, reporting that the aim of the document was to provide guidelines to assist ACAP Parties in the development and implementation of plans to census ACAP species. The document distinguishes between large-scale censuses of entire sites or island groups, and ongoing monitoring at selected study sites, highlighting that both should form part of a monitoring programme. It also identifies the sources of error associated with different census methodologies and provides guidelines for minimising these errors. The WGs agreed that the document was a valuable practical resource and requested that a revised version, incorporating issues discussed at the meeting, be made available on the ACAP website as part of the series of ACAP conservation guidelines.
- 12.10.3 The Argentine delegation made a statement in relation to BSWG4/STWG6 Doc 6 (see ANNEX 23).
- 12.10.4 The WGs noted that BSWG4/STWG6 Doc 6 included some important advice on the frequency of population monitoring, which is to conduct censuses of breeding sites at a minimum of ten year intervals, especially for large or important sites, and to combine this with more frequent monitoring at selected, representative study sites. Dr Wolfaardt (UK) agreed to produce a document in collaboration with relevant experts from ACAP Parties and the Secretariat, that provides more specific advice for ACAP Parties on issues such as desired frequency and representativeness of survey/census and monitoring of ACAP species.
- 12.10.5 The WGs discussed a review of parasites, pathogens and diseases in ACAP species provided by Dr Flavio Quintana (Argentina) (BSWG4/STWG6 Doc 7). Twelve (41%) of the 29 species appear to be hosting pathogens, with variable detrimental effects. Bacteria were detected in 5 species (17%), viruses in 3 (10%), protozoa in 4 (14%), gastrointestinal parasites in 3 (10%), ectoparasites in 9 (31%) and fungus in 1 species (3%). Although there are few documented cases of acute infection resulting in the death of adults or chicks, pathogens can have severe impacts at some sites. The WG was made aware of the deaths of 1000 adult Black-browed Albatrosses recorded in November 2010 at the same breeding site in the Falkland Islands (Islas Malvinas)<sup>1</sup> where a previous survey had concluded that the population was free of exposure to infectious diseases. Despite the analysis by a specialist laboratory of samples collected from these dead birds, the results were inconclusive. These two examples illustrate the complexity of studying pathogens and determining the exact cause of death. The WGs agreed that more research is required into infectious diseases of albatrosses and petrels, and that baseline data should be acquired against which future changes can be measured. Given that the outbreak of a disease in an endangered population could be catastrophic, it was suggested that ACAP engage veterinary pathologists with experience in seabirds to advise intersessionally on this work.
- 12.10.6 ASOC reminded the meeting that recent events at Tristan da Cunha emphasise the danger posed to seabirds by oils spills. ACAP Parties were requested to note the importance of preparedness to respond to oil spills that might affect ACAP species.



## **12.11 Plastic Band Coordination**

- 12.11.1 The WG discussed the proposal that ACAP consider collating/coordinating information on plastic (Darvic) bands in use in population monitoring studies to reduce duplication and improve usefulness of at-sea observations. Most Parties conducting banding on ACAP species use plastic bands in addition to standard metal bands to allow easier identification at distance at breeding sites, and reduce the need to handle birds. Whereas the codes on metal bands are unique, and differ between nations, the same plastic band colour and alphanumeric codes (letter or number combinations) may be used by several nations. The WGs concluded that it would be useful for a central catalogue to be hosted on the ACAP website, so that i) observers, particularly on fishing vessels, can contact the relevant research agency to obtain bird details, and ii) to avoid duplicates of plastic band codes as far as possible. In addition, given that metal bands may not be reported by fishermen simply because they do not know where to send the information, Parties were also asked to provide contact details for national banding schemes, to be listed on the ACAP website to ensure that this important information on bycatch is not lost.

## **12.12 ACAP funded programmes**

- 12.12.1 Dr Marco Favero (AC Chair) presented AC6 Inf 8 to the WGs, which summarises progress and outcomes of projects supported by the Advisory Committee in 2009, and AC6 Doc 23 which describes the process for allocation of project funding. He noted that the majority of the programmes funded are for work on at-sea threats, with 17 out of 23 projects funded so far relating to bycatch issues, and took the opportunity to encourage land based researchers to apply for funding available through the Advisory Committee.

## **12.13 Proposed Merger of Working Groups**

- 12.13.1 The WGs discussed a proposal to merge the Breeding Sites and Status and Trends WGs at this Advisory Committee meeting, the reasons being that many of the processes associated with data acquisition and collation, and of reporting on the activities of the WGs are now established. In addition, the outputs of the two WGs and the issues they address (prioritisation, gap analysis, development of indicators etc.) increasingly involve the integration of both site management and status and trends data. Many individuals are also members of both WGs. The WGs supported the merger and advised the AC accordingly.

## **12.14 Other Business**

- 12.14.1 The WGs discussed how best to represent the work of ACAP at the forthcoming Fifth International Albatross and Petrel Conference scheduled to take place on 13-17 August 2012 at the Museum of New Zealand Te Papa Tongarewa in Wellington, New Zealand. The suggestion was that one or more talks be given by appropriate experts for a well-informed scientific audience that would highlight the progress made by ACAP in collection, collation and synthesis of data on population status and trends, and threats, as well as the success in developing policy for improving the conservation status of listed species.
- 12.14.2 The AC supported the concept of presentation(s) to the 2012 International Albatross and Petrel Conference in order to showcase the work of ACAP and the progress that is being achieved.

12.14.3 Dr Beth Flint (USA) gave a presentation to the WGs on the impacts on Laysan *Phoebastria immutabilis* and Black-footed Albatrosses *P. nigripes* of the winter storms and tsunami that struck the Northwestern Hawaiian Islands in 2010/2011. This highlighted the growing threat posed by global climate change to albatrosses and petrels nesting on the low lying islands of Oceania.

12.14.4 Argentina made a statement during the discussion of the Draft Report of the Joint BSWG 4/STWG 6 Meeting related to the toponymy of the Falkland Islands (Islas Malvinas)<sup>1</sup>, asking it to be annexed in the Final Report of the AC6:

*“The Argentine Delegation to the 6th Meeting of the Advisory Committee of the Agreement on the Conservation of Albatross and Petrels (ACAP) is pleased to announce that, in relation to the commitment once assumed by Argentine to present the listing of the toponymic references of the Malvinas Islands, the mentioned listing is published in the web sites of the Servicio de Hidrografía Naval ([www.shn.gov.ar/toponimia/index](http://www.shn.gov.ar/toponimia/index)) and of the Instituto Geográfico Nacional ([www.ign.gov.ar/toponimia](http://www.ign.gov.ar/toponimia)). The information is freely available in the aforementioned web pages for its use in the correspondent breeding sites, localities and geographical accidents.”*

12.14.5 The UK delegation stated that this is not the appropriate forum to raise sovereignty issues of any kind, which are outside the scope and purpose of the Agreement on the Conservation of Albatrosses and Petrels. The UK made the following statement:

*“The United Kingdom has no doubt about its sovereignty over the Falkland Islands and its surrounding maritime areas. The United Kingdom rejects any use or application of toponomy other than that applied to the Falkland Islands by the people and Government of the Falkland Islands. The principle of self-determination, enshrined in Article 1.2 of the Charter of the United Nations and Article 1 of the International Covenant on Civil and Political Rights, underlies our position on the sovereignty of the Falkland Islands.”*

## **12.15 Concluding Remarks**

12.15.1 The Committee agreed that the WGs continued to achieve exceptional progress towards many of the tasks identified in the Action Plan of the Agreement. The Committee thanks the Convenors of the STWG and BSWG, and Members and Observers for their valuable contributions at the meeting and in developing the report. Thanks were also extended to the ACAP Science Officer, Dr. Wiesława Misiak, for her diligence and commitment to assisting the work of the working groups during the intersessional period and at the meeting.

## **12.16 Recommendations from Advisory Committee on Breeding Sites & Status and Trends Issues**

12.16.1 The Advisory Committee accepted the following recommendations of the Breeding Sites and Status and Trends Working Groups and:

- a. encouraged data holders and site custodians to ensure that data contributions are complete and up-to-date, including the information pertaining to ongoing population and demographic monitoring programmes;
- b. agreed that reviewing available tracking data for ACAP species, the identification of gaps, and the priorities for filling those gaps should fall within the purview of the new Population and Conservation Status Working Group, and encouraged ACAP

Parties to, where possible, undertake or plan for the tracking studies identified as priorities to take place in the near future (ANNEX 8);

- c. agreed that the provision of data and the development of tools for the identification of important breeding sites for ACAP species has now been completed and that a review of the tools should be undertaken at AC9;
- d. requested that Antarctic Treaty Consultative Parties ensure that as strict protection as feasible is accorded to the six sites which are identified both as candidate IBAs and as potential important breeding sites for ACAP species in respect of their breeding populations of Southern Giant Petrels;
- e. urged Parties and others responsible for breeding populations of ACAP species to ensure the continuation of their current long-term monitoring programmes;
- f. encouraged Parties and others responsible for breeding populations of ACAP species to implement the monitoring programmes identified as priorities (AC6 Doc 11 Rev4, Section 6.2.4; and ANNEX 9 of this report) in order to increase current knowledge of population size, trends and demography of ACAP species;
- g. recommended that Parties and others responsible for breeding populations of ACAP species, the WGs and the AC to review these priority programmes and the progress achieved in the intersessional period, at AC7;
- h. urged Parties to review data entries and update population data from the 2010/11 breeding season by end December 2011, and to enter data from subsequent seasons into the ACAP database by end June each year;
- i. agreed that the task of prioritising land-based threats has been completed, and that conservation priorities should be reviewed at the Advisory Committee meeting preceding every Meeting of the Parties;
- j. recommended that Parties address the High Priority threats identified in the land-based prioritisation process, including Avian Cholera at Ile Amsterdam, increased competition from Australasian Gannet at Pedra Branca, habitat loss or destruction, or predation, by introduced Rabbits and Black Rats at Macquarie Island, Pigs at Auckland Island, and House Mouse at Gough Island, and advance programmes to mitigate those threats, including eradication campaigns;
- k. requested that Parties provide updates on these and other actions to address on-land threats referred to in paragraph 12.16.1 j above, or reasons why no management response is in place through annual reports and at AC7;
- l. recognised the potential benefits of collaborations or capacity building initiatives that may assist in the provision of technical or practical expertise, and the securing of funding, to progress high priority management actions;
- m. Noting the rapid declines of the globally-important populations of Wandering and Black-browed albatrosses at South Georgia (Islas Georgias del Sur)<sup>1</sup>, Tristan Albatrosses at Gough Island, and Sooty Albatrosses at the Crozet and Prince Edward Islands, the Advisory Committee is asked to agree that the bycatch of birds from these populations, should be considered as high priority threats requiring urgent and coordinated international action.
- n. Further, it was agreed that the urgent action should include:
  - (i) urging ACAP Parties to immediately submit to ACAP any existing bycatch

- data, in order to improve assessment of bycatch of these albatross populations;
- (ii) urging ACAP Parties which authorise fishing in the range of these populations to commence gathering bycatch data in relevant fisheries if they have not already done so and to submit those data to ACAP; and
  - (iii) specifically highlighting the conservation threat to these populations in ACAP's engagement with RFMOs with responsibility for managing fisheries within its foraging distribution, and to request that those RFMOs implement best practice seabird bycatch mitigation measures recommended by ACAP, gather seabird bycatch data at a species level and promptly provide ACAP with any existing seabird bycatch data.
- o. In relation to the status, trends and breeding sites performance indicators the AC asked the Secretariat to:
- (i) extract and analyse the appropriate data to create values for as many as possible of the indicators identified for assessing progress of the Agreement;
  - (ii) provide, where possible, indicator values reflecting the situation at the time that ACAP came into force, and;
  - (iii) indicate any issues of data availability and recommend how these could be resolved (e.g. by requests to Parties for additional data);
- p. encouraged Parties to adopt best practice monitoring practices that include conducting censuses of breeding sites at a minimum of ten year intervals, especially for large or important sites, and conduct annual monitoring of population trend and demography at a minimum of one representative site for each island group;
- q. asked the Secretariat to ensure that links are made between the ACAP website and other sites providing background information on the effects of diseases, and tissue sampling and storage guidelines in the events of outbreaks, to assist with the collection of relevant information and samples from dead birds;
- r. requested members to submit published and unpublished data to Dr Flavio Quintana, so that he can update his review of parasites, pathogens and diseases of ACAP species for resubmission to the Population and Conservation Status WG at AC7;
- s. suggested to Parties that efforts be made to develop studies on the prevalence and transmission of known pathogens, and the possibility of a vaccination campaign or other approaches as mitigation for populations threatened by disease (including those on Amsterdam Island), particularly given the usefulness of this information when dealing with future outbreaks, and;
- t. encouraged future research on pathogens to be targeted particularly at sites where they are known to operate or likely to spread, given the financial and practical difficulties of carrying out larger scale, coordinated monitoring;
- u. supported an initiative to coordinate the use of plastic ("Darvic") colour bands by way of a table to be posted on the ACAP web site and accessible to each Party (requiring minimum work from the Secretariat); the ease and usefulness of this process to be assessed at the next meeting of the Working Group, and potentially

extended to include a list of contact details of banding authorities for each nation to whom metal band recovery details can be submitted;

- v. noted that the Balearic Shearwater *Puffinus mauretanicus* remains a strong candidate for listing within the Agreement, based on the degree and types of the threats it faces;
- w. agreed to request that future nominations of new species to the Agreement be accompanied by both draft ACAP Species Assessments and action plans to provide comprehensive information on conservation status and threats, and options for management; and
- x. approved the merger of the Status and Trends, and Breeding Sites Working Groups into a new working group, to be known as the Population and Conservation Status Working Group, and approved the terms of reference for the group (ANNEX 7).

### **12.17 Future Work Programme**

- 12.17.1 The Committee endorsed the Working Group's work plan following discussion under Agenda Item 16.

## **13 TAXONOMY OF ALBATROSSES AND PETRELS**

### **13.1 Report of Working Group**

- 13.1.1 The Taxonomy Working Group (TWG) did not present a report as no work had been required on taxonomic issues since the last meeting of the Advisory Committee.
- 13.1.2 Mark Tasker (Vice-chair) asked for comments on any issues of taxonomy relating to species listed on Annex 1. The United States suggested that the TWG should consider whether populations of Black-footed Albatrosses nesting in Japan and Hawaii are separate biological units (subspecies). A recent study of the population genetic structure of Black-footed Albatrosses nesting in Hawaii and Japan found that cytochrome b sequences revealed significant differentiation between Hawaiian and Japanese Black-footed albatrosses. Negligible migration rates, coupled with size differences between Hawaiian and Japanese birds and other DNA differences between these suggest that these birds also may be reproductively isolated, despite overlap in their at-sea distributions. Clarification of the status of these populations (subspecies) would be beneficial for conservation and management purposes.

### **13.2 Future Work Programme**

- 13.2.1 The Committee endorsed the Taxonomy Working Group's work plan and noted that no funds had been requested.

## **14. BREEDING SITES**

### **14.1 Report of Working Group**

- 14.1.1 The Report of the Breeding Sites Working Group was discussed under Agenda Item 12.

## **14.2 Future Work Programme**

- 14.2.1 The Committee endorsed the Working Group's work plan following discussion under Agenda Item 16.

## **15. SEABIRD BYCATCH**

### **15.1 Introduction**

- 15.1.1 The Convenor of the Seabird Bycatch Working Group, Mr Barry Baker, and the Vice-convenor, Dr Anton Wolfaardt, presented the report of the Fourth Meeting of the SBWG to the Committee (AC6 Doc 14 Rev1). The report contained Items relevant to Agenda items 7, 8, 11, 15.2, 16 and 17. More detailed discussions on these items were deferred until those items were discussed by the Committee under the relevant agenda item.
- 15.1.2 The Seabird Bycatch Working Group was impressed to note the level of research conducted since AC5 on mitigation in pelagic longline fisheries, particularly by Australia, Brazil (Projeto Albatroz), Uruguay, the USA (Washington Sea Grant, which has been collaborating with the Japanese fishing industry in South Africa's Exclusive Economic Zone (EEZ)), and by BirdLife's Albatross Task Force (which is working in pelagic and demersal longline and trawl fisheries in South America, South Africa and Namibia). The work of Pro Delphinus and their collaborators in artisanal fisheries in Ecuador and Peru was also welcomed by SBWG.

### **15.2 Pelagic Longline Bycatch Mitigation**

- 15.2.1 The SBWG reviewed recent developments in seabird bycatch mitigation technologies by its members and others. These developments included updates on line weighting trials, an underwater bait setter, hook pods, bird scaring lines and the performance of weighted versus unweighted branchlines deployed in combination with paired bird scaring lines during day and night.
- 15.2.2 A major product of previous SBWG meetings has been a review of current information on mitigation research for pelagic longline fisheries and the identification of knowledge gaps. Following the same procedure as last year, and indeed the same procedure used every year, the Working Group reviewed and updated the information, following presentation of the papers referred to in Section 1.1 of AC6 Doc 14 Rev1. It was discussed and agreed that the current format of using a table does not represent the most efficient presentation of the information, and that the review information for all fishery types should be presented in a more narrative style. The results of this review, with the information in the revised format, are included as ANNEX 13 to the report. The SBWG recommended that the ACAP Advisory Committee endorses this advice and Parties use the information to guide the development of policy and practice within the fisheries under their jurisdictions.
- 15.2.3 Following the review of the current mitigation research, SBWG recommended that a combination of weighted branchlines, bird scaring lines and night setting are best practice mitigation in pelagic longline fisheries. It was again noted that, currently, no single mitigation measure can reliably prevent the incidental mortality of seabirds in most pelagic longline fisheries, and the most effective approach is to use the above measures in combination. Given operational differences in pelagic longline fisheries

due to vessel size and gear type, bird scaring lines specifications have been divided into recommendations for vessels greater than 35 metres and those less than 35 metres. The best-practice advice derived from the review was once again synthesised into an advice statement that can be readily transmitted to target audiences (tuna RFMOs and Parties' fisheries managers). This draft advice is provided at ANNEX 14.

- 15.2.4 The Advisory Committee noted that additional research is needed to identify mitigation measures for smaller vessels (less than 15 metres). Where scientific evidence is lacking, a precautionary approach should be applied, and recommended best practice mitigation measures identified for larger vessels should be implemented, where feasible. The AC asked the SBWG to give consideration to the mitigation of seabird bycatch on smaller vessels when it next meets.

### **15.3 Trawl Bycatch Mitigation**

- 15.3.1 The SBWG reviewed mitigation measures available for both demersal and pelagic trawl gear, based on three papers presented to the meeting, published literature and expert opinion. The results of this review are attached as ANNEX 15.
- 15.3.2 The SBWG reiterated previous advice that during trawl fishing seabirds are attracted to the vessel by the discharge of processing waste. All previous studies on this topic have shown that when there is no discharge, few seabirds are attracted to the vessel, and there are few, if any, collisions with the warps. It was noted that full retention of discards and offal may be impractical in some vessels, and in these situations the use of paired bird scaring lines, properly deployed, is currently the most practical, effective means of minimising seabird warp strikes. Batching of offal and discards was also noted as a recommended management measure, to be used in combination with other mitigation, when full retention was not feasible.
- 15.3.3 Recommended mitigation approaches were extracted from the review and incorporated into a best-practice advice statement for trawl gear (ANNEX 16). The SBWG recommended that the Advisory Committee endorse this draft advice and encouraged Parties to use this information to guide the development of policy and practice within trawl fisheries under their jurisdictions.
- 15.3.4 The SBWG identified four research areas of highest priority to further reduce seabird bycatch in trawl fisheries; they are:
- a. options to reduce seabird interactions with warp cables by manipulating the time, nature and location of offal discharge, recognising size and operational differences between vessels;
  - b. methods to reduce seabird becoming entangled in nets during hauling;
  - c. methods that can be applied to various fisheries/seabird assemblages to determine relationships between seabird abundance, cable interactions and mortality; and
  - d. the applicability of net binding across pelagic fisheries.
- 15.3.5 High priority should also be given to investigating best practice combinations of mitigation. The SBWG recommended that the Advisory Committee should encourage Parties and others to prioritise these areas of research and to keep the group informed of developments in relation to seabird mortality caused by trawl fisheries.

## **15.4 Demersal Longline Bycatch Mitigation**

- 15.4.1 The SBWG discussion focused on recent advances in research relating to seabird bycatch mitigation in demersal longline fisheries. The SBWG noted that the results from two research projects presented at the meeting were consistent with ACAP's review and advice on best-practice mitigation for demersal longline operations. The current review is attached as ANNEX 17, and the advice as ANNEX 18.
- 15.4.2 On the basis of discussions regarding mitigation research priorities for demersal longline fisheries, the SBWG identified the development and testing of mitigation measures for small vessels as the main outstanding research priority.

## **15.5 Gillnet Bycatch Mitigation**

- 15.5.1 No papers were submitted under this agenda item, but the matter was discussed by the SBWG. It was noted that although seabird captures per set are generally low, extrapolation of bycatch rates to these large-scale fisheries suggests that large numbers of albatrosses and petrels are taken in gillnet fisheries throughout their ranges. If deep-diving birds such as shearwaters become listed on Annex 1 of the Agreement, the need to address seabird bycatch in gillnet fisheries will increase.
- 15.5.2 Potential gillnet mitigation measures and practices are identified in the SBWG report, and the Working Group encourages ACAP Parties and Range States to explore these mitigation options and carry out research to determine their effectiveness and practicality.
- 15.5.3 Given the potential for serious impacts to albatross and petrel populations from gillnet fisheries and the lack of papers on this topic, the SBWG strongly encouraged an assessment of the magnitude of gillnet fishing effort and albatross and petrel bycatch, as well as identifying research options for gillnet mitigation. Assessments should include data on the seasonality, area, and time and other environmental variables (e.g. depth, weather, time of day) and the relationship of seabird bycatch to these variables.
- 15.5.4 The Secretariat of the Convention on Migratory Species advised that it has commissioned a review on the impact of gillnets on marine migratory species including seabirds, since an information gap has been identified on the impact of this kind of fishing gear. The objectives of review are to:
- a. characterise gillnet fishing globally;
  - b. characterise the impact of gillnet fishing on CMS-listed species of sharks, turtles, seabirds and marine mammals;
  - c. identify mitigation measures and best practice; and
  - d. provide recommendations for a CMS draft resolution on gillnet induced bycatch.

The results of the review will be presented at the upcoming meetings of the CMS Scientific Council and Conference of the Parties, to be held in Bergen (Norway) 17-25 November 2011.

## **15.6 Artisanal Fisheries**

- 15.6.1 A comprehensive review of the characteristics of artisanal fisheries conducted by South American ACAP Parties and the occurrence of seabird bycatch within them were provided to the SBWG (SBWG-4 Doc 22). The document highlights the importance of artisanal fisheries in Brazil, Chile, Ecuador and Peru. The increase in artisanal fisheries



in recent years has meant that in some areas fishing effort can be larger than those of industrial fisheries.

- 15.6.2 The SBWG recognised that considering the very large scale of the South American fisheries described, even very low mortality rates can have serious detrimental effects on species such as the Critically Endangered Waved Albatross *Phoebastria irrorata*. It was also noted that when addressing incidental mortality, additional issues, such as socio-economic factors, need to be considered. It will also require the development and use of alternative or adaptive mitigation methods, given that those currently known to be effective can be difficult to implement in small fishing boats.
- 15.6.3 The SBWG recommended that studies characterising seabird bycatch be conducted in South American artisanal fisheries that overlap with Waved Albatross distribution, and for which few seabird bycatch data are available. These include the Ecuadorian surface longline fisheries for yellowfin tuna, sharks and dolphinfish, as well as the demersal longline fishery for hake in northern Peru. Overlap of these fisheries with other ACAP-listed species such as Black Petrel *Procellaria parkinsoni* was also of concern. Further, the SBWG recommended that research be conducted to identify seabird bycatch mitigation strategies applicable to small fishing vessels, with attention given to effects on the capture rate of target species.

## **15.7 Review of Bycatch Data Provided by Parties**

- 15.7.1 The SBWG assessed the progress achieved since AC5 on the use of web-based forms for submitting fisheries and bycatch information. It was recommended that the current reporting format should remain largely unmodified for the time being but that forms should be available independently of the Advisory Committee's reporting framework, to allow ongoing data updates and sufficient time for the data and information to be collated and submitted to the Secretariat. However, it was agreed that a deadline for submission of data (prior to an Advisory Committee meeting) be clearly defined.
- 15.7.2 Following a discussion about data analysis, the SBWG agreed that the data provided by Parties should be investigated intersessionally to determine what analyses could be undertaken, and provide recommendations on the best possible analytical approaches. This should also consider the extent to which the original objectives of the bycatch data collection and reporting process, as outlined in MoP3 Inf Doc 1 and AC5 Inf Doc 10, are able to be fulfilled by the data that are currently requested, and to provide feedback to the SBWG on any changes that may be necessary to the data that Parties are asked to submit. An intersessional group was established to take this work forward, comprising Barry Baker, Igor Debski, Wiesława Misiak, Ken Morgan, Kim Rivera and Anton Wolfaardt, as well as any others that are willing to participate.
- 15.7.3 It was noted that although the SBWG had agreed to focus initially on bycatch data from national fisheries, following the investigation of the data, the intersessional group would also provide advice on the submission of bycatch data from Parties for high seas fisheries.

## **15.8 Global Seabird Bycatch in Longline Fisheries**

- 15.8.1 The SBWG recognised the relevance of a recently published global assessment of seabird bycatch in longline fisheries conducted by BirdLife International (SBWG-4 Doc 30) when considering examples of how seabird bycatch data should be collated and reviewed. Despite the inevitable inadequacies and assumptions contained within such data, the published estimate indicated at least 160,000 (and potentially in excess of

320,000) seabirds are killed annually, a large proportion of which are of the albatross and petrel species listed in Annex 1 of the Agreement.

- 15.8.2 Where realistic comparisons can be made with data from the 1990s, there is evidence of substantially reduced bycatch in some key fisheries. Reductions stem from decreased fishing effort, and greater and more effective use of mitigation measures, notably in demersal longline fisheries. Fisheries with previously unidentified bycatch problems were also identified. The authors noted that significant data gaps prevent adequate assessments of the scale of the impact (e.g. in the Asian distant water fleet). Future assessments will only achieve greater precision when minimum standards of data collection, reporting and analysis are implemented by longline fishing fleets, by relevant national fishery managers and by RFMOs. Those fisheries where bycatch has been substantially reduced demonstrate that the problem of seabird bycatch can be reduced to negligible proportions by enforced implementation of appropriate best-practice mitigation devices and techniques.

## **15.9 Bycatch Data Collection**

- 15.9.1 The SBWG considered draft guidelines on minimum data-collection requirements to improve knowledge of fishery impacts on ACAP-listed species (SBWG-4 Doc 26). It was noted that the main objectives of collecting seabird bycatch data are to characterise and quantify seabird bycatch within a fishery, to understand the nature of seabird bycatch, and to assess the effectiveness of seabird bycatch measures in reducing mortality. In order to fulfil these objectives a number of issues need to be addressed. These include:
- a. the establishment and implementation of effective observer programmes;
  - b. sufficient observer coverage of fishing effort to accurately quantify seabird bycatch and to scale up reliably observed bycatch to the whole fishery;
  - c. standardised collection of reliable seabird bycatch and associated data by well-trained observers; and
  - d. clear and standardised requirements for reporting bycatch, and coordinated and preferably centralised management of bycatch data.
- 15.9.2 The SBWG endorsed the general principles contained in SBWG-4 Doc 26 and recommended that they be formalised into an ACAP Guidelines document that can be presented to RFMOs.
- 15.9.3 The Advisory Committee noted that although the guidelines on minimum data standards were developed primarily for use in RFMOs, the principles are also applicable for national observer programmes.

## **15.10 Prioritisation Framework for At-Sea Threats**

- 15.10.1 The SBWG considered the review of the prioritisation framework for at-sea threats, and noted that it is near completion, with some further work on scoring and weighting still required. The results from the framework will be grouped into broad priority categories, but an approach to do so has yet to be agreed. It was agreed that members of the SBWG will contribute to intersessional work, both to complete the framework and provide advice to the Advisory Committee on its adoption and appropriate use prior to MoP4.
- 15.10.2 The priority activities for the intersessional work are to: (i) identify a suitable scoring

and weighting regime for the at-sea framework; (ii) agree upon a scheme to present the results of the prioritisation process using a simple categorical system; and (iii) provide recommendations to the Advisory Committee for the use and maintenance of the prioritisation framework. It is planned that this work will be complete before MoP4.

### **15.11 Prioritisation of Wandering Albatross Bycatch for ACAP**

- 15.11.1 The SBWG considered a proposal (SWBG-4 Doc 54) recommending that addressing bycatch of the Wandering Albatross population at South Georgia (Islas Georgias del Sur)<sup>1</sup> should be considered an ACAP priority.
- 15.11.2 Because final conclusions from the ACAP at-sea prioritisation framework are not yet available, the SBWG acknowledged the advantage of highlighting high priority cases on which ACAP might focus its efforts in the interim.
- 15.11.3 There is unequivocal evidence of a long-term decrease in this population that began in the early 1960s, and accelerated in the late 1990s to >4% a year. The document included maps highlighting the areas of greatest potential interaction of birds of all age classes with pelagic and demersal longline fisheries, based on an analysis of comprehensive tracking data and fishing effort. A review of the potential threats to the population leads to the conclusion that bycatch in longline fisheries is the primary driver of the observed decline of this population.
- 15.11.4 The SBWG agreed that the bycatch of the south-western Atlantic population of the Wandering Albatross be considered a high-priority threat requiring urgent and coordinated international action (ANNEX 10.1). A number of recommendations were made which the Advisory Committee are requested to endorse. These include:
- a. urging ACAP Parties to immediately submit any existing bycatch data to ACAP, in order to improve assessment of bycatch of the Wandering Albatross;
  - b. urging ACAP Parties that authorise fishing in the range of this species/population to commence gathering bycatch data in relevant fisheries if they have not already done so and to submit those data to ACAP; and
  - c. ACAP specifically highlighting the conservation threat to this species/population in its engagement with RFMOs with responsibility for managing fisheries within its foraging distribution, and to request that those RFMOs implement best-practice seabird bycatch mitigation measures, gather seabird bycatch data at a species level; and promptly provide ACAP with any existing seabird bycatch data.
- 15.11.5 The SBWG also noted that other high priority species and populations were identified in the joint Breeding Sites and Status and Trends Working Group meeting, and that appropriate text justifying these priorities will be included in the report of those Working Groups.
- 15.11.6 Uruguay indicated that they are presently investigating bycatch data from Japanese tuna vessels fishing in their jurisdictional waters, and hope to be in a position to provide information on Wandering Albatross bycatch at the next meeting of the SBWG.
- 15.11.7 In relation to document SWBG-4 Doc 54, the Argentine delegation stated that “*in South Georgias Islands, South Sandwich Islands and the surrounding maritime areas the only regime applicable is the multilateral one of the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR)*”. The Argentine delegation suggested

that this priority be communicated to CCAMLR.

- 15.11.8 The Advisory Committee noted that there had not been a Wandering Albatross recorded as killed in CCAMLR fisheries for at least 10 years and hence the relevance of CCAMLR to the management of the South Atlantic populations of this species were not great at present. Nonetheless, Argentina requested that their views on this matter remain on the record (see ANNEX 23)
- 15.11.9 The UK delegation stated that it did not believe that ACAP is an appropriate forum to raise sovereignty issues of any kind, which are outside the scope and purpose of the Agreement on the Conservation of Albatrosses and Petrels. *“The UK reiterates that it has no doubts about its sovereignty over the Falkland Islands, South Georgia and the South Sandwich Islands and their surrounding maritime areas. In that regard, the UK has no doubt about its ability to manage its maritime areas. In addition, it remains wholly committed to the principles and objectives of CCAMLR. It intends to ensure that the highest standards of fisheries and marine management will be implemented in its jurisdictional waters – including through the imposition of tough management measures that are in line with, and back up, the provisions of CCAMLR.”*

## **15.12 Development of Indicators**

- 15.12.1 The SBWG reviewed the comments and advice relating to indicators (AC6 Inf 07 and AC 6 Doc 27) and recommended that a set of indicators (ANNEX 12) should, in the short to medium term, be further developed and implemented as ACAP indicators: The annex also shows proposed actions to enable the development and implementation of these indicators, subject to the extent that resources permit.

## **15.12 ACAP engagement with RFMOs**

- 15.12.1 It was noted that most breeding albatrosses overlap with the pelagic longline fisheries for tuna and swordfish managed by the five tuna RFMOs. Consequently, the adoption of best-practice seabird conservation in pelagic longline fisheries is a high priority for ACAP and provides the impetus for ACAP's developing strategy for effective engagement and coordination with RFMOs.
- 15.12.2 There are five tuna RFMOs responsible for the management of longline tuna fisheries on the high seas. The Advisory Committee has designated an RFMO coordinator for four of them. These include the International Commission for the Conservation of Atlantic Tuna (ICCAT), Indian Ocean Tuna Commission (IOTC), Inter-American Tropical Tuna Commission (IATTC), and the Western and Central Pacific Fisheries Commission (WCPFC).
- 15.12.3 In view of the significant advances made recently in mitigation research the SBWG recommended that additional resources should be devoted to achieving changes in the tuna RFMOs to ensure conservation measures reflect current best practice. The SBWG considered that priority should be given to affecting changes in conservation measures in ICCAT and IOTC in 2011, with priority moving to the other tuna RFMOs in subsequent years.
- 15.12.4 To achieve these changes it was recognised that more work would be required to liaise with relevant stakeholders and to prepare meeting documents and briefings for national delegations. As the capacity of the tuna RFMO Coordinators was already stretched it was agreed that additional resources in the order of AUD 30,000 a year should be sought to provide the capacity to undertake this work, and a further AUD 30,000 should

be sought for coordination of bycatch issues in 2011 and 2012. This item was discussed further under Agenda item 16.

- 15.12.5 The Executive Secretary reported that a voluntary financial contribution from France, together with support from the UK, had been valuable in supporting the work of the RFMO coordinators over the intersessional period. The Advisory Committee thanked these Parties for their contributions.
- 15.12.6 In relation to advancing acceptance of line weighting within tuna RFMOs it was noted that definitive research findings should be made available on the safety of line-weighting techniques. Without this evidence, it will be very difficult to gain support for the adoption of this mitigation measure in some fisheries.
- 15.12.7 In response to questions on how mitigation advice is to be conveyed to RFMO, the Advisory Committee agreed that this best done through a number of complementary mechanisms. This should include the formal presentation of the advice to the working groups of RFMOs, and ensuring that ACAP Parties take forward the best practice advice through their respective RFMO delegations. Advice should also be properly branded, and readily available on the ACAP website, to ensure clarity on the source of the advice and its veracity. Parties should ensure that they had adopted best practice bycatch reduction measures, including through their NPOAs, in order to lead by example in RFMO discussions.
- 15.12.8 The Advisory Committee expressed appreciation of the continued valuable collaboration with Dr Cleo Small and other BirdLife International staff on the implementation of the ACAP RFMO Strategy.

### **15.13 Framework for seabird conservation measures and their revision**

- 15.13.1 The SBWG considered a framework for the development of seabird conservation measures within tuna RFMOs. The broad headings and content of the seabird conservation framework were endorsed by the SBWG. They include a stated purpose, how that purpose will be achieved, the area of application, a process for review, and technical specifications, which should be based on ACAP's best practice mitigation advice. The framework is described in more detail in Section 10.4 of AC6 Doc 14 Rev1 and was recommended for adoption by the Advisory Committee.
- 15.13.2 A draft seabird conservation measure for possible adoption in tuna RFMOs (SBWG-4 Doc 56) was also presented to the meeting. Following discussion of various aspects of the draft conservation measure the SBWG agreed that it would provide a useful tool to guide the work of the tuna RFMOs. It was noted that the draft conservation measure would need to be amended to reflect the best practice advice determined by the SBWG and that this might need to be undertaken intersessionally.

### **15.14 RFMO priorities**

- 15.14.1 The SBWG identified priority actions related to each RFMO for the period 2011-2012 (AC6 Doc 14 Rev1 Section 10.8), which the Advisory Committee was asked to endorse.

### **15.15 FAO IPOA/NPOA-seabirds**

- 15.15.1 Information was provided from SBWG members on progress in developing new NPOAs and reviewing existing plans. Feedback was received from Argentina, Brazil, Chile, New Zealand, the United Kingdom, Uruguay and Canada in respect of

implementation progress of NPOA-Seabirds. An update was also provided on the development of a European Community Plan of Action for reducing incidental catches of seabirds in fishing gears.

- 15.15.2 The SBWG noted that the FAO's Technical Guidelines to Reduce Incidental Catch of Seabirds in Capture Fisheries had been influential in shaping several emerging NPOA-Seabirds. All ACAP Parties were encouraged to apply the FAO Technical Guidelines to strengthen existing plans or develop new robust plans for longline, trawl and where feasible, gillnet fisheries.

## **15.16 Mitigation Fact Sheets**

- 15.16.1 SBWG noted progress with the translation of the ACAP/BirdLife International Mitigation Fact Sheets (SBWG-4 Doc 37). Translations are complete for Spanish, Portuguese and French editions and are available in pdf format, and good progress has been made with a Japanese version. Translators for Mandarin and Korean languages are in the process of being contracted and it is planned to have the full set of fact sheets translated into these two languages in the first half of 2012.
- 15.16.2 The SBWG highlighted some improvements to be made to the branding and presentation of the Fact Sheets. The group reviewed the schedule developed at SBWG-3 and, based on papers tabled this year, agreed that the Fact Sheets that required updating were those entitled: Introduction; pelagic longline; line weighting; pelagic bird-scaring line; and trawl warp strike.
- 15.16.3 The SBWG was informed that progress with the FAO on co-branding was slow as the FAO required a joint Memorandum of Understanding with BirdLife International and ACAP, which needed further discussion.

## **15.17 Global Procellariiform Tracking Database**

- 15.17.1 It was reported that major improvements to the BirdLife's Global Procellariiform Tracking Database access and functionality were completed in 2010. New data continue to be provided to the database, and tracking data are now available for every ACAP species, at least for some part of their annual cycle. Key gaps in the tracking data for albatross and petrels were identified (AC6 Doc 11 Rev4) and ACAP Parties and others were encouraged to submit new data sets as part of the on-going work of the Agreement.

## **15.18 Risk Assessment**

- 15.18.1 The SBWG considered the presentation of three documents dealing with Ecological Risk Assessments (ERAs), and the relative merits of the different approaches were discussed. Although acknowledging that detailed models may provide better estimates of current and potentially historical impacts on populations, and spatial and temporal trends in bycatch estimates, the SBWG noted that data on bycatch rates across all relevant fisheries and on demographic parameters are often inadequate and that such assessments required considerable time and modelling expertise.
- 15.18.2 The SBWG concluded that a pragmatic approach to ERAs should be adopted where possible, and that it should not be necessary to place the burden of proof on the ERA to demonstrate population-level impacts before action is taken to reduce bycatch. Hence, the initial priority should be given to ensuring management responses after Level-1 (qualitative) and Level-2 (semi-quantitative) ERAs, potentially including sensitivity analyses to demonstrate the robustness of conclusions despite uncertainties

in parameter values or exact rankings. In addition, the SBWG agreed that SBWG-4 Doc 35, which reviews ecological risk assessments (ERAs) for the effects of fishing on seabirds, be included in the series of ACAP Conservation Guidelines.

### **15.19 Review of Progress reports for ACAP funded Programmes**

- 15.19.1 A number of progress reports for ACAP funded projects were received. The SBWG noted the good progress made with projects funded through the ACAP grants scheme and expressed its support for the scheme's operations.

### **15.20 SBWG Work Programme**

- 15.20.1 The Work Programme was considered and a draft revision of section four of the Advisory Committee Work Programme 2013-2015, prepared for consideration by the Advisory Committee (ANNEX 6). This was discussed under Agenda Item 16.

### **15.21 Membership**

- 15.21.1 Membership of the SBWG was briefly discussed, with detailed discussion deferred to AC6 Agenda Item 3 Rules of Procedure. It should be noted however, that not all Parties are officially represented on the group. Nominations of SBWG members by Brazil, Chile, Ecuador, France and interested Range States would be very welcome.

### **15.22 Informal Meeting of SBWG**

- 15.22.1 The Convenor noted that it could be some 18 months before the next meeting of the SBWG, and that there may be need for a small intersessional meeting to address urgent items that may arise in the meantime. A potential opportunity exists to hold a short informal meeting around the time of the Fifth International Albatross and Petrel Conference, which is to be held in Wellington, New Zealand, 13-17 August 2012. There would be cost benefits to the Agreement if many SBWG Members were planning to attend the conference. New Zealand advised that it would be possible to provide a venue for an informal meeting if it was necessary to hold such a meeting.
- 15.22.2 While acknowledging the potential benefits of this suggestion, the Advisory Committee expressed concerns that not all SBWG Members would be able to attend. Nonetheless, the Advisory Committee agreed that there may be benefit in such an informal meeting to assist progressing the work of the group. The Secretariat also advised that funds were not available in the budget to support travel costs or interpretation for an informal meeting.

### **15.23 Advice from the Advisory Committee on Seabird Bycatch Issues**

- 15.23.1 The Advisory Committee accepted the following recommendations of the Seabird Bycatch Working Group and:
- a. endorsed the review of pelagic longline mitigation measures (ANNEX 13);
  - b. endorsed the best practice advice statement on pelagic longline mitigation (ANNEX 14);
  - c. endorsed the review of trawl mitigation measures (ANNEX 15);
  - d. endorsed the best practice advice statement on trawl mitigation (ANNEX 16);
  - e. endorsed the review of demersal longline mitigation measures (ANNEX 17);
  - f. endorsed the best practice advice statement on demersal longline mitigation (ANNEX 18);

- g. encouraged Parties to support research that helps to identify seabird bycatch mitigation strategies applicable to small fishing vessels, as well as studies that characterise bycatch in South American artisanal fisheries;
- h. recommends the intersessional investigation of bycatch data provided by Parties to determine what analyses could be undertaken, the best possible analytical approaches, and the extent to which the original objectives of the bycatch data collection and reporting process are able to be fulfilled by the data that are currently requested;
- i. recommends intersessional work to complete the prioritisation framework for at-sea threats (Section 15.10)
- j. agrees that the bycatch of the south-western Atlantic population of the Wandering Albatross be considered a high-priority threat requiring urgent and coordinated international action (Section 15.10)
- k. endorses progress to develop as ACAP indicators those described in Section 15.11 and dealt with elsewhere in this report (Section 17);
- l. recommends that funding of AUD 30,000 be provided annually for travel costs associated with attending RFMO meetings, and AUD 30,000 for coordination of bycatch issues (Agenda item 16);
- m. adopts the framework for the development of seabird conservation measures within tuna RFMOs described in Section 15.12)
- n. supports the holding of an intersessional informal meeting of the SBWG in New Zealand in August 2012 around the time of the 5th International Albatross and Petrel Conference, subject to the extent that resources permit, and the need for a meeting.

## **15.24 Other business**

- 15.24.1 The Convenor and Vice Convenor thanked the Advisory Committee for their support of the work of the Seabird Bycatch Working Group. They also thanked the Secretariat, RFMO coordinators and all Members and Observers for their contributions at the meeting and also during the intersessional period.

## **15.25 Future Work Programme**

- 14.25.1 The Committee endorsed the SBWG's work plan following discussion under Agenda Item 16.
- 15.25.2 The Advisory Committee thanked the Convenor and Vice-convenor, as well as all Members and Observers of the Seabird Bycatch Working Group for the excellent progress made during the intersessional period and at this year's working group meeting, in particular with respect to the advice on pelagic longline bycatch mitigation.

# **16. ADVISORY COMMITTEE WORK PROGRAMME**

## **16.1 Advisory Committee Work Programme 2010-2012**

- 16.1.1 A Work Programme for the triennium 2010-2012 was approved by the Third Session of the Meeting of the Parties (MoP3, Resolution 3.4, AC5 Doc 17) and reviewed at AC5. The work programme was reviewed again at AC6 (and in its working group meetings) and was amended (ANNEX 5). These amendments mostly addressed the merging of



the Breeding Sites and Status & Trends working groups into the new Population and Conservation Status Working Group and the consequent merging of both work programmes.

16.1.2 Actions that were completed were identified (in lighter grey print, ANNEX 5) and further actions (numbered with an additional letter) were decided upon.

16.1.3 The Advisory Committee was grateful to all who had helped move the Work Programme forward so successfully in the past year.

## **16.2 Advisory Committee Work Programme 2013-2015**

16.2.1 A draft Work Programme for the triennium 2013-2015 was developed and endorsed by the Advisory Committee for consideration at the Fourth Session of the Meeting of the Parties (ANNEX 6).

16.2.2 Some actions in the work programme have a cost indicated against them (in Australian dollars). These figures are indicative only. The cost of work to implement the work programme that is carried out by Parties, Range States, Observers and the Secretariat, and many scientists on their budgets and in their time is not included.

## **16.3 Process for the allocation of funds**

16.3.1 The Chair provided a review of the process followed to allocate funds to the AC Work Programme since MoP3 (AC6 Doc 23). The paper also includes a detailed list of the 23 projects supported during the three calls for application, including project title, project leader and funds granted.

16.3.2 The document highlights the lessons learnt and the refinement of the process during the triennium. A refined version of the document will report back to the Meeting of the Parties the process in place for the allocation of funds.

16.3.3 WWF noted the value of the information presented regarding projects supported by the Agreement and suggested that additional information on project applications including those not funded would also be useful. Among other things, such information may, in future, inform resource and capacity requirements of the Agreement and indeed inform other organisations that may have resources to support such proposals. It was agreed that more detail on project applications received be included in the document prepared for MoP4.

## **16.4 Outcomes of projects supported in 2009 and summary of projects funded in 2010**

16.4.1 The Chair briefly discussed the outcomes from projects supported in 2009 (AC6 Inf 8). The Advisory Committee agreed that the projects supported were successful in laying foundations for potential future work that would benefit the Agreement's objectives.

16.4.2 The Chair also introduced AC6 Inf 9 on the eight projects funded by the Advisory Committee in 2010. Due to the relatively limited funds available in 2010, the Advisory Committee intersessionally endorsed the use of funds from the 2011 allocation of grant funds for 2010 projects. As a result no projects were called for in 2011 (see AC6 Doc 23).

16.4.3 The Chair and the Grants sub-Committee were thanked for their work in ensuring the grants process had a successful outcome.

## **17. DEVELOPING INDICATORS TO MEASURE THE SUCCESS OF ACAP**

17.1 The current basis for the development of a system of indicators to measure the effectiveness of the Agreement was set out in AC5 Inf 16 Rev1. This was the subject of intersessional work following the guidance set out in AC5 Final Report paragraphs 14.2 to 14.4.

17.2 The Advisory Committee reviewed the comments and advice relating to indicators (AC6 Inf 07 and AC 6 Doc 27), taking account of the conclusions and advice of the working groups on this topic (AC6 Doc 14 Rev1 and AC6 Doc 11 Rev4). It recommended that the following indicators should be further developed in order to evaluate their use as potential ACAP indicators:

### **17.3 Indicators relating to seabird bycatch**

#### **State (S)**

- 1) Availability of data for definition of at-sea ranges of ACAP species
- 2) Availability of bycatch data relevant to ACAP species

#### **Pressure (P)**

- 1) Bycatch rates and levels of ACAP species

#### **Response (R)**

- 1) Implementation of seabird bycatch mitigation within EEZs
- 2) Engagement with RFMOs on seabird bycatch issues
- 3) Research and development for effective seabird mitigation measures

### **17.4 Indicators relevant to breeding sites and population status and trends**

#### **Breeding sites**

##### **State (S)**

1. Islands with alien species
  - a) Habitat modifiers
  - b) Known/potential predators

##### **Pressure (P)**

1. Sites with threats

Composite index of category-specific (Low, Medium, High, Very High) threats

##### **Response (R)**

1. Eradication and/or site management actions undertaken (note that this is essentially the inverse of P1).
2. Site Management Plan currency (date/review date) and status of implementation of actions for ACAP species (it was recognised that this would require soliciting additional information from Parties).
3. Biosecurity protocol availability for sites (incomplete data submission so far will require a supplementary query to some Parties).

## **Population status and trends**

### **State (S)**

1. Population data availability
  - a) Proportion of sites with reliable population estimate
  - b) Proportion of sites with censuses within the last 10 years
  - c) Proportion of sites with censuses within the last 20 years
2. Monitoring data availability – number/proportion of population/site combinations with ongoing annual population monitoring
3. Demographic data availability – number/proportion of population/site combinations with ongoing demographic programmes
4. Population trends
  - a) Number/proportion of sites with no trend data (minimum of three counts in the last 10 years, with at least one count in the first five years, and one count in the last five years);
  - b) Number/proportion of sites where population trends are increasing, decreasing, stable, indeterminate

In addition the Advisory Committee recommended that updates to the existing indicator, IUCN Red List status of ACAP species, continue to be tabled at each ACAP Meeting of Parties.

## **17.5 Indicators of Capacity**

Consideration of this topic was part of the work of the intersessional group. In AC6 07 BirdLife International suggested that potential indicators for ACAP might reflect some of those already agreed by all ACAP Parties at the 2010 meeting of the Convention of Biological Diversity (CBD).

Thus, these might include, for achieving the agreement's objectives:

- a) aggregated financial flows in respect of: (i) domestic budgets (ii) private sector (iii) NGOs, foundations and academia, and (iv) international financial institutions;
- b) domestic financial support for domestic activities; and,
- c) financial resources from developed countries to developing countries.

17.6 Parties recognised the potential value of such indicators but also the difficulties of evaluating such data in a comparable and consistent manner. Nevertheless the Advisory Committee encouraged Parties to submit to the next Advisory Committee ideas on which indicators of capacity, including those being reported to CBD, might be appropriate for ACAP.

17.7 It was also recognised that ACAP Parties might wish to consider developing capacity indicators relating more directly to achievements since ACAP came into force, especially those relating to the programme of capacity building.

## **18. CAPACITY BUILDING**

- 18.1 The Chair introduced AC6 Doc 26 on the refinement of the ACAP strategy on capacity building. The document addresses key components of the strategy such as the definition, objectives and principles.
- 18.2 Among the principles, the Chair highlighted that (a) the assistance may include training, provision of information, institutional support, or funding in those cases where such assistance would be needed to help the achievement of actions; (b) capacity building actions will be guided by the outcomes of the Agreement's prioritisation process and the priorities agreed by the Advisory Committee, with flexibility to cope with opportunities and political contexts that might favor the development of actions not indicated as top priority; (c) although capacity building should be understood as a long-term process, proposals contributing towards putting systems in place and building capacities for continuing programmes may be supported on the basis that those projects will work as seed funding of long-term projects that will then be supported by the Parties involved.
- 18.3 In relation with the last principle, Chile highlighted the value of the funds provided by the Advisory Committee for the improvement of their observer programme, and the way this seed funding triggered a number of domestic processes and actions.
- 18.4 The paper proposed a change for the development of secondments in the Agreement, until now restricted to trainings or projects conducted in the Agreement's headquarters in Hobart. The adoption of a more flexible approach, contemplating the possibility of developing secondments in other countries, may broaden the possibilities for secondees and increase the scope of capacity building, also allowing in many cases, a more efficient use of resources. The change in this concept will require the Secretariat to coordinate with the Advisory Committee the implementation of secondment programmes.
- 18.5 The proposal was well received by the Advisory Committee and Observers. Argentina noted that the development of such a concept should be accompanied by the analysis of mechanisms to allow for the selection of candidates. These analyses will be included in the draft prepared for MoP4.
- 18.6 Aves y Conservación which coordinates the Albatross Task Force (ATF) in Ecuador, noted that the ATF has been demonstrated to be a critical tool to identify and start implementing key mitigation measures to reduce the incidental bycatch of the Waved Albatross, in line with the ACAP Waved Albatross Action Plan. The success of ATF in Ecuador and other South American and southern African countries has been largely based on the demonstration by BirdLife of a long-term commitment to the programme. Aves y Conservación believes that the ATF is an excellent example of a long-term capacity building strategy. They expressed their appreciation to ACAP for supporting the ATF in Ecuador and looked forward to continuing to work in collaboration to implement the Waved Albatross Action Plan.
- 18.7 The Advisory Committee endorsed the proposal for a change in the development of secondments, that will be introduced to MoP4 for its consideration.
- 18.8 New Zealand expressed its strong support for the significant number of capacity building projects that had been completed during the triennium. New Zealand noted that capacity building was an extremely important component of the ACAP agreement and looked forward to further capacity building initiatives that would play an important

role in helping to achieve a favourable conservation status for ACAP-listed species.

## 19. LISTING OF NEW SPECIES

- 19.1 Spain proposed adding the Balearic Shearwater *Puffinus mauretanicus* to Annex 1 of the Agreement (AC6 Doc 31). Spain noted that the Balearic Shearwater breeds only in its Balearic Islands, is globally Critically Endangered, has been listed in Appendix I of the CMS, and that an international action plan, prepared by the BirdLife International Spanish partner, SEO/BirdLife, for the European Commission was published in 2011 (AC6 Inf 04). Spain also noted that an ACAP Species Assessment for the shearwater had been prepared with support from the ACAP Secretariat, showing that the species was threatened by both introduced predators and domestic animals at its breeding sites and by demersal longline fisheries and changed discharge procedures from trawl fisheries at sea, both threats which were considered to be deleteriously affecting adult survival.
- 19.2 The Advisory Committee noted that the joint Meeting of the Breeding Sites and Status and Trends Working Groups has considered the proposed nomination and had considered the shearwater was a strong candidate for listing, noting that this view had been previously endorsed by the Agreement (AC3 Doc 18; Listing of New Species).
- 19.3 A question was asked over the taxonomic status of the Balearic Shearwater, with the suggestion that the matter be referred to the ACAP Taxonomy Working Group. It was noted that the action plan includes a taxonomic consideration and that further genetic studies were being conducted.
- 19.4 France, the CMS and Birdlife International supported Spain's proposal to nominate the species to the Agreement. The CMS also stated that it was using the Balearic Shearwater as an indicator species to aid in the selection of marine Important Bird Areas (IBAs) within its range. The Advisory Committee endorsed the proposal, noting that documentation would need to be received by the Secretariat this year in time for a formal nomination to be considered at the next session of the Meeting of Parties, due to be held in 2012. Such a nomination should take consideration of any new taxonomic information that may become available.
- 19.5 Chile gave notification of its intention to work towards nominating to the Agreement the globally Vulnerable Pink-footed Shearwater *Puffinus creatopus*, a trans-Equatorial migrant endemic species that breeds in Chile. It noted that it was conducting research on the species and that both national and international action plans were in existence. Chile's intention to nominate the species was supported by Canada, who noted it is a range state and produced a recovery plan in 2008.
- 19.6 Ecuador informed the meeting of its desire to submit the globally Critically Endangered Galapagos Petrel *Pterodroma phaeopygia*, endemic to the Galapagos Islands, for consideration for listing in the Agreement, and requested information on the process to be followed. The Advisory Committee agreed that nominations should preferably be submitted with action plans and ACAP Species Assessments documents and offered to help with both processes, noting that for the Waved Albatross Action Plan a series of round-table discussions had been held as part of the production process.
- 19.7 In relation to AC6 Doc 32, the Advisory Committee noted that the main item of relevance to ACAP is the suggestion by the CMS Flyways Working Group that ACAP

and the Convention on Migratory Species discuss “expanding the remit and work of ACAP” to keep developing (and presumably implementing) “a coherent conservation framework and Action Plan for marine bird species not presently covered by ACAP”.

- 19.8 The Advisory Committee discussed some of the implications of the suggestions and noted the following for consideration by the Meeting of the Parties:
- a. Implementation of ACAP is still in its early stages, requiring ongoing major efforts and resources from all ACAP Parties to maintain progress;
  - b. Enlarging ACAP to address conservation issues even for only the non-ACAP globally-threatened seabird species would add some 80 species to ACAP and require substantial new resources, even to commence the necessary preparatory work;
  - c. Recent analysis (by BirdLife International) of the conservation priorities for all seabirds identified gadfly petrels (genera *Pterodroma* and *Pseudobulweria*), penguins and cormorants as the species-groups with the most threatened species, after those included in ACAP;
  - d. Consideration of the expansion of ACAP even to include any or all of these species-groups should include awareness of the large number of breeding Range States, additional to existing ACAP Parties, that would need to be involved; and
  - e. Furthermore, because numerous Action Plans for globally-threatened seabird species already exist or are in preparation, including many developed by groups and organisations operating independently of CMS or ACAP; any dialogue on worldwide conservation frameworks and action plans will need to involve many additional stakeholders and constituencies.
- 19.9 South Africa advised that the Agreement should at least restrict itself to members of the order Procellariiformes and not consider expansion to other species of migratory seabirds.
- 19.10 The Advisory Committee noted that existing ACAP Parties, most of whom are also Range States for other globally-threatened seabird species, (including in the above-mentioned groups) indicated that they were supportive, in principle, of the development of collaborative arrangements where these would allow or enhance actions to improve the conservation status of such species.
- 19.11 However, any such arrangements, whether involving the expansion of ACAP or the development of new free-standing agreements, should require clear expressions, from at least the main breeding Range States, of their intention to be active collaborators/partners in any new multinational initiatives, including by providing additional resources or opportunities (as appropriate) to establish and implement these.
- 19.12 This interim commentary and advice by the ACAP Advisory Committee might usefully be made available to the forthcoming discussion of the CMS of its policy options for migratory bird flyways.

## 20. SPECIES ACTION PLANS

### 20.1 Waved Albatross Action Plan

- 20.1.1 The purpose of the Waved (Galapagos) Albatross Plan of Action (WVAL POA) developed by the Governments of Ecuador and Peru, in collaboration with ACAP, is to provide managers, scientists and stakeholders with a summary of the biology, status and threats faced by the species, together with actions needed to improve its conservation status.
- 20.1.2 AC6 Doc 29 “Implementation of the ACAP Waved Albatross Plan of Action” reports that actions to date have concentrated on addressing interactions with fisheries. Since 2008, the Agreement’s Advisory Committee has funded eight projects identified in the action plan.
- 20.1.3 It was noted that the plan was due to be reviewed as part of ACAP’s 2013/15 work programme by way of the establishment of a steering committee. The review of the action plan should include re-defining tasks and actions; re-evaluating priorities; undertaking an examination of proposals for improving communication between stakeholders and engagement of organisations; and identification of a process for an easy update of actions undertaken and outcomes achieved.
- 20.1.4 Ecuador thanked the Agreement for support received and expressed their commitment to continue development of the Action Plan by holding a further round table in Peru.

### 20.2 Amsterdam Albatross Action Plan

- 20.2.1 France provided an overview of the “National Plan of Action for the Conservation of the Amsterdam Albatross *Diomedea amsterdamensis* in France” (AC6 Inf 6 Rev1). The Amsterdam Albatross breeds at a single site, with a total population of 32 pairs (c. 210 individuals). Although the population is presently increasing at 5.4% a year, the removal of only five individuals a year would reduce the population by 3% a year and would bring the species to rapid extinction. The National Plan of Action was launched by France in 2010, and has been in place since 2011. The plan especially addresses the issues of gaining a better understanding of the risks facing the species and ways to limit whenever possible these risks. Seven main actions will be carried out over the next five years, including the continuation of a long-term monitoring programme, the improvement of knowledge on the species’ distribution at sea and overlap with longline fisheries, cooperation with RFMOs to reduce bycatch risks, and a study of the interactions between introduced predators and the Amsterdam Albatross. One important action will involve a comprehensive study of the pathogens affecting two other ACAP-species on Amsterdam Island, of the prevalence of pathogens in the Amsterdam Albatross, as well as measures to prevent dissemination and treat individuals in case of infection.
- 20.2.2 BirdLife International noted that given the propensity of this species to be caught in longline fisheries, the information in the Action Plan on the critical status of the population and its extreme sensitivity to bycatch mortality should be emphasised to the Advisory Committee and explicitly included in input by ACAP and ACAP Parties to relevant RFMOs, especially the Indian Ocean Tuna Commission (IOTC).
- 20.2.3 France noted that at-sea threats faced by the Amsterdam Albatross required support from ACAP. Thanks were given for comments received on the plan from ACAP

delegates.

- 20.2.4 BirdLife International joined the AC in congratulating France on the progress made in the development and implementation of the Amsterdam Albatross Action Plan. The meeting was informed that through BirdLife's Preventing Extinctions Programme, their Partner in the Netherlands (Vogelbescherming) had negotiated a sponsorship arrangement with the City of Amsterdam in support of the Amsterdam Albatross. Through the Ligue pour la Protection des Oiseaux (LPO, the French BirdLife International Partner) these funds will be used to work with Centre National de la Recherche Scientifique to implement the plan. BirdLife International highlighted that this was a good example of ACAP and ACAP Parties attracting funds from non-ACAP members.
- 20.2.5 A report on the implementation of the Amsterdam Albatross National Action Plan will be presented to the next meeting of the Advisory Committee.

## **21. IMPACTS OF GLOBAL CLIMATE CHANGE**

- 21.1 There is growing evidence that present climate change is already affecting marine ecosystems at all levels of the food webs, and projection of future change suggest that these effects will increase considerably. For this reason the Parties recognise that it is important to review the potential impact of global climate change and climate oscillations on the conservation status of albatrosses and petrels.
- 21.2 Five recent scientific papers were provided by France to support the review. Demographic analyses on ACAP species in the Indian Ocean indicate that climate changes mainly impact fecundity parameters of the populations, either positively, or negatively, while fisheries affect survival parameters negatively (AC6 Inf 22, AC6 Inf 23).
- 21.3 Since albatrosses and petrels are long lived, the growth rate of their populations is mainly affected by adult survival, and modelling confirms that decline of populations, when it occurs, is due to increased mortality related to longline fishing efforts in the IOTC zone. Modelling of future effects of climate changes on ACAP species, based on coupling of International Panel on Climate Change (IPCC) climate models and demographic models, indicate that the species that will be most affected by climate in the southern ocean are those breeding in southern sites, whereas subtropical population will probably be less affected (AC6 Inf 20).
- 21.4 Since these results are based on correlations between climate and demography, it appears important to better understand the mechanistic links involved to be able to make robust predictions, and in particular how climate may affect foraging distribution and success and the consequences on demographic parameters. Over the past 30 years the distribution at sea of several ACAP species has changed significantly (AC6 Inf 21). In particular Wandering Albatross have seen their northern range shifting south. A long term study on tracking of this species confirms this result, and allows understanding the mechanism involved (AC6 Inf 24).
- 21.5 In the southern ocean, as a result of climate change, westerly winds have increased in intensity and shifted southward. As a result, the Crozet Wandering albatrosses, which use wind as an energy source like all albatrosses and petrels, have shifted their northern range, increased flight speeds, and as a result, their trip duration has



decreased, mass of birds has increased by 1kg, and their breeding success has also increased. However IPCC models predict that southerly wind will continue to move southward, which in the future will probably be less favourable for central place foraging seabirds, such as Wandering albatrosses, foraging from subantarctic islands. Other effects of climate change include an increased frequency and intensity of storms, and a rise in sea levels.

- 21.6 A talk given by Dr Beth Flint (USA) during the joint meeting of the STWG/BSWG showed the devastating effects of two storms and a tsunami on low lying islands in the Northwestern Hawaiian Islands, killing over 280,000 chicks, suggesting that many low lying islands will not, in the longer term, constitute adequate breeding sites for some albatrosses.
- 21.7 All these results show clearly that climate change is already affecting ACAP species, but interactions between fisheries, climate and populations are complex and will require dedicated assessment of the processes involved, especially since regional climate changes will be contrasted.
- 21.8 The Advisory Committee noted that published studies to date are limited to a few species in the Indian Ocean. Given that changing climate has potentially major implications for ACAP species, the Committee recommended that Parties and Range States encourage further analyses on the combined impacts of environmental change and fisheries on albatross and petrel population trends.

## **22. ELECTION AND APPOINTMENT OF AC OFFICERS**

- 22.1 As a result of the Committee's decision to amalgamate the Breeding Sites and Status and Trends Working Groups into a single working group, the Chair asked Members for nominations for the positions of Convenor/s and Vice-convenor/s.
- 22.2 Nominations were received for Dr Rosemary Gales and Dr Richard Phillips to fill the positions of Co-convenors for the new Population and Conservation Status Working Group. Unanimous support was given for these appointments.
- 22.3 In relation to the position/s of Vice-convenor/s nominations were received for Dr Flavio Quintana and Dr Henri Weimerskirch to fill these positions. Unanimous support was given for these appointments.

## **23. FOURTH MEETING OF PARTIES**

### **23.1 Timing and venue**

- 23.1.1 Peru advised the meeting that MoP4 would be held in the second or third week of May, 2012 in Lima.

### **23.2 Draft Agenda**

- 23.2.1 A draft agenda for MoP4 was reviewed by the Committee (ANNEX 20) and will be forwarded to Parties for their consideration.

## **24. SEVENTH MEETING OF THE ADVISORY COMMITTEE**

### **24.1 Timing and Venue**

- 24.1 France advised the meeting that it was not in a position at this stage to commit to hosting AC7, but would advise Members of any changes to this situation as soon as possible.

### **24.2 Draft Agenda**

- 24.2.1 A draft agenda for AC7 was reviewed by the Committee (ANNEX 21) and will be forwarded to Parties for their consideration.

## **25. OTHER BUSINESS**

- 25.1 The Argentine delegation made the following intervention:

*“The Argentine Republic recalls that the Malvinas Islands, South Georgias and South Sandwich Islands and the surrounding maritime areas are an integral part of the Argentine national territory and that, being illegitimately occupied by the United Kingdom of Great Britain and Northern Ireland, are the object of a sovereignty dispute between both countries recognised by the United Nations.*

*Due to this, and in consonance with Resolution 2.9 in questions of nomenclature that involve territories under sovereignty dispute, the Argentine Republic understands that it proceeds the incorporation of a footnote pointing out the existence of a sovereignty dispute in the cover of the documents related to the Agreement that contain bibliographic references mentioning the Malvinas Islands, South Georgias or South Sandwich Island, in accordance with the mentioned Resolution:*

*a) In the texts in English: “A dispute exists between the Governments of Argentina and the United Kingdom of Great Britain and Northern Ireland concerning sovereignty over the Falkland Islands (Islas Malvinas)”, “South Georgia and the South Sandwich Islands (Islas Georgias del Sur e Islas Sandwich del Sur) and the surrounding maritime areas”.*

*b) In the texts in Spanish: “Existe una disputa entre el Gobierno de la República Argentina y el Gobierno del Reino Unido de Gran Bretaña e Irlanda del Norte en relación a la soberanía de las Islas Malvinas (Falkland Islands), Islas Georgias del Sur (South Georgia) e Islas Sandwich del Sur (South Sandwich Islands) y áreas marítimas circundantes”.*

*c) In the texts in French: “Il existe un différend entre les gouvernements de l'Argentine et du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord concernant la souveraineté des “Îles Malouines (Falkland Islands/Islas Malvinas)”, de la “Géorgie du Sud (South Georgia and South Sandwich Islands/Islas Georgias del Sur e Islas Sandwich del Sur)” et des zones marines environnantes”.*

*The Argentine Republic requests this statement to be incorporated in the final report of the Sixth Advisory Committee of ACAP”.*

- 25.2 The UK delegation re-iterated that it does not believe that this is the appropriate forum to raise sovereignty issues of any kind, which are outside the scope and purpose of the Agreement on the Conservation of Albatrosses and Petrels.

*“The UK reiterates that it has no doubts about its sovereignty over the Falkland Islands,*

*South Georgia and the South Sandwich Islands and their surrounding maritime areas. The UK notes that the Meeting of the Parties did not address the issue of bibliographic references in its Resolution 2.9. The UK thus asserts that the title and attribution of a document that is not authored by the Secretariat or other organs of the Agreement is not addressed by Resolution 2.9 and UK therefore rejects any widening of the scope of this Resolution. Where a document is referred to in a bibliography it should be recorded in its original language and title and should not be amended or have footnotes inserted. Resolution 2.9 does not mandate the use of a cover note on the issue of sovereignty for any document.”*

## **26. CLOSING REMARKS**

- 26.1 The Chair concluded the meeting by thanking all participants for their contributions to the meeting, noting that significant progress had been achieved on a range of issues that were essential for the effective implementation of the Agreement. He extended special thanks to the Vice-chair and to the other delegates who had led components of the meeting and to the Secretariat for its assistance.
- 26.2 The Chair, reflecting on the work load of both the working groups and the Advisory Committee, noted that this had grown considerably since the AC5 meeting and those of the Working Groups in the preceding week, commented on the great work load and the need to consider in future on how we approach the work load at meetings and the capacity to manage it during the meeting.
- 26.2 Thanks were extended to the Government of Ecuador for hosting the meeting. The interpreters, technical staff and staff from Unipark Hotel Guayaquil were thanked for their excellent support. The Advisory Committee thanked the Chair for his excellent stewardship during the meeting and strong guidance during the past intersessional period.

## **27. ADOPTION OF REPORT**

- 27.1 The meeting adopted the final report of AC6.

**ANNEX 1****ANNEX 1: LIST OF PARTICIPANTS**

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**ANNEX 2****ANNEX 2: LIST OF MEETING DOCUMENTS**

<b>WORKING DOCUMENTS</b>			
<b>Paper</b>	<b>Title</b>	<b>Agenda Item</b>	<b>Submitted by</b>
AC6 Doc 1 Rev 2	Agenda	2	AC Chair, Secretariat
AC6 Doc 2 Rev 2	Annotated Agenda	2	AC Chair, Secretariat
AC6 Doc 3	Schedule	2	AC Chair, Secretariat
AC6 Doc 4 Rev 3	Participant List	2	Secretariat
AC6 Doc 5 Rev 7	List of Papers	2	AC Chair, Secretariat
AC6 Doc 6	Secretariat Report	5.1	Secretariat
AC6 Doc 7	Depository Report	4	Australia
AC6 Doc 8 Rev 2	2011 Financial Report	6.1	Secretariat
AC6 Doc 9 Rev 2	Agreement Budget 2013-2015	6.2	Secretariat
AC6 Doc 10	Rules of Procedure	3	Secretariat, AC Vice Chair
AC6 Doc 11 Rev 4	Report of Breeding Sites Working Group and Status & Trends Working Group	12.1, 14.1	Convenor STWG, Convenor BSWG
AC6 Doc 12	Report of Taxonomy Working Group – NOT SUBMITTED, see Final Report	13.1	
AC6 Doc 13	Submitted as AC6 Doc 11 Rev4		
AC6 Doc 14 Rev 2	Report of Seabird Bycatch Working Group	15.1	Convenor SBWG
AC6 Doc 15 Rev 2	Prioritising ACAP Conservation Actions	8	Secretariat, New Zealand, AC Officials
AC6 Doc 16 Rev 1	Review of web-based reporting system	9	Secretariat
AC6 Doc 17 Rev 1	Report on Implementation of the Agreement	10	Secretariat, AC Officials
AC6 Doc 18	Advisory Committee Work Programme 2010-2012	16.1	AC Chair, Vice Chair
AC6 Doc 19 Rev 3	Advisory Committee Work Programme 2013-2015	16.2	AC Vice Chair, Chair
AC6 Doc 20	Advisory Committee's Report to MoP4	11	AC Chair, Vice Chair
AC6 Doc 21	Secretariat Work Programme 2010-2012	5.2	Secretariat
AC6 Doc 22	Secretariat Work Programme 2013-2015	5.3	Secretariat
AC6 Doc 23	Report to MoP4 on the process followed for the allocation of funds to the AC Work Programme	16.3	Grant Sub-Committee, Secretariat
AC6 Doc 24	Submitted as AC6 Inf 8		
AC6 Doc 25	Submitted as AC6 Inf 9		
AC6 Doc 26	Capacity building	18	Argentina, Chile, Ecuador, New Zealand, UK, WWF, Secretariat,

			AC Chair
AC6 Doc 27	Performance Indicators to measure the success of Agreement	17	UK
AC6 Doc 28	Important Breeding Areas – NO PAPERS SUBMITTED		
AC6 Doc 29	Waved Albatross Plan of Action	20.1	AC Chair, Ecuador, Peru
AC6 Doc 30	Update of IUCN Red List for ACAP Species	12	BirdLife International
AC6 Doc 31	Listing of New Species - Balearic shearwater, <i>Puffinus mauretanicus</i>	19	Spain
AC6 Doc 32	Policy options by CMS Flyways WG	16.2	Secretariat
AC6 Doc 33	Submitted as AC6 Inf 20 - AC6 Inf 24		
AC6 Doc 34	Scale of Contributions	6.3	Secretariat
AC6 Doc 35	Advisory Committed Work Programme 2012	16.1	Advisory Committee Chair & Vice-Chair

## INFORMATION PAPERS

Paper	Title	Agenda Item	Submitted by
AC6 Inf 1	Peer-review of the prioritization database in South America	8	Argentina, Brazil, Chile, Ecuador, Peru, Uruguay, AC Chair, BirdLife International
AC6 Inf 2	Submitted as BSWG4/STWG6 Doc 8		
AC6 Inf 3	Submitted as SBWG4 Doc 29		
AC6 Inf 4	International Species Action Plan for the Balearic shearwater, <i>Puffinus mauretanicus</i>	19	Secretariat
AC6 Inf 5	Submitted as AC6 Doc 32		
AC6 Inf 6	Amsterdam Albatross National Action Plan	20.2	France
AC6 Inf 7	Developing Indicators to Measure the Success of ACAP	17	Birdlife International
AC6 Inf 8	Progress and outcomes of projects supported in 2009	16.4	Secretariat, AC Officials
AC6 Inf 9	Summary of Projects Supported in 2010	16.4	Grants Sub-Committee, Secretariat
AC6 Inf 10	2011 Implementation Report - Argentina	10	Argentina
AC6 Inf 11	2011 Implementation Report - Australia	10	Australia
AC6 Inf 12	2011 Implementation Report - France	10	France
AC6 Inf 13	2011 Implementation Report – New Zealand	10	New Zealand
AC6 Inf 14	2011 Implementation Report - Spain	10	Spain
AC6 Inf 15	2011 Implementation Report – United Kingdom	10	United Kingdom
AC6 Inf 16	2011 Implementation Report -	10	Uruguay

	Uruguay		
AC6 Inf 17	2011 Implementation Report – United States of America	10	United States of America
AC6 Inf 18	2011 Implementation Report – BirdLife International	10	BirdLife International
AC6 Inf 19	2011 Implementation Report - Chile	10	Chile
AC6 Inf 20	Contrasted demographic responses facing future climate change in Southern Ocean seabirds	21	France (Barbraud <i>et al.</i> 2011)
AC6 Inf 21	Interdecadal changes in at-sea distribution and abundance of subantarctic seabirds along a latitudinal gradient in the Southern Indian Ocean	21	France (Péron <i>et al.</i> 2010)
AC6 Inf 22	Relative influence of fisheries and climate on the demography of four albatross species	21	France (Rolland <i>et al.</i> 2010)
AC6 Inf 23	Combined impacts of longline fisheries and climate on the persistence of the Amsterdam Albatross <i>Diomedea amsterdamensis</i>	21	France (Rivalan <i>et al.</i> 2010)
AC6 Inf 24	Climate change induced wind trends affect albatross distribution and life history traits	21	France (Weimerskirch <i>et al.</i> )
AC6 Inf 25	Distribution of seabird bycatch at WCPFC and the neighboring area of the southern Hemisphere	7.2	Japan
AC6 Inf 26	2011 Implementation Report – South Africa	10	South Africa

**ANNEX 3****ANNEX 3: FINAL AGENDA**

<b>AC6 – REVISED DRAFT AGENDA</b>	
<b>1. Opening Remarks</b>	
<b>2. Adoption of the Agenda</b>	
<b>3. Rules of Procedure</b>	
<b>4. Report of Depository</b>	
<b>5. ACAP Secretariat</b>	
	5.1 Activities undertaken in 2010/11 intersessional period
	5.2 Secretariat Work Programme 2010-2012
	5.3 Secretariat Work Programme 2013-2015
<b>6. Agreement's Financial Matters</b>	
	6.1 Financial Report
	6.2 Agreement budget 2013-2015
	6.3 Scale of Contributions
<b>7. Observer Reports</b>	
	7.1 Reports from ACAP Observers at International Meetings
	7.2 Reports from Observers to AC6
<b>8. Conservation Priorities for ACAP</b>	
<b>9. Review of Web-based Reporting System</b>	
<b>10. Report on the Implementation of the Agreement</b>	
<b>11. Advisory Committee Report to the Fourth Meeting of Parties</b>	
<b>12. Status and Trends of Albatrosses and Petrels</b>	
	12.1 Report of Working Group
	12.2 Future Work Programme
<b>13. Taxonomy of Albatrosses and Petrels</b>	
	13.1 Report of Working Group
	13.2 Future Work Programme

<b>14. Breeding Sites</b>
14.1 Report of Working Group
14.2 Future Work Programme
<b>15. Seabird Bycatch</b>
15.1 Report of Working Group
15.2 Future Work Programme
<b>16. Advisory Committee Work Programme</b>
16.1 Advisory Committee Work Programme 2010-2012
16.2 Advisory Committee Work Programme 2013-2015
16.3 Process for the allocation of funds
16.4 Outcomes of projects supported in 2009 and summary of projects funded in 2010
<b>17. Developing Indicators to Measure the Success of ACAP</b>
<b>18. Capacity Building</b>
<b>19. Listing of New Species</b>
<b>20. Species Action Plans</b>
20.1 Waved Albatross Action Plan
20.2 Amsterdam Albatross Action Plan
<b>21. Impacts of Global Climate Change</b>
<b>22. Election and appointment of AC Officers</b>
<b>23. Fourth Meeting of Parties</b>
23.1 Timing and venue
23.2 Draft Agenda
<b>24. Seventh Meeting of the Advisory Committee</b>
24.1 Timing and Venue
24.2 Draft Agenda
<b>25. Other Business</b>
<b>26. Closing remarks</b>
<b>27. Adoption of report</b>



**ANNEX 4****ANNEX 4: RULES OF PROCEDURE FOR THE ADVISORY COMMITTEE****PART I****MEETINGS, DELEGATES, OBSERVERS, SECRETARIAT****Rule 1: Meetings**

1. The Advisory Committee (hereafter referred to as the „Committee“) shall meet annually, unless decided otherwise by the Committee or instructed by the Meeting of Parties, preferably in association with another event that would reduce the travelling costs of participants.
2. At each Meeting, the Committee shall decide on the date, location and duration of the next Meeting. The Secretariat shall notify Parties of these details not less than 120 days before the next Meeting.

**Rule 2: Delegates**

1. A Party to the Agreement (hereafter referred to as a "Party") shall be entitled to appoint one member to the Committee (hereafter referred to as the Committee Member) and such other Alternative Representatives and Advisers as the Party may deem necessary. Parties shall submit the names of their Committee Member and Alternate Committee Members and Advisers to the Secretariat through their coordinating authorities prior to the start of each Meeting.
2. Subject to the provisions of Rule 13 paragraph 1, the Committee Member shall exercise the voting rights of that Party. In the Committee Member's absence, an Alternate Committee Member of that Party shall act in the Committee Member's place over the full range of functions.
3. The appointed Committee Member or Alternate Committee Member shall be available for consultation between Meetings.

**Rule 3: Observers**

1. All signatories to the Agreement, other States which are not Parties, any member economy of the Asia Pacific Economic Cooperation forum in respect of Article VIII, paragraph 15 of the Agreement, the United Nations, any specialised Agency of the United Nations, any regional economic integration organisation, any secretariat of a relevant international convention, particularly regional fisheries management organisations, may send observers to Committee meetings, who shall have the right to participate but not vote.
2. Any international scientific, environmental, cultural or technical body concerned with the conservation and management of marine living resources or the conservation of albatrosses and petrels may request admittance to Committee meetings. Such participation may include the submission of information documents to the Secretariat for

distribution at meetings and participation in the discussions of the Committee.

3. Written applications for attendance from such international bodies (described in paragraph 2) should be received by the Secretariat at least 90 days before the relevant meeting, and circulated forthwith by the Secretariat to Parties. Parties shall inform the Secretariat of their acceptance or rejection of all applications no less than 60 days before the meeting. An applicant shall be permitted to attend as a non-voting observer unless one third of the Parties that respond object to their application.
4. Any other scientific, environmental, cultural or technical body concerned with the conservation and management of marine living resources or the conservation of albatrosses and petrels may request admittance to Committee meetings. Such participation may include the submission of information documents to the Secretariat for distribution to the meeting and participation in the discussions of the Committee.
5. Written applications for attendance from such other bodies (described in paragraph 4) should be received by the Secretariat at least 60 days before the relevant meeting, and circulated forthwith by the Secretariat to Parties. Parties shall inform the Secretariat of their acceptance or rejection of all applications no less than 30 days before the meeting. An applicant shall be permitted to attend as a non-voting observer provided no objection is received.
6. Prior to the meeting, the names of representatives of observers shall be submitted to the Secretariat by the State, agency, organisation or body invited to attend.
7. Seating limitations and the financial capacity of the Secretariat may require that no more than two observers from any non-Party State or organisation be present at Meetings.

#### **Rule 4: Secretariat**

1. Unless otherwise instructed by the Parties, the Secretariat shall service the Committee.

## **PART II OFFICERS**

#### **Rule 5: Chair and other Officers**

1. The Committee shall elect a Chair and a Vice-chair, from among nominations made by Committee Members, in accordance with Rule 12. Nominees shall be nationals of an ACAP Party. Should Committee Members wish to nominate a national of another ACAP Party, such nominations shall be in consultation with that Party.
2. After election, the Chair and Vice-chair of the Committee shall hold office until the end of the first Meeting of the Committee following the next session of the Meeting of Parties.
3. The Chair and Vice-chair may be nominated for re-election at the end of a term of office. The Chair and Vice-chair shall not normally hold office for more than three consecutive terms.
4. In so far as it is applicable, this rule shall apply mutatis mutandis to all appointments made by the Advisory Committee.

**Rule 6: Presiding Officer**

1. The Chair shall preside at all Meetings of the Committee.
2. If the Chair is absent or is unable to discharge the duties of Presiding Officer, the Vice-chair shall deputise.
3. In the event that both the Chair and the Vice-chair are absent or unable to discharge the duties of Presiding Officer, the appointed members present shall elect a Chair from amongst the Committee Members and their Alternate Committee Members for the duration of that Meeting.
4. If the Presiding Officer is a member of the Committee for whom no alternate has been appointed or an appointed alternate is not present, the Presiding Officer may vote.

**PART III**

**RULES OF ORDER AND DEBATE**

**Rule 7: Powers of presiding officer**

1. In addition to exercising powers conferred elsewhere in these Rules, the Presiding Officer shall at Meetings:
  - a) open and close the Meeting;
  - b) direct the discussions;
  - c) ensure the observance of these Rules;
  - d) accord the right to speak;
  - e) put questions to the vote and announce decisions;
  - f) rule on points of order; and
  - g) subject to these Rules, have complete control of the proceedings of the Meeting and the maintenance of order.
2. The Presiding Officer may, in the course of discussion at a Meeting, propose:
  - a) time limits for speakers;
  - b) limitation of the number of times the members of a delegation or an observer may speak on any question;
  - c) the closure of the list of speakers;
  - d) the adjournment or the closure of the debate on the particular subject or question under discussion;
  - e) the suspension or adjournment of any Meeting; and
  - f) the establishment of discussion and drafting groups on specific issues.

**Rule 8: Quorum**

1. No Committee meetings shall take place in the absence of a quorum. A quorum for Committee meetings shall consist of four Committee Members or one-half of the

Committee Members present at the meeting, whichever is the greater.

#### **Rule 9: Right to speak**

1. The Presiding Officer shall call upon speakers in the order in which they signify their desire to speak, with precedence given to the Committee Members.
2. A Committee Member, advisor or observer may speak only if called upon by the Presiding Officer, who may call a speaker to order if the remarks are not relevant to the subject under discussion.
3. A speaker shall not be interrupted, except on a point of order. The speaker may, however, with the permission of the Presiding Officer, give way during his speech to allow any participant or observer to request elucidation on a particular point in that speech.

#### **Rule 10: Procedural motions**

1. During the discussion of any matter, a Committee Member may call a point of order, and the point of order shall be immediately, where possible, decided by the Presiding Officer in accordance with these Rules. A Committee Member may appeal against any ruling of the Presiding Officer. The appeal shall immediately be put to the vote, and the Presiding Officer's ruling shall stand unless a majority of the Parties present and voting decides otherwise. A delegate calling a point of order may not speak on the substance of the matter under discussion.
2. The following motions shall have precedence in the following order over all other proposals or motions before the Meeting:
  - a) to suspend the Meeting;
  - b) to adjourn the Meeting;
  - c) to adjourn the debate on the particular subject or question under discussion;
  - d) to close the debate on the particular subject or question under discussion.

#### **Rule 11: Arrangements for debate**

1. The Meeting may, on a proposal by the Presiding Officer or by a Committee Member, limit the time to be allowed to each speaker and the number of times anyone may speak on any question. When the debate is subject to such limits, and a speaker has spoken for the allotted time, the Presiding Officer shall call the speaker to order without delay.
2. During the course of a debate the Presiding Officer may announce the list of speakers, and, with the consent of the Committee, declare the list closed. The Presiding Officer may, however, accord the right of reply to any individual if a speech delivered after the list has been declared closed makes this desirable.
3. During the discussion of any matter, a Committee Member may move the adjournment of the debate on the particular subject or question under discussion. In addition to the proposer of the motion, a Committee Member may speak in favour of, and a Committee

Member of each of two Parties may speak against the motion, after which the motion shall immediately be put to the vote. The Presiding Officer may limit the time to be allowed to speakers under this Rule.

4. A Committee Member may at any time move the closure of the debate on the particular subject or question under discussion, whether or not any other individual has signified the wish to speak. Permission to speak on the motion for closure of the debate shall be accorded only to a Committee Member from each of two Parties wishing to speak against the motion, after which the motion shall immediately be put to the vote. The Presiding Officer may limit the time to be allowed to speakers under this Rule.
5. During the discussion of any matter a Committee Member may move the suspension or the adjournment of the Meeting. Such motions shall not be debated but shall immediately be put to the vote. The Presiding Officer may limit the time allowed to the speaker moving the suspension or adjournment of the Meeting.

### **Rule 12: Taking of Decisions**

1. The Presiding Officer shall put to all Committee Members all questions, proposals and actions requiring decisions. Decisions shall be adopted by consensus or, if consensus cannot be achieved, by voting.

## **PART IV VOTING**

### **Rule 13: Voting**

1. Without prejudice to the provisions of Rule 2, paragraph 2, each Committee Member shall have one vote.
2. Parties which are one year behind in paying their budget contributions on the date of the first day of the Committee meeting shall not be eligible to vote unless the Meeting of Parties have agreed to allow those Parties to exercise their vote in accordance with Rule 20 (paragraph 2) of the Rules of Procedure for the Meeting of Parties.
3. The Committee shall normally vote by show of hands at a meeting, but any Committee Member may request a roll-call vote. In the event of a vote between Meetings, there will be a postal or email ballot. Voting by email or postal voting shall be coordinated by the Secretariat.
4. At the election of officers, any Committee Member may request a secret ballot. If seconded, the question of whether a secret ballot should be held shall immediately be voted upon. The motion for a secret ballot may not be conducted by secret ballot.
5. Voting by roll-call or by secret ballot shall be expressed by "Yes", "No" or "Abstain". Only affirmative and negative votes shall be counted in calculating the number of votes cast by Committee Members present and voting.
6. If, during the course of a person being elected to a position, no candidate obtains the support of more than half of the Parties present and voting in the first ballot, a second ballot shall be taken between the two candidates obtaining the largest number of votes.

If in the second ballot the votes are equally divided, the Presiding Officer shall decide between the candidates by drawing lots.

7. The Presiding Officer shall be responsible for the counting of the votes and shall announce the result. The Presiding Officer may be assisted by the Secretariat.
8. After the Presiding Officer has announced the beginning of the vote, it shall not be interrupted except by a Committee Member on a point of order in connection with the actual conduct of the voting. The Presiding Officer may permit Committee Members to explain their votes either before or after the voting, and may limit the time to be allowed for such explanations.

#### **Rule 14: Majority and voting procedures on motions and amendments**

1. Decisions, within the limit of the power available to the AC, relating to rules of procedure and financial matters shall be adopted by consensus.
2. Any other decision taken by the AC shall be decided by a two thirds majority of the Committee Members present and voting with the exception of the election of officers which shall be undertaken in accordance with Rule 13.
3. If an amendment is moved to a proposal, the amendment shall be voted on first. If the amendment is adopted, the amended proposal shall then be voted upon.

### **PART V**

#### **LANGUAGES AND RECORDS**

##### **Rule 15: Working languages**

1. English, French and Spanish shall be the working languages of any Committee meeting and working groups.
2. If requested by any Party, speeches made in any of the working languages shall, as feasible, be interpreted into another working language.
3. The official documents of the meeting shall be distributed in the working languages. Information papers will not normally be translated.
4. Interpretation services in a working language shall be provided at a Committee meeting where requested by a Party through the submission of a delegate registration form at least one month prior to the commencement of a Committee meeting.

##### **Rule 16: Other languages**

1. A speech may be made in a language other than a working language if the speaker provides for interpretation into a working language. Interpretation by the Secretariat into another working language may be based upon the first interpretation.
2. Any document submitted to the Secretariat in any language other than a working language shall be accompanied by an accurate translation into one of the working languages.

### **Rule 17: Documents**

1. The documents for each meeting of the Committee shall be distributed to the Parties in the working languages by the Secretariat at least 30 days before the opening of the Meeting. If documents are to be translated by the Secretariat, they shall be sent to the Secretariat by those submitting them at least 60 days in advance of the Meeting. Information papers will not normally be translated.
2. At the discretion of the Chair, in exceptional circumstances documents may be accepted after these deadlines, but not later than two weeks before the Meeting. Such documents shall be submitted in all working languages.
3. Wherever practicable, documents will be distributed electronically.
4. A draft agenda shall be adopted by the Advisory Committee for the next meeting. This shall be circulated by the Secretariat 120 days prior to the meeting with a request that any new items for the agenda be notified within 30 days. The Secretariat shall circulate the revised draft agenda at least 60 days prior to the meeting.

### **Rule 18: Record of the Meeting**

1. Records of the Meeting shall be circulated to all Parties in the working languages of the Meeting.
2. Once adopted, amendments to the Records of the Meeting shall not be made without the approval of all Parties attending the meeting. Typographical and minor editorial changes may be made by the Secretariat. A record of any changes made must be maintained by the Secretariat.
3. The Committee and working groups shall decide upon the form in which their records shall be prepared.

## **PART VI**

### **OPENNESS OF DEBATES**

#### **Rule 19: Committee meetings**

1. Subject to seating availability, all Meetings shall be open to the public unless two thirds of the Parties present and voting at the Meeting decide that a session be closed to the public.

## **PART VII**

### **WORKING GROUPS**

#### **Rule 20: Establishment of working groups**

1. The Committee may establish such working groups as may be necessary to enable it to carry out its functions. It shall appoint a Convenor (or Convenors) and Vice-Convenor(s) of each working group and define its terms of reference. The Committee shall reconsider appointments at the first Meeting of the Committee following each session of the Meeting of Parties. It may also define the composition of each working group. The Convenor(s) may co-opt members to the working group.

2. As a general rule, meetings of working groups shall be limited to the Committee Members, Alternate Committee Members, their advisors, members appointed by the Committee and to members co-opted by the Convenor(s) of the working group.

**Rule 21: Procedure**

1. Insofar as they are applicable, these Rules shall apply *mutatis mutandis* to the proceedings of working groups.



**ANNEX 5****ANNEX 5: ADVISORY COMMITTEE WORK PROGRAMME 2012****Advisory Committee Work Programme 2012**

	<b>Topic/Task</b>	<b>Responsible group</b>	<b>Timeframe</b>	<b>Action detail</b>
1.1	Review the evidence supporting the specific status of the Wandering Albatross complex	TWG led by Convenor	2010	This will conclude the assessment process for all closely related sister taxa listed currently on Annex 1 of the Agreement. Completed 2010.
1.2	Keep the Taxonomy Working Group's bibliographic database updated	TWG led by Convenor	2012	
1.3	Continue the establishment of a morphometric and plumage database	TWG led by Convenor (Secretariat)	2012	This will facilitate the taxonomic process, the identification of bycatch specimens, and the long-term storage of valuable data.
1.4	<i>Consider preparing a paper for peer-reviewed publication on albatross taxonomy</i>	<i>TWG led by Convenor</i>	2011	<i>A scientifically accepted paper would state ACAP's position in the clearest possible way to the scientific community, but other ways might be easier. In particular influencing committees dealing with large parts of the planet such as South American Checklist Committee should be a priority.</i>
1.4a	Respond to queries on ACAP taxonomy	TWG	2011-2012	In early 2010, respond to CMS query.
1.5	Consider additional species for addition to Annex 1 of the Agreement	Parties and AC	2011-2012	Development of papers as required, using species assessment template. Balearic shearwater to be considered 2011-12.
2.1	To establish Working Group membership	Parties with assistance of Convenors	2011-2012	

	<b>Topic/Task</b>	<b>Responsible group</b>	<b>Timeframe</b>	<b>Action detail</b>
2.2	Consider gaps in population, tracking, breeding site management, threats and regulatory protection data submitted to ACAP, request any outstanding data and incorporate changes	**WG, Science Officer	Ongoing	Parties to provide new or outstanding data
2.3	Improve data portal structure and queries	Science Officer, Convenors	Ongoing	Science Officer to facilitate modification of database as required
2.4	To review and refine standardised queries and outputs for analysis and interpretation	Science Officer, Convenors	Ongoing	
2.5	<i>Trial approaches to accurately categorise global population trends</i>	<i>**WG Convenors, Science Officer and BirdLife International</i>	<i>By end 2011</i>	<i>May require further data portal updates</i>
2.6	Update ACAP Species Assessments	**WG Convenors, Science Officer	Ongoing	
2.7	Translation of updates to Species Assessments, and ACAP guidelines into Spanish and French	Science Officer, Spanish and French speaking Parties	Ongoing	May include contributions in kind from Spanish and French speaking Parties
2.8	Identity priority species or populations for monitoring of numbers, trends and demography	**WG, Science Officer	Ongoing	
2.9	Identity priority species or populations for tracking studies	**WG, Science Officer	Ongoing	
2.10	Identity priority species or populations for conservation actions	**WG, Science Officer	Ongoing	
2.11	Review and prioritise the threats to breeding sites and identify gaps in knowledge	**WG, Science Officer	Ongoing	

	<b>Topic/Task</b>	<b>Responsible group</b>	<b>Timeframe</b>	<b>Action detail</b>
2.12	Develop, review and update best-practice guidelines to mitigate selected threats to breeding sites	**WG, Science Officer	Ongoing	.
2.13	Develop best-practice guidelines for monitoring of numbers and trends	**WG, Lead UK, Science Officer	By MoP4, AC7	Production of two documents (one by MoP4, other by AC7)
2.14	Review evidence for impacts of pathogens and parasites on ACAP species and effectiveness of mitigation measures	**WG, Science Officer, Lead Argentina	By AC7	Update review of pathogens and parasites. May need input from pathologists
2.15	Post web links on biological sampling guidelines following disease outbreaks	Science Officer, **WG	Ongoing	
2.16	<i>Produce centralised catalogue of plastic rings used on ACAP species and email contact list, and addresses of ringing authorities</i>	<i>Science Officer, **WG, Lead France.</i>	<i>By 2012</i>	
2.17	Showcase work of ACAP to International Albatross and Petrel Conference	**WG, Science Officer	August 2012	
2.18	Provide reports on activities to AC meetings	**WG, Science Officer	As needed	
3.1	To maintain Seabird Bycatch Working Group membership	Parties with assistance of Convenor of SBWG	2010-2012	Chile, New Zealand, Brazil, Ecuador, France, Norway, Uruguay to nominate working group members and further interested Range States as observers.

	Topic/Task	Responsible group	Timeframe	Action detail
3.2	Continue to develop and implement the interaction plan for ACAP and relevant Parties to engage and assist RFMOs and other relevant international bodies to assess and minimise bycatch of albatrosses and petrels	SBWG and AC  Secretariat	1) End Aug 2008 2) End Mar 2009  3) 4) and 5) 2010-2012	1) Agree initial plan and nominate first RFMO coordinators (AC). 2) Analysis of needs, coordination of work and report back on initial RFMOs (RFMO coordinators intersessionally with SBWG, AC and Parties, as described in AC4 Doc 56). 3) Attendance at selected RFMO meetings (AUD\$25). 4) Review of process and suggest any changes (SBWG). 5) RFMO by RFMO development of strategies for engagement (commenced by AC5).
3.3	Continue to review availability of albatross and petrel tracking/distribution data to ensure representativeness of species/age classes. Prioritise gaps and encourage studies to fill gaps.	SBWG, AC, Parties and BirdLife International	2010-2012	Review status at AC5, AC7, AC9.
3.4	Complete reports on analysis of overlaps of distributions and albatrosses and petrels with fisheries managed by RFMOs	BirdLife / ACAP  Secretariat	1) Oct 2008 2) 2011  3) 2011	1) Complete last of initial five reports (already funded) Completed by AC5 2) Analysis of information for remaining RFMOs including those managing trawl fisheries (by AC6) 3) Review if updated overlap analyses required (AC6) (AUD\$5).

	<b>Topic/Task</b>	<b>Responsible group</b>	<b>Timeframe</b>	<b>Action detail</b>
3.5	Develop and keep under review materials (both generic and specific) to assist RFMOs and other relevant international and national bodies in reducing seabird bycatch and to maximise effective participation and consideration of issues relevant to ACAP	NZ / SBWG / UK  UK/BirdLife	1) 2011  2) 2010-2012	1) Observer programme designs including protocols for the collection of seabird bycatch data, with consideration of analytical methods for assessing seabird bycatch to be examined first. Info paper from UK in 2011. 2) Summary of risk assessment methods and key contacts in this area. Priority decided inside the RFMO interaction plan. First draft paper considered at AC5. Further editorial work required to develop ERA toolkit. Ideal for 2010 Brisbane Tuna Commissions meeting
3.6	Review and utilise available information on foraging distribution, fisheries and seabird bycatch to assess and prioritise the risk of fishing operations on ACAP species in waters subject to national jurisdiction.  Linked to broader prioritisation process	SBWG and Parties	1) 2011  2) 2011	1) Commission initial report on knowledge of fisheries, status of any bycatch mitigation, knowledge of relevant seabird distribution for AC5. Note overlap with 4.4. NPOA seabirds also can be used. 2) Assess needs for waters subject to national jurisdiction and any capacity building requirements.
3.7	Define bycatch data requirements from Parties	SBWG (lead USA), [Science Officer]	2009-10	Requires a clear objective statement of purpose, terms of reference and timeline for the collection of bycatch data. Completed by AC5.
3.8	Collate information (metadata) on bycatch monitoring schemes and data held by each Party	SBWG (lead USA), [Science Officer]	2009	Requires development of a metadata survey form. Completed by AC5.

	<b>Topic/Task</b>	<b>Responsible group</b>	<b>Timeframe</b>	<b>Action detail</b>
3.9	Develop a prototype bycatch data collection form with comprehensive instructions for completing the form.	SBWG (lead USA), [Science Officer]	2009-10	Completed by AC5.
3.10	Test and develop bycatch data collection form	SBWG (lead USA), [Science Officer]	2009-2010	A sample of Parties to test and evaluate the utility of the form and appropriateness of its questions based on the sample completed forms and revise as necessary. Approaching completion, but no formal evaluation yet.
3.11	Incorporate bycatch data collection form into standard Party reports	AC	2009-2010	See also Action 6.6.
3.11a	Analyse bycatch information from Party reports to determine if it can deliver the products required in evaluating bycatch	SBWG and Secretariat	By AC6 deadlines	Additional resources may be needed for this analysis (AUD\$10).
3.12	Create and maintain a bibliography of relevant bycatch information	BirdLife/SBWG (Secretariat)	2010-2012	BirdLife producing report /database. To include both published and unpublished literature.

	<b>Topic/Task</b>	<b>Responsible group</b>	<b>Timeframe</b>	<b>Action detail</b>
3.13	Complete tabular reviews and develop summary advice on mitigation measures for fishing methods known to impact albatrosses and petrels (demersal longline, pelagic longline, and trawl)  Translations of mitigation fact sheets into relevant languages  Maintain tabular reviews, summary advice and individual mitigation fact sheets	Leads: New Zealand (trawl), Australia (Pelagic LL), UK (Demersal LL), BirdLife (individual mitigation measures)  BirdLife/SBWG  Secretariat/BirdLife	2010  2011  2011-2012	Initial versions of each tabular review and summary advice completed by AC5.  Individual mitigation fact sheets completed by AC5.  (AUD\$18 included in 2009 programme)  (AUD\$5 (for ind. fact sheets per year for 5 years))
3.14	Produce report on lessons from mitigation success stories in commercial fisheries	BirdLife/ Australia/ WWF Convenor SBWG	2010-2012	
3.15	Assist in the preparation, adoption and implementation of FAO NPOA-Seabirds or equivalent	SBWG and Parties/ Range States	2010	FAO expert consultation including ACAP input scheduled for September 2008. Completed and published in March 2010.
3.15a	Review existing NPOA seabirds in light of new FAO Technical guidelines	SBWG, Leads: Convenor SBWG, Ben Sullivan	2011	
3.16	Prepare review of knowledge on deliberate take/killing of ACAP species at sea	Australia/ Brazil/ New Zealand/ Peru/ UK SBWG Needs a clear lead	2011	Review to describe current knowledge (much from unpublished literature) and causes of any deliberate take and to consider possible take reduction strategies.
3.17	Review results of any research funded by ACAP on seabird bycatch issues	SBWG	2010-2012	Draw conclusions and make recommendations to AC as appropriate.

	<b>Topic/Task</b>	<b>Responsible group</b>	<b>Timeframe</b>	<b>Action detail</b>
3.17a	Review any other relevant mitigation research	SBWG	2010-12	Draw conclusions and make recommendations to AC as appropriate.
3.18	Maintain review of research needs and priorities for bycatch research and mitigation development	SBWG	2010-2012	Gill-netting to be examined in 2011.
3.19	Provide and consider annual reports to AC on WG activities	SBWG and AC	2010-2012	
3.20	Estimate mortality in previously unobserved fisheries in range of Waved albatross	Ecuador and Peru, BirdLife, AC, American Bird Conservancy	2012	Part of implementation from Waved Albatross Action Plan. Some ACAP-funded work started in 2010 (two projects total value: AUD\$41), original timescale unrealistic.
4.1	Develop strategy for capacity building	AC Chair, New Zealand, Argentina, Ecuador, Chile, UK, WWF	2010	Utilising work on potential projects by Brazil and AC and including potential sources of funding.
4.2	Improve seabird data collection from observer programmes in South America	All South American Parties	2010-2012	Development of a South American seabird bycatch observers course, development of standard methodology (see also 4.5) and exchange of observers between Parties. AUD\$33 total grant in 2009. First stage of the programme completed in 2010 (workshop, Buenos Aires).
4.3	2 <sup>nd</sup> South American Fishers Forum	All South American Parties, Southern Seabird Solutions, WWF	December 2009	Some support would be welcome. Forum did not take place.



	Topic/Task	Responsible group	Timeframe	Action detail
4.4	Provide assistance and capacity building to ensure drafting and implementation of NPOA-Seabirds	AC and Parties to consider	2010-2012	Capacity building in accordance with the needs identified by interested Parties in order to encourage implementation, particularly in Argentina, Ecuador France, Peru, South Africa, (Mozambique, Madagascar), Tristan da Cunha (UK), and EC external fisheries.
4.5	Technical Cooperation to train observers and develop an observers programme in Ecuador	Argentina, Ecuador, BirdLife International, American Bird Conservancy	2008 - 09	Part of Waved Albatross Action Plan implementation.
4.6	Development of an observers programme in Peru	Peru, BirdLife International, American Bird Conservancy	2009	Part of Waved Albatross Action Plan implementation.
5.1	Identify and prioritise conservation measures required for each species and by each Party to the Agreement	Secretariat, WG Convenors and <i>ad-hoc</i> group, lead New Zealand	2010-2012	An analysis of threats, data/knowledge gaps and population trends will be undertaken (Broadly complete by AC5). By AC6, data validation and finer-scale analysis will occur with integration into ACAP database (AUD\$10).
5.2	Develop and harmonise conservation strategies for particular species or groups of species of albatrosses and petrels	WGs, AC (Secretariat)	2010-2012	Precise definition of what is needed difficult at this range.
5.2a	Draft the Amsterdam albatross National Action Plan	France (for review by AC)	2010-2011	Draft to be examined intersessionally by group led by Chair of Advisory Committee.

	<b>Topic/Task</b>	<b>Responsible group</b>	<b>Timeframe</b>	<b>Action detail</b>
5.3	Implement conservation strategies for particular species or groups of species of albatrosses and petrels	Parties, AC	2010-2012	Precise definition of what needed is difficult at this range.
5.4	Develop a system of indicators for the success of the ACAP Agreement	UK (lead), Australia, South Africa, New Zealand, USA, BirdLife	2011	Drawing on the prioritisation exercise information, considerations within Working Groups and earlier work for the AC, these are required to assess the effectiveness of the Agreement (Completed by 2010). By AC6, test a set of indicators based on available data and further consider high level indicators of gain in capacity/ resources by ACAP.
5.5	Review the effects of climate change on ACAP species	France, UK	2011	This may need updating at regular intervals.
5.6	Improve, in association with the Secretariat, guidance for the provision of information by Parties on the implementation of the Agreement	AC	Initial work by 2010 for agreement in 2011	Information on implementation provided by Parties is currently difficult to assemble and assess, and can prove onerous to Parties to provide. Good progress by 2010, finalisation by late 2010. Some database development required.
5.6a	Assist Secretariat and AC with provision of information on the agreed indicators and national reporting queries	Secretariat, WGs	Before AC6	Following 2010 data provision and database update, provide the Secretariat and AC with information as required to progress the agreed indicator and national reporting parameters that are relevant to status and trends (AUD\$10).

	<b>Topic/Task</b>	<b>Responsible group</b>	<b>Timeframe</b>	<b>Action detail</b>
5.7	Review information provided by Parties on implementation of the Agreement and provide a report to MoP	AC	2011	This to carry out responsibilities under Article IX 6 d) of the Agreement.
5.8	Support database of relevant scientific literature	AC, lead: Argentina, UK (Secretariat)	2010-2012	Much exists already in various places. Also relevant for several other actions e.g. 4.12, 4.13.
5.9	Develop a directory of relevant legislation	Argentina, UK (Secretariat)	2010-2012	Parties will need to supply information
5.10	Develop a list of authorities, research centres, scientists and non-governmental organisations relevant to ACAP	Argentina, UK (Secretariat)	2010-2012	Requires input from AC and Parties
6.1	Budget matters	AC	2010-2012	Shorter-term advice provided by the AC Chair
6.2	Staff matters	AC	2010-2012	Shorter-term advice provided by the AC Chair
6.4	Oversight, advice and guidance of Secretariat in relation to database, web portal	Convenors, chair and vice-chair	2010-2012	
6.5	Management of Advisory Committee work	Chair, Vice-chair and Convenors	2010-2012	Regular teleconferences and email conversations

**ANNEX 6****ANNEX 6: ADVISORY COMMITTEE WORK PROGRAMME 2013 – 2015**

	Topic/Task	Responsible group	Timeframe	Resources		Action detail
				Time	Funds for AC	
1. Taxonomy and Annex 1 review						
1.1	Keep the Taxonomy Working Group's bibliographic database updated	TWG led by Convenor	2013-2015	0.5 week p.a.	AUD \$0	
1.2	Continue the establishment of a morphometric and plumage database	TWG led by Convenor, Science Officer	2013-2015	2 weeks	AUD \$0	This will facilitate the taxonomic process, the identification of bycatch specimens, and the long-term storage of valuable data
1.3	<i>Consider preparing a paper for peer-reviewed publication on albatross taxonomy</i>	<i>TWG led by Convenor</i>	<i>2010</i>	<i>2 weeks</i>	<i>AUD \$0</i>	<i>A scientifically accepted paper would state ACAP's position in the clearest possible way to the scientific community, but other ways might be easier</i>
1.4	Consider taxonomic issues relating to species proposed for addition to Annex 1 of the Agreement	Parties and AC	2013-2015	0.5 week p.a.	AUD \$0	Development of papers as required, using species assessment template. <i>Spain to develop document on Balearic shearwater for AC5</i>
1.5	Respond to queries on taxonomic issues relating to ACAP species	TWG led by Convenor	2013-2015	1-2 weeks p.a.	AUD \$0	<i>In 2011-2012, consider status of possible Black-footed albatross sub-species</i>
2. Information on status, trends and breeding sites						

	Topic/Task	Responsible group	Timeframe	Resources		Action detail
				Time	Funds for AC	
2.1	<i>Establish Population and Conservation Status Working Group membership</i>	<i>Parties with assistance of Convenors</i>	2012			
2.2	Consider gaps in population, tracking, breeding site management, threats and regulatory protection data submitted to ACAP; request any outstanding data and incorporate changes	PaCSWG, Science Officer	2013-2015	10 weeks p.a.	AUD \$0	Parties to provide new or outstanding data
2.3	Improve data portal structure and queries	Science Officer, Convenors	2013-2015	8 weeks p.a.	AUD \$15,000	Science Officer to facilitate modification of database as required
2.4	Review and refine standardised queries and outputs for analysis and interpretation	Science Officer, Convenors	2013-2015	2 weeks p.a.	AUD \$5,000	
2.5	<i>Trial approaches accurately to categorise global population trends</i>	<i>PaCSWG Convenors, Science Officer and BirdLife International</i>	<i>By end 2011</i>	<i>2 weeks</i>	<i>AUD \$5,000</i>	<i>May require further data portal updates</i>
2.6	Update ACAP Species Assessments	PaCSWG Convenors, Science Officer	2013-2015	4 weeks p.a.	AUD \$0	
2.7	Translate updates to Species Assessments, and ACAP guidelines into Spanish and French	Science Officer, Spanish and French speaking Parties	2013-2015		AUD \$8,000	May include contributions in kind from Spanish and French speaking Parties

	Topic/Task	Responsible group	Timeframe	Resources		Action detail
				Time	Funds for AC	
2.8	Identity priority species or populations for monitoring of numbers, trends and demography	PaCSWG, Science Officer	2013-2015	2 weeks p.a.	AUD \$0	
<del>2.9</del>	<del>Identity priority species or populations for tracking studies</del>	<del>PaCSWG, Science Officer</del>	<del>Ongoing</del>	<del>1 week p.a.</del>	<del>AUD \$0</del>	
2.9	Review availability of albatross and petrel tracking/distribution data to ensure representativeness of species/age classes. Prioritise gaps and encourage studies to fill gaps.	PaCWG, AC, Science Officer and BirdLife International	2013-2015	1 week p.a.	AUD \$5,000	Review status at AC8
2.10	Identity priority species or populations for conservation actions	PaCSWG, Science Officer	2013-2015	1 week p.a.	AUD \$0	
2.11	Review and prioritise the threats to breeding sites and identify gaps in knowledge	PaCSWG, Science Officer	2013-2015	1 week p.a.	AUD \$0	
2.12	Develop, review and update best-practice guidelines to mitigate selected threats to breeding sites	PaCSWG, Science Officer	2013-2015	3 weeks p.a.	AUD \$0	
2.13	Develop best-practice guidelines for monitoring of numbers and trends	PaCSWG, Lead UK, Science Officer	By MoP4, AC7	4 weeks	AUD \$0	Production of two documents ( <i>one by MoP4, other by AC7</i> )

	Topic/Task	Responsible group	Timeframe	Resources		Action detail
				Time	Funds for AC	
2.14	Review evidence for impacts of pathogens and parasites on ACAP species and effectiveness of mitigation measures	PaCSWG, Science Officer, Lead Argentina	By AC7	4 weeks	AUD \$0	Update review of pathogens and parasites. May need input from pathologists
2.15	Post web links on biological sampling guidelines following disease outbreaks	Science Officer, PaCSWG	2013-2015	1 day	AUD \$0	
2.16	<i>Produce centralised catalogue of plastic rings used on ACAP species and email contact list, and addresses of ringing authorities</i>	<i>Science Officer, PaCSWG, Lead France.</i>	<i>By 2012</i>	<i>1 week</i>	<i>AUD \$0</i>	
2.17	Provide reports on activities to AC meetings	PaCSWG, Science Officer	As needed	12 weeks	AUD \$0	
3. Seabird Bycatch						

	Topic/Task	Responsible group	Timeframe	Resources		Action detail
				Time	Funds for AC	
3.1	Continue to implement the interaction plan for ACAP (AC5 Doc 29) and relevant Parties to engage and assist RFMOs and other relevant international bodies in assessing and minimising bycatch of albatrosses and petrels	Individual RFMO co-ordinators, Secretariat, SBWG and AC	2013-2015	a) 18 weeks pa  b) 18 week pa  c) 2 week pa	a)+b) AUD \$30,000 each pa   AUD \$0	a) Travel etc costs for attendance at selected RFMO meetings (less if Party can contribute directly) b) RFMO co-ordinator activities  c) Review of process and recommend changes (SBWG)
3.3	Update analysis of overlaps of distributions and albatrosses and petrels with fisheries managed by RFMOs	BirdLife / ACAP	2013	4 weeks	AUD \$20,000	
3.4	Continue to develop materials (both generic and specific) to assist RFMOs and other relevant international and national bodies in reducing seabird bycatch and to maximise effective participation and consideration of issues relevant to ACAP	SBWG Convenor with other SBWG consultation to review needs (Secretariat)	2013-2015	1 week	<more detail needed>	1) <i>Observer programme designs including protocols for the collection of seabird bycatch data, with consideration of analytical methods for assessing seabird bycatch to be examined first.</i> ID guide for drowned birds, including protocol for photographing dead birds Guidance on handling of hooked live birds – may be available from CCAMLR or other sources



	Topic/Task	Responsible group	Timeframe	Resources		Action detail
				Time	Funds for AC	
3.5	Continue to review and utilise available information on foraging distribution, fisheries and seabird bycatch to aid prioritisation of actions to reduce the risk of fishing operations to ACAP species in waters subject to national jurisdiction.	SBWG and Parties	2013-2015	1) 8 weeks 2) 2 weeks	AUD \$0	1) Commission initial report on knowledge of fisheries, status of any bycatch mitigation, knowledge of relevant seabird distribution for AC5. Note overlap with 4.4. NPOA seabirds also can be used. (AUD \$0) 2) Assess needs for waters subject to national jurisdiction and any capacity building requirements
3.6	Maintain bibliography of relevant bycatch information	BirdLife/SBWG Science Officer	2013-2015	1 week pa	AUD \$0	Includes both published and unpublished literature
3.7	Based on new information, update ACAP/BirdLife fact sheets on mitigation measures for fishing methods known to impact albatrosses and petrels (trawl, pelagic longline, demersal longline)	SBWG/BirdLife	2013-2015	1 week per fact sheet	AUD \$5,000	Costs are for translation. Leads - Trawl: New Zealand Pelagic longline: Australia Demersal longline: UK General: BirdLife
3.8	<i>Produce report on lessons from mitigation success stories in commercial fisheries</i>	<i>BirdLife/ Australia/ Convenor SBWG/WWF</i>	<i>2010-2012</i>	<i>3 weeks</i>	<i>AUD \$0</i>	<i>Should be completed within current triennium – target audience is fisheries managers</i>

	Topic/Task	Responsible group	Timeframe	Resources		Action detail
				Time	Funds for AC	
3.9	<i>Prepare review of knowledge on deliberate take/killing of ACAP species at sea</i>	<i>Australia/ Brazil/ New Zealand/ Peru/ UK/ WWF/ SBWG</i>	<i>2010</i>	<i>4 weeks</i>	<i>AUD \$0</i>	<i>Review to describe current knowledge (much from unpublished literature) and causes of any deliberate take and to consider possible take reduction strategies. Should be completed within current triennium using secondees to Secretariat</i>
3.10	Review results of any research on seabird bycatch issues, particularly that funded by ACAP	SBWG	2013-2015	2 weeks pa	AUD \$0	Draw conclusions and make recommendations to AC as appropriate
3.11	Maintain review of research needs and priorities for bycatch research and mitigation development	SBWG	2013-2015	2 weeks	AUD \$0	
3.12	Provide recommendations to the AC on measures to address at-sea threats identified as conservation priorities	SBWG	2013-2015	1 week	AUD \$0	
3.13	Review and update the prioritisation framework for at-sea threats	SBWG	2014	1 week	AUD \$10,000	One workshop and some analysis and update of data relating to threats and mitigation
3.14	Review and consider seabird bycatch issues as they relate to smaller vessels (including issues of defining “smaller vessels”)	SBWG	at SBWG-5	1 week	AUD \$0	

	Topic/Task	Responsible group	Timeframe	Resources		Action detail
				Time	Funds for AC	
3.15	Consider which data would be appropriate as baselines for assessing trends in bycatch levels and rates and formulate suitable indicators	SBWG	2012-2013	1 week	AUD \$0	Data is described in the global review of seabird bycatch in longline fisheries (AC6 Doc 30)
3.16	Estimate mortality in previously unobserved fisheries in range of Waved albatross	Ecuador and Peru, BirdLife, AC, American Bird Conservancy	2013-2015	4 weeks	AUD \$30,000 over triennium	Part of implementation from Waved Albatross Action Plan
3.17	Improve access to relevant data (e.g. from observers) held by others	SBWG	2013-2015			Need compilation of meta-data e.g. observer data
3.18	Analyse bycatch data in collaboration with Japanese researchers	SBWG	2013-2015	6 months	AUD \$50,000	Might be best done by an appropriate experienced secondee. Costings difficult to make
3.19	Analyse bycatch data from other fishing nations as information becomes available	SBWG	2013-2015	6 months	AUD \$50,000	This is a contingency cost; we are not yet sure how much and when data might become available
3.20	Identify hot spots for temporal/spatial management	RFMO coordinators/ Canada/ BirdLife/ SBWG	2013-2014	Post-doctorate for 2 years	AUD \$10,000 AUD \$50,000	AUD \$10,000 is a contribution to a potential Canadian/BirdLife/ACAP project in the North Pacific that could be done in the 2010-12 triennium. A total global cost might be in the order of AUD \$50,000
3.21	Provide draft advice on suitable analyses of bycatch data	SBWG	2013-2015	3 months	AUD \$20,000	Statistical advice may be required

	Topic/Task	Responsible group	Timeframe	Resources		Action detail
				Time	Funds for AC	
3.22	Provide reports on activities to AC meetings	SBWG and AC	2013-2015	1 week	AUD \$0	
<b>4. Capacity building</b>						
4.1	Provide assistance and capacity building to ensure drafting and implementation of NPOA-Seabirds	AC ,Parties and BirdLife to consider	2013-2015	10 weeks	AUD \$0	Capacity building in accordance with the needs identified by interested Parties in order to encourage implementation, particularly in Ecuador, France, Peru, South Africa, (Mozambique, Madagascar), Tristan da Cunha (UK), and EC external fisheries
<b>5. Indicators, priorities, reviews and collective conservation action</b>						
5.1	Identify and prioritise conservation measures required for each species and by each Party to the Agreement	WG Convenors and ad-hoc group, lead New Zealand	2013-2015	4 weeks 2013	AUD \$10,000	Better integrate information with ACAP database and reporting structure
5.2	Develop and harmonise conservation strategies or plans for particular species or groups of species of albatrosses and petrels	WGs, AC (Secretariat)	2013-2015	2 weeks p.a.	AUD \$0	Precise definition of what is needed difficult at this stage
5.3	Implement conservation strategies for particular species or groups of species of albatrosses and petrels	Parties, AC	2010-2012	unknown weeks	AUD \$0	Precise definition of what needed is difficult at this stage

	Topic/Task	Responsible group	Timeframe	Resources		Action detail
				Time	Funds for AC	
5.4	Implement system of indicators for the success of the ACAP Agreement	Parties, Secretariat, BirdLife and AC	2013-2015	1 week pa	AUD \$0	Review in time for MoP5
5.5	Support database of relevant scientific literature	AC, lead: Argentina, UK (Secretariat)	2013-2015	12 weeks	AUD \$0	Much exists already in various places. Also relevant for several other actions.
5.7	<i>Develop a directory of relevant legislation</i>	Argentina, UK (Secretariat)	2010-2012	12 weeks	AUD \$0	<i>Parties will need to supply information</i>
5.8	Develop a list of authorities, research centres, scientists and non-governmental organisations relevant to ACAP	Argentina, UK (Secretariat)	2010-2012	12 weeks	AUD \$0	Requires input from AC and Parties
6. Management of AC work, secretariat oversight and liaison, and interaction of ACAP bodies						
6.1	Consider and advise on budget matters as needed	AC	2013-2015	2 weeks pa	AUD \$0	Shorter-term advice provided by the AC Chair
6.2	Consider and advise on Staff matters as needed	AC	2013-2015	1 week pa	AUD \$0	Shorter-term advice provided by the AC Chair
6.3	Oversee, advise and guide Secretariat in relation to database, web portal	Convenors, Chair and Vice-chair	2013-2015	6 weeks pa	AUD \$0	
6.4	Manage work of Advisory Committee	Chair, Vice-chair and Convenors	2013-2015	18 weeks pa	AUD \$0	Regular teleconferences and email conversations

**ANNEX 7****ANNEX 7: PaCSWG TERMS OF REFERENCE****POPULATION & CONSERVATION STATUS WORKING GROUP**

The ACAP Advisory Committee merged the Status and Trends, and Breeding Sites working groups into a single working group, the Population and Conservation Status Working Group (PaCSWG), at its Sixth Meeting in August 2011 in Guayaquil, Ecuador and agreed to the following Terms of Reference.

The PaCSWG should provide advice and recommendations to the Advisory Committee. It should also

- oversee the contribution, collation and maintenance of the most up-to-date information on population size, trends and status, demography, at-sea distribution, management of, and land-based threats to, the breeding sites of albatrosses and petrels listed on Annex 1 of ACAP;
- oversee reviews and analyses of information, and produce assessments of the population and conservation status of listed and candidate ACAP species;
- identify key gaps in knowledge of the population size and conservation status, demography, at-sea distribution, land-based threats and their management for each ACAP species;
- identify populations of ACAP species that are priorities for monitoring, research or conservation actions;
- assess the land-based threats to ACAP species, determine which are priorities for management actions and review the effectiveness of those actions;
- identify internationally important breeding sites for ACAP species;
- develop, review and maintain best-practice guidelines for population monitoring and management of land-based threats.

**ANNEX 8****ANNEX 8: A PRELIMINARY ASSESSMENT OF GAPS IN TRACKING DATA FOR ACAP SPECIES**

**Argentina** – Southern Giant Petrels (adults and juveniles) at significant breeding sites.

**Australia** - Shy Albatross (juveniles) in Tasmania; juveniles of all albatross species at Macquarie Island.

**Chile** - Black-browed and Grey-headed Albatrosses at Diego Ramirez Islands.

**Disputed** - Black-browed and Grey-headed Albatrosses (juveniles) at South Georgia (Islas Georgias del Sur)<sup>1</sup>.

**Ecuador** - Waved Albatross (juveniles) at Galapagos.

**France** - Grey-headed and Indian Yellow-nosed Albatrosses at Crozet Islands.

**Japan** - Black-footed Albatross at Ogasawara Islands.

**New Zealand** – Campbell and Grey-headed albatrosses at Campbell Island; Salvin's Albatross at Bounty Islands; White-chinned Petrel at Auckland Islands.

**South Africa** - Juveniles of all species at Prince Edward Islands (*Phoebetria* species higher priority).

**UK** - Grey Petrel at Gough Island; juveniles of most species at Gough and Tristan da Cunha.

**USA** - Black-footed Albatross at Laysan Island.

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<sup>1</sup> “A dispute exists between the Governments of Argentina and the United Kingdom of Great Britain and Northern Ireland concerning sovereignty over the Falkland Islands (Islas Malvinas), South Georgia and the South Sandwich Islands (Islas Georgias del Sur e Islas Sandwich del Sur) and the surrounding maritime areas”

**ANNEX 9****ANNEX 9: PRIORITY MONITORING PROGRAMMES**

**Antarctica:** one ACAP species, 20% of populations of unknown size. Current population trends unknown for 11 island groups. Of concern are the steep population decreases documented for Southern Giant Petrels at King George Island and Nelson Island.

***Priority programmes:***

(i) Resurvey King George Island and Nelson Island giant petrel populations, reassess population trend and, as appropriate provide advice on known or potential causes of decline.

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**Argentina:** one ACAP species at four sites. Population size known for all sites, no recent (2001 – 2010) trend data. No survival data for any sites.

***Priority programmes:***

- (i) Develop and implement management plans for Southern Giant Petrel breeding sites and their surrounding waters;
  - (ii) Maintain annual surveys of breeding populations and productivity at all four breeding sites; and
  - (iii) Evaluate the degree of interaction between Southern Giant Petrels and alien species at Isla de los Estados and other sites with potential conflicts.
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**Australia:** eight ACAP species at 17 sites, comprising three island groups. Population size is unknown for 18% of populations. The populations of Shy Albatrosses at Pedra Branca and Wandering Albatrosses at Macquarie Island are in steep decline.

***Priority programmes:***

- (i) Continue the long-term monitoring studies on Macquarie Island (seven ACAP species) and Tasmania (Shy Albatross) that provide critical information on population trends and survival.
  - (ii) Resurvey the Mewstone population of Shy Albatrosses to determine its current population trend.
  - (iii) Resurvey Black-browed Albatrosses and Light-mantled Albatrosses at Heard Island to establish population trends.
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**Chile:** three ACAP species at 33 sites, seven island groups. Currently there are no population trends or demographic estimates for any of these species.

***Priority programmes:***

- (i) estimate demographic parameters for Black-browed and Grey-headed Albatrosses for at least one group of islands;
  - (ii) estimate current population trends by conducting a new census for all groups of islands within the next five years, considering that last censuses conducted at the two largest colonies (Diego Ramirez and Ildefonso Islands) were in the 2006/07 season.
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**Disputed - North Pacific:** two ACAP species at two sites: no current trend data, no survival data.

***Priority programmes:***



(i) Obtain access to Minami-Kojima in the Senkaku (Diaoyu) Islands to confirm continued occupation by breeding albatrosses and initiate periodic population monitoring. (Recommendation included in: U.S. Fish and Wildlife Service. 2008. Short-tailed Albatross Recovery Plan. Anchorage, AK, 105 pp.).

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**Disputed - South Atlantic:** seven species at 223 sites. Population size is known for 62% of populations. Long-term programmes at South Georgia (Islas Georgias del Sur)<sup>11</sup> have provided important population trend and survival estimates for seven ACAP species.

**Priority programmes:**

Ensure that the established population monitoring projects are maintained. These include annual demographic studies at Bird Island of banded birds to determine adult and juvenile survival rates, individual reproductive success and population trends for Wandering, Black-browed and Grey-headed Albatrosses, Northern and Southern Giant Petrels, as well as annual monitoring of population trends and productivity for Light-mantled Albatrosses. A programme to monitor population trends of White-chinned Petrels from five-yearly surveys of study plots at Bird Island has recently re-commenced, and should be continued. Other ongoing programmes that should be continued include annual monitoring of Wandering Albatrosses, and Northern and Southern Giant Petrels at Albatross and Prion Islands, South Georgia (Islas Georgias del Sur)<sup>1</sup>. Existing programmes that monitor annually population numbers and demographic parameters of Black-browed Albatrosses at New Island and Steeple Jason Island in the Falkland Islands (Islas Malvinas)<sup>1</sup> should be maintained, as should the programme to monitor numbers and breeding success of Southern Giant Petrels on Steeple Jason Island.

In addition, it would be valuable to expand the monitoring protocols for surveying White-chinned Petrels at Bird Island to include other sites in South Georgia (Islas Georgias del Sur)<sup>1</sup>. It is also recommended that a coordinated and standardised approach to conducting island-wide censuses of Black-browed Albatrosses in the Falkland Islands (Islas Malvinas)<sup>1</sup> is developed and implemented. The first complete census of Southern Giant Petrels breeding in the Falkland Islands (Islas Malvinas)<sup>1</sup> revealed that this island group supports approximately 40% of the global population, and an effective monitoring protocol should be developed.

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**Ecuador:** single endemic ACAP species, no current population trend data, no juvenile survival data.

**Priority programmes:**

- (i) Whole island population size estimate on Española, Galapagos Islands;
  - (ii) Further develop monitoring programme for vital rates and population size in the interior colonies („Colonia Central”) on Española; and
  - (iii) Further develop a monitoring programme for presence/absence and breeding effort on Isla de la Plata.
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<sup>1</sup> “A dispute exists between the Governments of Argentina and the United Kingdom of Great Britain and Northern Ireland concerning sovereignty over the Falkland Islands (Islas Malvinas), South Georgia and the South Sandwich Islands (Islas Georgias del Sur e Islas Sandwich del Sur) and the surrounding maritime areas”

**France:** twelve ACAP species comprising 87 populations at three island groups. Population size is known for 77% of populations. Long-term monitoring programmes have provided important information on survival and productivity for a range of ACAP species.

**Priority programmes:**

- (i) Long term monitoring programmes involving censuses and demographic studies of the 10 ACAP species on the four French sites in the southern Indian Ocean should be continued. This programme is being evaluated this year for a four-year renewal.
  - (ii) Resurvey colonies at remote islands, which were last counted more than 20 years ago, and include significant populations. These include Wandering Albatrosses on Crozet (Cochons and Ile de l'Est) and Kerguelen (western colonies), Indian Yellow-nosed Albatrosses (Crozet islands (Pingouins and Apotres), Grey-headed Albatrosses on Crozet (Pingouins) and Kerguelen (Iles Nuageuses), Sooty and Light-mantled Albatrosses on Ile de l'Est (Crozet) and Northern and Southern Giant Petrels at Crozet (Cochons and Ile de l'Est).
  - (iii) Resurvey White-chinned Petrel populations (Possession Island), and Grey Petrels at Kerguelen.
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**Japan:** three ACAP species, five populations all of known size; current trend, adult survival and productivity are known from an ongoing study of one population, but not for the remaining populations.

**Priority programmes:**

- (i) At all albatross breeding sites within Japan, establish data-collection programmes to ensure robust population models. The required demographic parameters include estimates of survival to recruitment, percentage of non-breeding adults and adult survival (recommendation included in: U.S. Fish and Wildlife Service. 2008. *Short-tailed Albatross Recovery Plan*. Anchorage, Alaska, 105 pp.).
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**Mexico:** one species of known population size at four sites; no trend or demographic information.

**Priority programme:** Establish population trends.

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**New Zealand:** ninety-two populations of 16 ACAP species, including 10 endemic species, more than any other jurisdiction. Population sizes known for 60% of populations, but current trends available for only four populations. Long-term population studies have provided information on survival and productivity for a range of species.

**Priority programmes:**

- (i) Resurvey Campbell Albatross at Campbell Island, where no census has been undertaken for over 10 years.
  - (ii) Determine the population trend of Salvin's Albatross at Bounty Islands. Salvin's Albatross was identified by a recent assessment of the risk to seabird populations from New Zealand commercial fisheries as one of the ACAP species at greatest risk. Approximately 95% of the population breeds at the Bounty Islands. Recently a complete aerial census has been undertaken. This provides a baseline for further aerial monitoring to establish a population trend.
  - (iii) Should ground truthing prove feasible, this has potential to be combined with collecting tracking data, as the Bounty Islands' population of Salvin's Albatrosses forms one of the most significant remaining tracking data gaps for ACAP species breeding in New Zealand.
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**South Africa:** seventeen populations of nine ACAP species, 24% of which are of unknown size. Adult survival information is available for four populations.

***Priority programmes:***

- (i) Comparative study of Sooty and Light-mantled Albatrosses, in order to understand factors driving their population trends.
  - (ii) Refine estimates of the population sizes of White-chinned and Grey Petrels.
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**United Kingdom:** sixteen populations of six ACAP species on two island groups, current trend only known for one population. Long-term studies have provided survival and productivity data.

***Priority programmes:***

The main priority for the Tristan islands is to continue the existing population monitoring projects. These include annual monitoring of Tristan and Atlantic Yellow-nosed Albatrosses and Southern Giant Petrels at Gough Island, annual monitoring of Atlantic Yellow-nosed Albatrosses at the main island of Tristan da Cunha and Nightingale Island, and repeat scan counts of Sooty Albatrosses at Gough Island every three years, or more frequently if possible. It is important to ensure that the number of birds monitored at study sites is sufficient to be representative of the broader populations. Counts of Spectacled Petrels at Inaccessible Island should continue at approximately five-yearly intervals.

In addition to these existing programmes, it would be valuable to initiate regular monitoring of Sooty Albatrosses at sample sites on the main island of Tristan da Cunha, and to investigate the feasibility of, and undertake, a census of Atlantic Yellow-nosed Albatrosses at the main island, which is thought to hold a significant proportion of the global population. Very little work has been conducted on the winter-breeding Grey Petrel at the Tristan Islands, and so its population status remains poorly understood. It is recommended that efforts are directed towards determining the distribution and abundance of Grey Petrels on Gough Island, and to set up and implement study plots, where population trends can be monitored at intervals of one to three years. A winter survey of Inaccessible Island should be conducted to determine whether Grey Petrels breed at this site, and also to determine whether the species still breeds on the main island of Tristan.

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**United States:** two species; 22 populations all of known size. Population trends (mostly increasing) known for 33% of populations. Limited demographic data exist.

***Priority programmes:***

- (i) Survey the five albatross breeding sites not currently monitored in order to update population estimates (in one case dating to 1982).
- (ii) Repeat these surveys throughout the range of the two albatross species breeding within the US every five years.
- (iii) Incorporate analyses and reporting of population and demographic data from albatross colonies into a regular and ongoing programme housed in the Division of Migratory Bird Management of the US Fish and Wildlife Service or similar agency.

## ANNEX 10

## ANNEX 10: PRIORITY POPULATION ASSESSMENTS

1: PRIORITY POPULATION ASSESSMENT - WANDERING ALBATROSS AT SOUTH GEORGIA (ISLAS GEORGIAS DEL SUR)<sup>1</sup>

R.A. Phillips (UK), A.G. Wood (UK) and J.P. Croxall (BirdLife International)

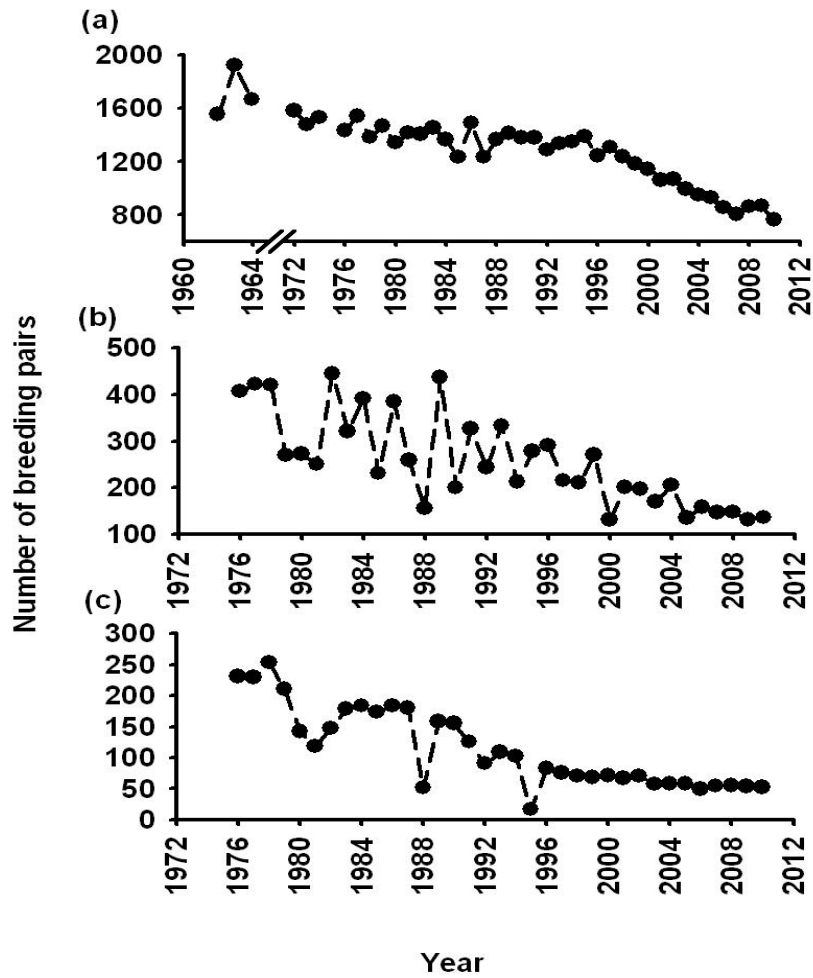
## Population trends

Although albatrosses are the most globally threatened multi-species family of birds according to IUCN, some species that are endemic to a single island or island group qualify for Red Listing because of their restricted breeding range rather than projected time to extinction based on population data. Others, however, are very clearly in decline. This includes seven of the eight populations breeding in the islands of Tristan da Cunha, the Falkland Islands (Islas Malvinas)<sup>1</sup> and South Georgia (Islas Georgias del Sur)<sup>1</sup> which were considered to be decreasing at 1-4% a year, making the South Atlantic the worst affected region in the Southern Ocean, Fig. 1).

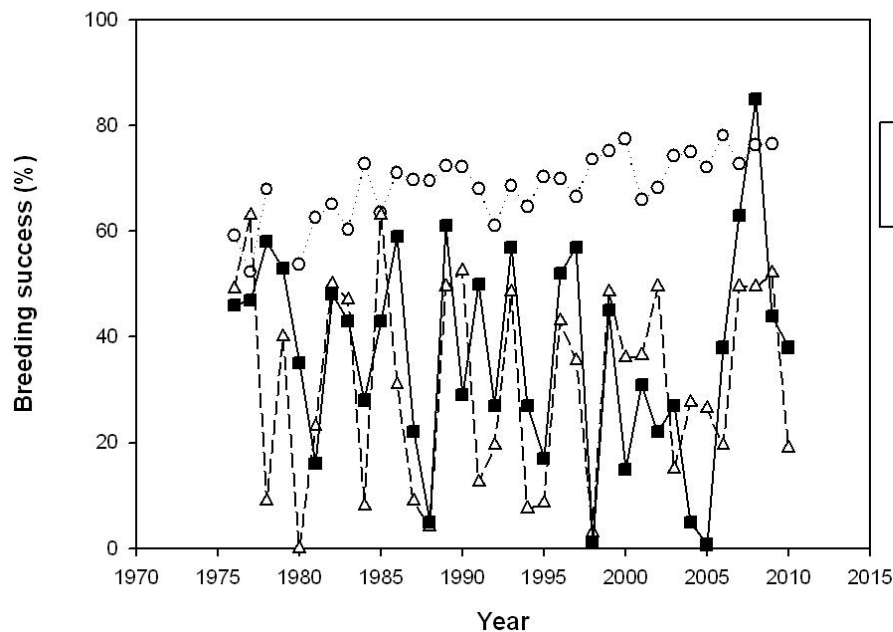
South Georgia (Islas Georgias del Sur)<sup>1</sup> holds major populations (the largest to third largest, globally) of Wandering Albatrosses, Grey-headed Albatrosses, Black-browed Albatrosses and Light-mantled Albatrosses. The Light-mantled Albatross is the least known because it nests solitarily or in small groups, and a proportion of nests is inaccessible, limiting the possibilities for long-term demographic study because permanent movement to an unvisited site is indistinguishable from mortality. Intensive monitoring of the other species provides unequivocal evidence of long-term population decreases beginning in the 1960s or 1970s (British Antarctic Survey unpublished data, Fig. 1). The Wandering Albatross population at Bird Island has decreased from 1554-1922 (mean 1714) pairs during 1962-1964, to 779-865 (mean 834 pairs) during 2006-2011. The trend at Bird Island, which holds 61% of the local breeding population, is the same as in the rest of the island group (Poncet *et al.* 2006). From 1997 to 2007, when the rate of decline increased to 4.5% a year, this represented the removal, without replacement, of 95 breeding birds a year.

Breeding success shows a very different pattern, highly variable for both Grey-headed and Black-browed Albatrosses, but gradually increasing in the Wandering Albatross (Fig. 2). In both Black-browed and Grey-headed Albatrosses, the high variability in breeding success is assumed to relate to the long-term decline in krill abundance in the southwestern Atlantic or to other changes in prey abundance or oceanography. In contrast, the gradual but sustained increase in breeding success of the Wandering Albatross suggests that environmental conditions for this species have been improving (as in the Indian Ocean; Weimerskirch *et al.* unpublished), discard availability has increased, or there has been a density-dependent reduction in intraspecific competition as the population has declined.

<sup>1</sup> "A dispute exists between the Governments of Argentina and the United Kingdom of Great Britain and Northern Ireland concerning sovereignty over the Falkland Islands (Islas Malvinas), South Georgia and the South Sandwich Islands (Islas Georgias del Sur y Islas Sandwich del Sur) and the surrounding maritime areas".



**Fig. 1.** Population trends of (a) Wandering Albatross, (b) Grey-headed Albatross and (c) Black-browed Albatross at Bird Island, South Georgia (Islas Georgias del Sur)<sup>1</sup>. Data are from the British Antarctic Survey.

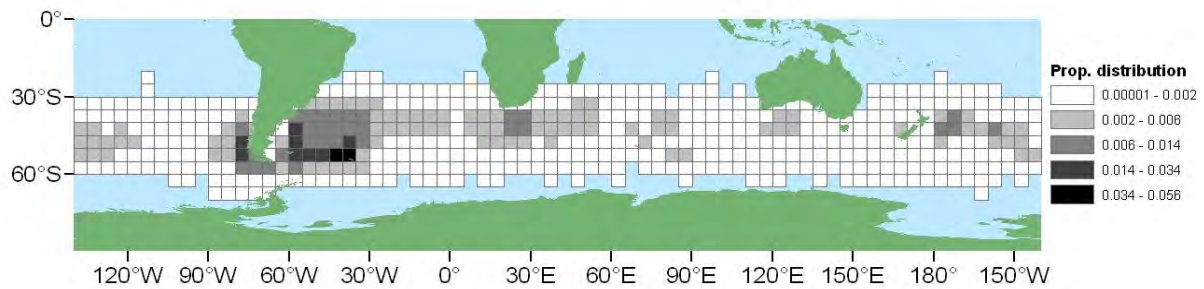


**Fig. 2.** Long-term changes in breeding success of albatrosses at Bird Island, South Georgia (Islas Georgias del Sur)<sup>1</sup>. Data are from the British Antarctic Survey.

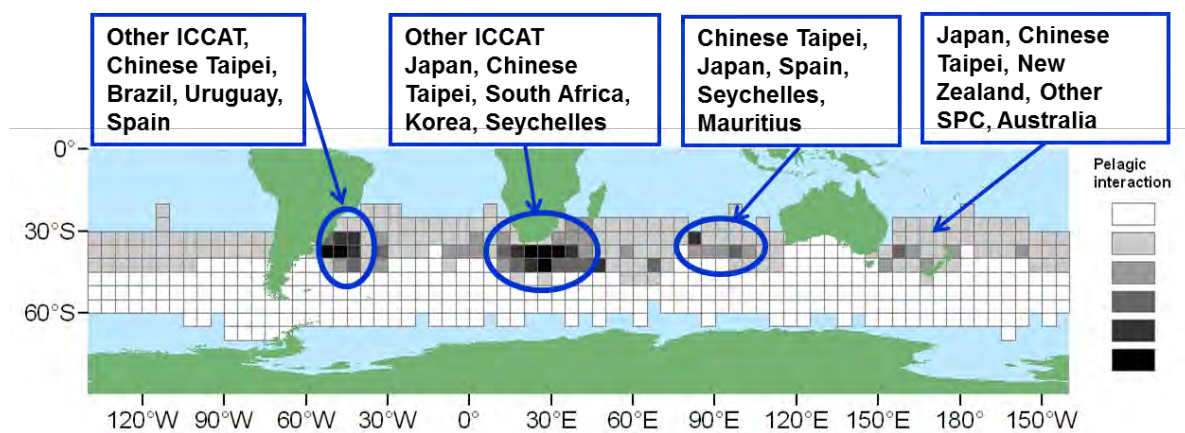
### Wandering Albatross distribution in relation to fisheries

Comprehensive data on distribution of Wandering Albatrosses from South Georgia (Islas Georgias del Sur)<sup>1</sup> are available from deployment of satellite-transmitters, GPS loggers or GLS loggers (geolocators) on breeding adults, non-breeders, pre-breeders and juveniles. The distribution data were weighted by sex, number of birds of different status in 2005 (based on a demographic model developed by CSIRO Marine and Atmospheric Research, Hobart; Tuck *et al.* in press) and the duration of each phase/stage (Fig. 3). Fisheries data were collated by the CSIRO, Hobart. The areas of greatest potential interaction with fisheries were then mapped, based on the product of the proportion of the year-round, global Wandering Albatross distribution, and the total effort from all pelagic, or demersal fisheries in each 5 x 5 degree grid square (Figs. 4 and 5). The largest fisheries in the areas of greatest interaction are shown in boxes. It is important to note that a high level of interaction is not indicative of high bycatch rates because some fisheries catch few seabirds for operational or other reasons.

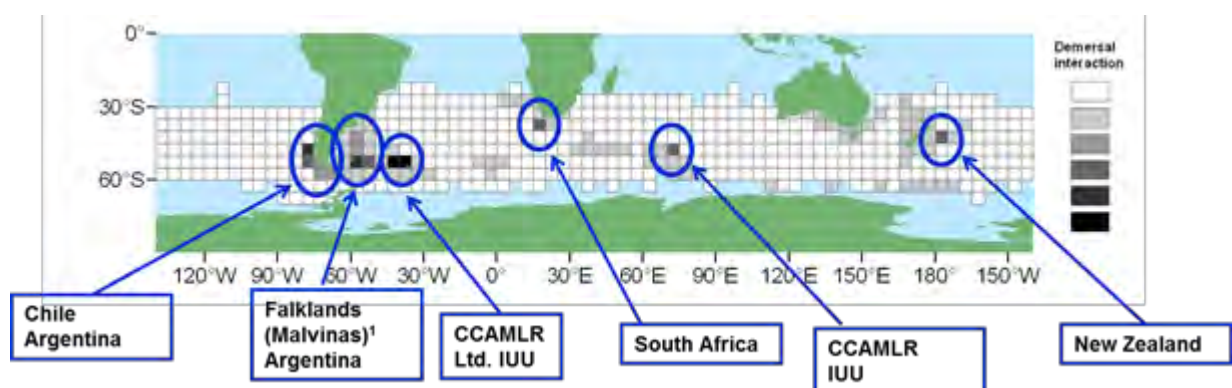




**Fig. 3.** Year-round distribution of Wandering Albatrosses from South Georgia (Islas Georgias del Sur)<sup>1</sup> in 2005, based on tracking data. Data are from the British Antarctic Survey.



**Fig. 4.** Areas of greatest potential interaction (bird distribution x fishing effort) of Wandering Albatrosses from South Georgia (Islas Georgias del Sur)<sup>1</sup> in 2005 and pelagic longline fisheries. The largest fisheries in the three areas of greatest interaction are shown in boxes. Bird distribution data are from British Antarctic Survey and fisheries data were collated by the CSIRO, Hobart.



**Fig. 5.** Areas of greatest potential interaction (bird distribution x fishing effort) of Wandering Albatrosses from South Georgia (Islas Georgias del Sur)<sup>1</sup> in 2005 and demersal longline fisheries. The largest fisheries in the areas of greatest interaction are shown in boxes. Bird distribution data are from the British Antarctic Survey and fisheries data were collated by the CSIRO, Hobart.

## Conclusions

Work is in progress on the ACAP prioritisation framework which can be expected to identify the Wandering Albatross, and potentially the south-west Atlantic population in particular, as a priority bycatch issue. However, the final conclusions from this process are not expected to be available in time for AC6. As the next opportunity to identify conservation priorities at an Advisory Committee meeting would be 2013 (no meeting is scheduled for 2012), there is a clear advantage to highlighting particularly strong cases on which ACAP might focus its efforts in the interim. The reason for advocating that the Wandering Albatross is one such ACAP priority is the clear acceleration of the downward trend since the late 1990s, indicating that its population is in a particularly parlous state. Given the gradual long-term improvement in breeding success, the lack of evidence that land-based threats (human disturbance or introduced species), or disease, are affecting birds, and the limited spatial overlap with trawlers, the conclusion that bycatch in longline fisheries is the main or only driver of the observed population decline of this population is compelling.

## Acknowledgements

We are very grateful to Robin Thomson and Geoff Tuck for collating the fishing effort data and for their expertise. This paper also benefited greatly from discussions with Ian Hay and Graham Robertson. Henri Weimerskirch kindly provided access to an unpublished manuscript.

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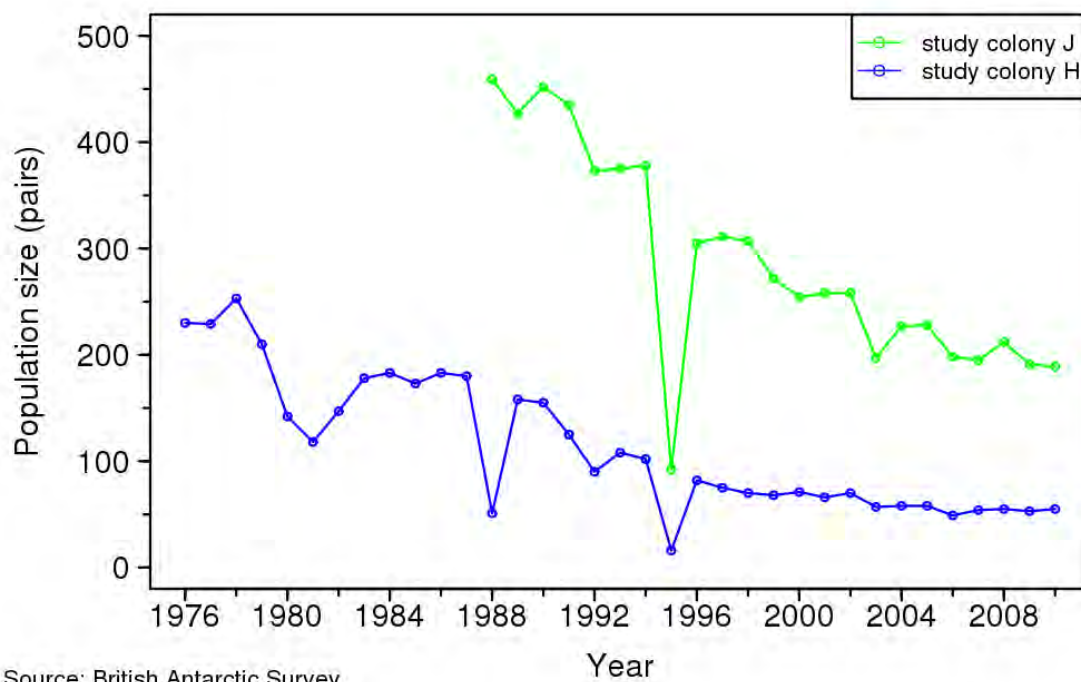


## 2: PRIORITY POPULATION ASSESSMENT – BLACK-BROWED ALBATROSS AT SOUTH GEORGIA (ISLAS GEORGIAS DEL SUR)<sup>1</sup>

R.A. Phillips (UK), A.G. Wood (UK) and J.P. Croxall (BirdLife International)

### Population trends of the Black-browed Albatross

South Georgia (Islas Georgias del Sur)<sup>1</sup> holds around 75,000 pairs of Black-browed Albatrosses, which is the second-largest population at any island group and represents c. 12% of the global total (ACAP Species Assessment). Annual monitoring at Bird Island indicates a marked reduction in adult and juvenile survival rates since the mid 1980s, and a long-term decrease of at c. 4% a year (Croxall *et al.* 1998, Poncet *et al.* 2004, Fig. 1). This has been attributed largely to incidental mortality in fisheries (Croxall *et al.* 1998, Phillips *et al.* 2005). Males show lower survival (by 2%) than females, which might reflect sexual segregation at sea, or the competitive exclusion of females by males from around fishing vessels, which can lead to male-biased bycatch rates.

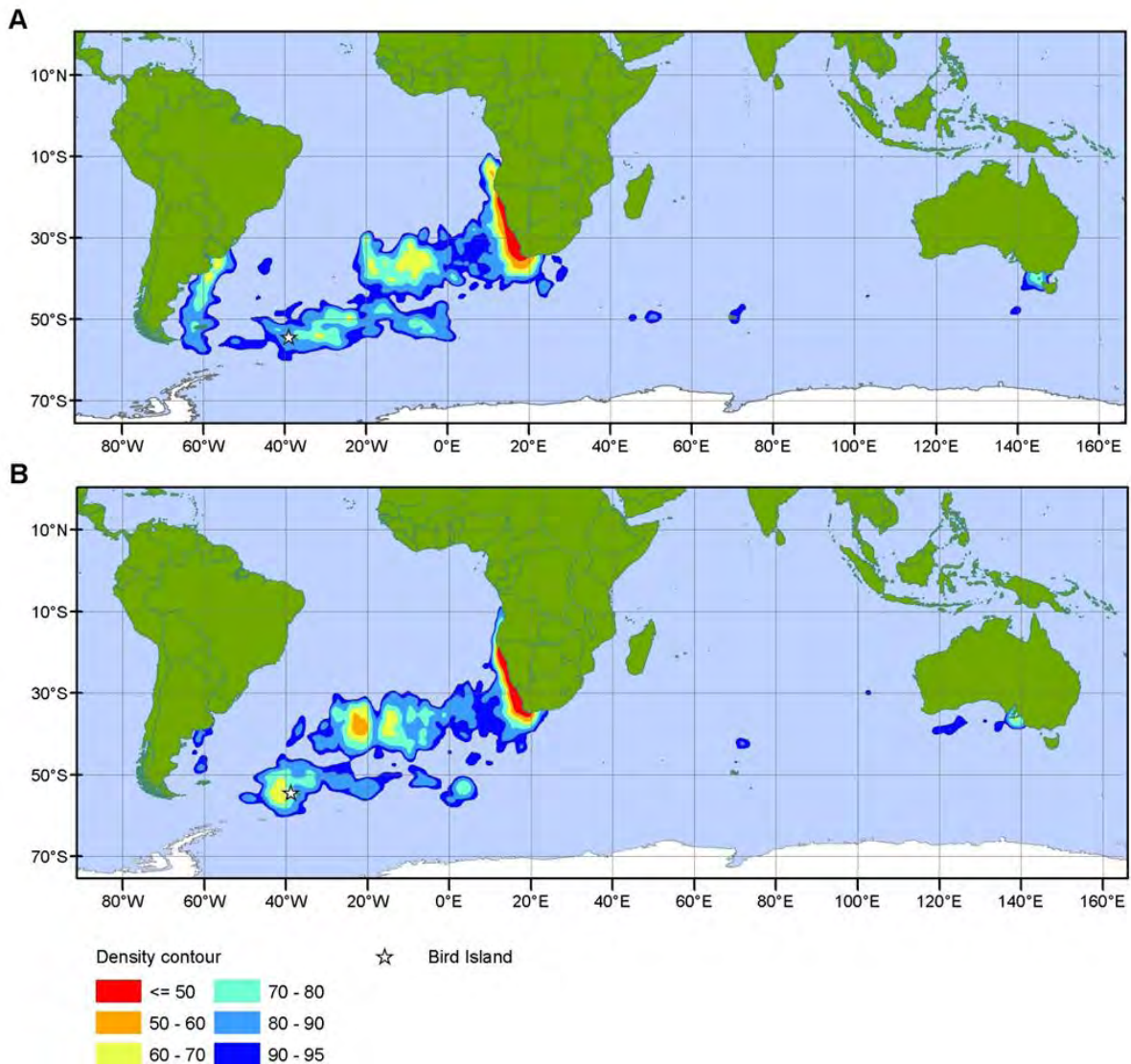


**Fig. 1.** Population trends of Black-browed Albatrosses from two colonies monitored at Bird Island, South Georgia (Islas Georgias del Sur)<sup>1</sup>.

<sup>1</sup> "A dispute exists between the Governments of Argentina and the United Kingdom of Great Britain and Northern Ireland concerning sovereignty over the Falkland Islands (Islas Malvinas), South Georgia and the South Sandwich Islands (Islas Georgias del Sur y Islas Sandwich del Sur) and the surrounding maritime areas".

### **Black-browed Albatross distribution in relation to fisheries**

Comprehensive data on distribution of Black-browed Albatrosses from South Georgia (Islas Georgias del Sur)<sup>1</sup> are available from deployment of satellite-transmitters and GLS loggers (geolocators) on breeding adults and non-breeders, respectively. During the chick-rearing period, breeding adults remain largely in waters south of the Antarctic Polar Front, within 700 km of the colony, and show little overlap with fisheries because of a time-area closure (Phillips *et al.* 2004). In contrast, during incubation, males in particular forage northwest of the colony, mainly in pelagic waters but also on the Patagonian Shelf (Phillips *et al.* 2004), where there is the potential for interaction with pelagic longline and trawl fisheries, respectively. During the non-breeding period, all tracked females spent the core winter months in the Benguela Upwelling Region (Phillips *et al.* 2005, Fig. 2). Most males also over-winter in the Benguela, although a small minority travel to south-eastern Australia, staging around the Crozet or Kerguelen island groups on the outward or return journey, or remain in the southwest Atlantic, mainly on the Patagonian Shelf (Phillips *et al.* 2005). Birds exploit a number of areas on the return migration to the breeding colony, including an extensive region on the Mid-Atlantic ridge around Tristan da Cunha from mid-July to early September. The winter distribution overlaps with major fisheries, including trawlers in coastal waters off South Africa and on the Patagonian Shelf, and longliners throughout much of the South Atlantic, the southern Indian Ocean, and in the Australian Fishing Zone (Klaer & Polacheck 1997, Ryan *et al.* 2002, Favero *et al.* 2003, Tuck *et al.* 2003). In several of these areas, including off Australia and South Africa, very high levels of incidental mortality of Black-browed Albatrosses have been recorded, in the order of hundreds or thousands of birds each year (Brothers 1991, Ryan *et al.* 2002, Anderson *et al.* 2011). Many of the birds killed in South African waters are immature, which remain in the area and are potentially vulnerable to bycatch throughout the year.



**Fig. 2.** Density distribution of nonbreeding Black-browed Albatrosses from South Georgia (Islas Georgias del Sur)<sup>1</sup> during the winter (May–September) in (A) 2002 (n=25 birds) and (B) 2003 (n=24 birds). Each contour encompasses a specific proportion (50–95%) of the total kernel density surface. Figure from Phillips *et al.* (2005).

## Conclusion

Black-browed Albatrosses from South Georgia (Islas Georgias del Sur)<sup>1</sup> show a very substantial overlap with numerous fisheries. Breeding success is variable, but shows no consistent long-term pattern. There is no evidence that land-based threats (human disturbance or introduced species), or disease, are affecting birds. Bearing this in mind, and given the high bycatch rates recorded for this species in many studies, the long-term population decrease seems to be clearly linked with incidental mortality in both long-line and trawl fisheries.

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### 3: PRIORITY POPULATION ASSESSMENT – TRISTAN ALBATROSS AT GOUGH ISLAND

Wolfaardt, A. (UK)

#### Conservation status and population trend of the Tristan Albatross

The Tristan Albatross bred historically on Tristan da Cunha, Inaccessible and Gough islands, but humans and the presence of invasive species resulted in the extirpation of the species at the main island of Tristan. The Inaccessible Island population has averaged <one chick a year since 1982 (Ryan 2005) and is not considered viable. Consequently, the Tristan Albatross is effectively endemic to Gough Island. The species is currently listed as Critically Endangered due to its highly restricted breeding range and the projected rapid population decline over three generations. This decrease is being driven by low adult survival brought about by incidental mortality associated with longline fisheries and significantly reduced breeding success caused by predation of chicks by the introduced House Mouse *Mus musculus* (Cuthbert *et al.* 2004, Wanless *et al.* 2007, 2009).

The earliest census of Tristan Albatrosses at Gough Island was conducted in 1956, when the numbers of incubating birds at Gonydale, Green Hill and Albatross Plain were counted. Collectively, these areas currently support about 38% of the Gough population. Subsequently, whole-island censuses of incubating Tristan Albatrosses have been conducted at Gough Island in 1999/2000 (Ryan *et al.* 2001), 2001 (Cuthbert *et al.* 2004), 2004, 2005 (near-complete census), 2006, 2007, 2008, 2009 and 2010. Whole-island counts of large chicks have also been carried out in 1999, 2000, 2001, 2003, 2007, 2008, 2009 and 2010, all in September, thus allowing an estimation of breeding success for these breeding seasons. The number of incubating Tristan Albatrosses counted decreased from 2400 in 2001 to 1279 in 2007, 1793 in 2009, and 1698 in 2010. Due to the short period of time over which the population has been systematically monitored, and the biennial nature of breeding, it is difficult to derive population trends from the count data, and it has been necessary to model the data to predict the population trend. The recent whole-island counts suggest that the population on Gough has decreased by 28% over 46 years, whereas population modelling predicts annual decline rates of 2.9-5.3% (Ryan *et al.* 2001, Wanless *et al.* 2009). These data suggest a decline equivalent to a >79% reduction over 70 years from 1955 to 2025 (BirdLife International 2011).

The projected population decline is driven by two main threats: low adult survival and abnormally low breeding success. Annual adult survival, based on 21 years of recapture data from 1985-2007, is estimated to be around 91%, insufficient to maintain a stable population of a *Diomedea* albatross (Cuthbert *et al.* 2004, Wanless *et al.* 2009). The reduced adult survival is attributed to mortality associated with fishery interactions, especially in the pelagic longline fisheries of the South Atlantic (Ryan *et al.* 2001, Cuthbert *et al.* 2005, Neves *et al.* 2006).

Breeding success of Tristan Albatrosses on Gough Island is abnormally low by comparison with congeners, averaging at most  $32.6 \pm 7.6\%$  (range 24- 45%), sufficiently low to cause a population decrease of over 50% over three generations (Cuthbert *et al.* 2004, Cuthbert &

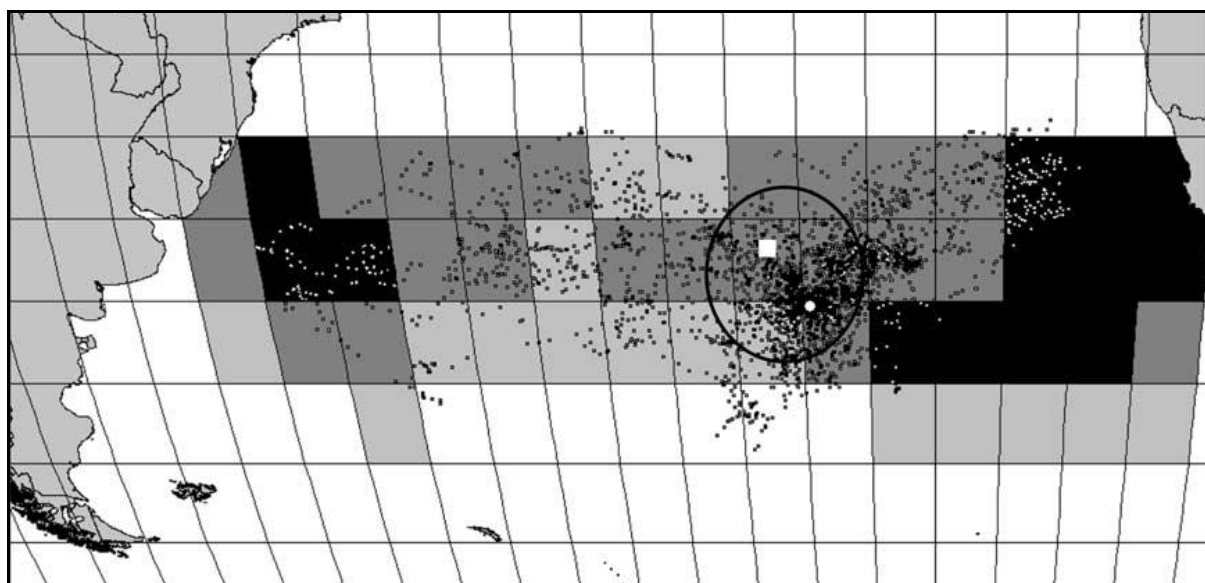
Hilton 2004, Wanless *et al.* 2007). Recent studies have confirmed that the low breeding success is due to the widespread predation of Tristan Albatross chicks by mice (Wanless *et al.* 2009). In 2008, 14% of Tristan Albatross nesting pairs succeeded in fledging a chick, only a fifth of the level in a healthy population not subject to chick predation (Royal Society for the Protection of Birds unpublished data).

### Tristan Albatross distribution in relation to fisheries

Tracking data are limited, but show that the species is restricted to the South Atlantic Ocean during the breeding season, predominantly between 30–45°S, where there is broad overlap between foraging birds and fishing effort (Cuthbert *et al.* 2005, Fig. 1). Outside the breeding season, it disperses to South Atlantic and South African waters, with numerous recent records from Brazilian waters (Neves *et al.* 2000, Olmos *et al.* 2000) and one from Australia (Ryan *et al.* 2001), suggesting that birds may occasionally disperse into the southern Indian Ocean. Recoveries from banded birds and observations by the BirdLife International Albatross Task Force indicate mortality in longline fisheries operating in Brazilian and Uruguayan waters (ACAP Species Assessment), and this area was also identified as a priority for bycatch in the ICCAT Seabird Assessment. It has been estimated that c. 500 Tristan Albatross individuals are killed every year by longliners (Cuthbert *et al.* 2005).

### Conclusions

The Tristan Albatross population on Gough Island is the only viable population of this species in the world. The species will continue its apparent trend towards extinction unless the negative effects of both low fledging success (due to predation of chicks by mice) and reduced adult survival (a consequence of incidental mortality in longline fisheries) are ameliorated.



**Fig. 1.** Average annual reported pelagic fishing effort for the period 1970–1998 within the area of 30–50°S and 60°W to 20°E, grouped into categories of <10,000 hooks (no shading), 10,000–250,000 hooks (light grey), 250,000–1,000,000 hooks (dark grey) and >1,000,000 hooks (black shading) and the distribution of Tristan Albatrosses during the 2001 breeding season. Gough Island (unfilled circle) is located at 40°S 10°W, Tristan da Cunha (unfilled square) is located at 37°S 12°W, and the approximate limits of the Tristan 200 nm EEZ (dashed oval) are indicated. Figure reproduced from Cuthbert *et al.* (2005).

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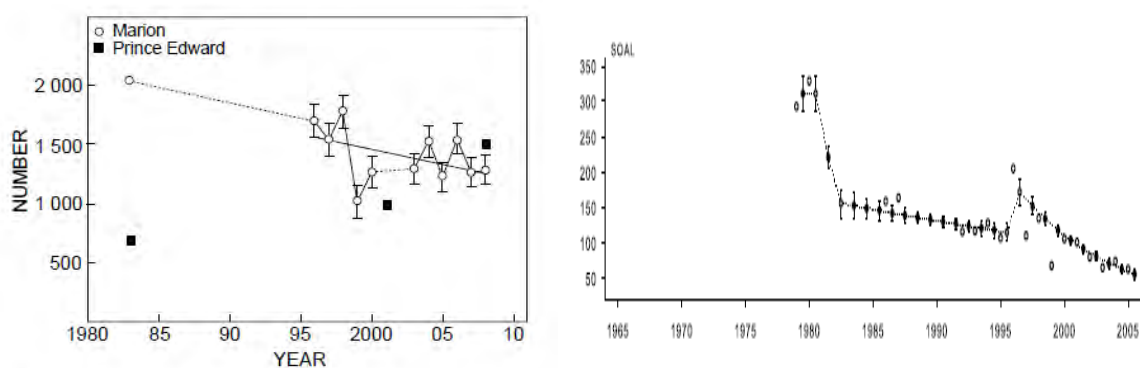
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#### 4: PRIORITY POPULATION ASSESSMENT – SOOTY ALBATROSS AT CROZET AND PRINCE EDWARD ISLANDS

H. Weimerskirch (France) and R.J.M. Crawford (South Africa)

##### Conservation status and population trend of the Sooty Albatross

Sooty Albatrosses breed on islands in the Indian and Atlantic Oceans that are administered by France, South Africa and the UK. The species is listed as Endangered, because for all populations monitored steep declines have occurred (ACAP Species Assessment). In the Indian Ocean, declines have been ongoing since the early 1980s, when censuses commenced (Fig. 1).



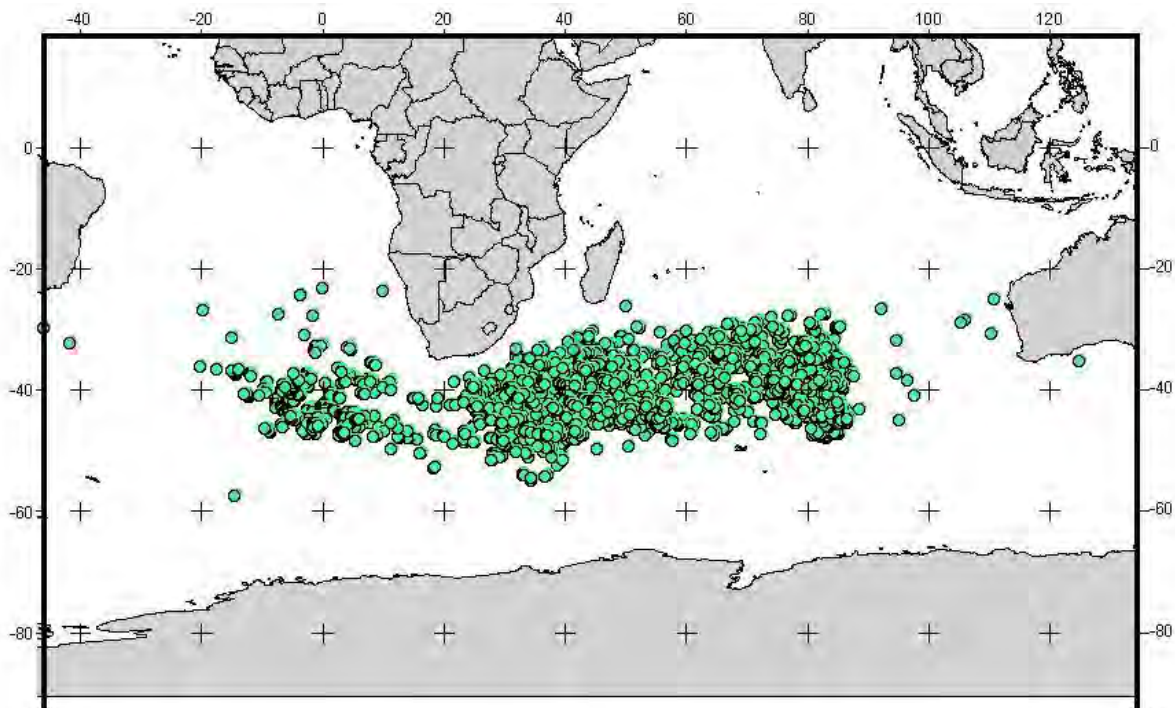
**Fig. 1.** Change in the number of pairs of Sooty Albatrosses counted on the Prince Edward Islands (left, from Ryan *et al.* 2009) and on Possession Island, Crozet Islands (right, from Delord *et al.* 2008). The increase in numbers counted at Prince Edward Island in the latter group is thought attributable to a better survey coverage and not to reflect a real increase (Ryan *et al.* 2009).

Demographic studies carried out at the Crozet Islands have shown that the decrease of the population was due to a decrease in recruitment rate, caused by low survival of juvenile (and/or immature birds), and poor adult survival (Weimerskirch *et al.* 1986, Rolland *et al.* 2010). Modelling shows that adult survival was very low for a biennially breeding species (0.884 p.a.), decreased significantly over time, and was best explained by tuna longline effort in the foraging zone of the species: tuna fishing effort had a negative impact on survival and explained 33.5% of variation in adult survival (Rolland *et al.* 2010). On the other hand, breeding success was variable between years, with no trend, but on average relatively high (0.678 chicks per pair per year) and was explained by environmental variation, especially sea surface temperatures in the foraging zones (Rolland *et al.* 2010).

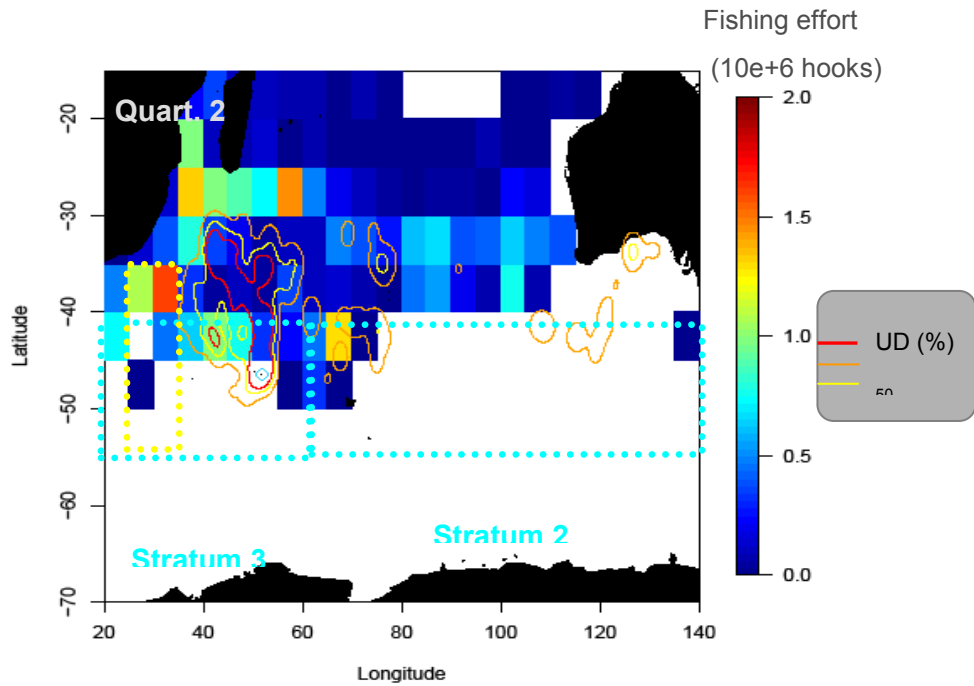


### Sooty Albatross distribution in relation to fisheries

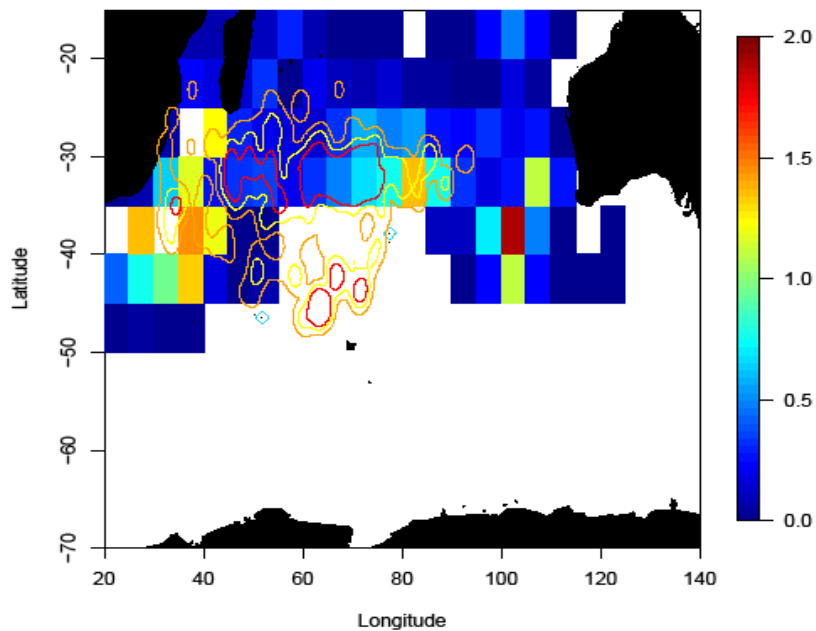
The strong effect of longline fisheries can be explained by the high overlap of the species' feeding area with tuna fisheries in the region of the Indian Ocean Tuna Commission (IOTC). Indeed, adult Sooty Albatrosses from Crozet Island during breeding forage in subantarctic/subtropical waters, as do birds from Marion Island (Fig. 2). Crozet adult Sooty Albatrosses during the breeding season overlapped with longline fisheries of the IOTC zone (Fig. 3). Non-breeding birds in their sabbatical year remained in the Indian Ocean and also largely overlapped with the IOTC Convention area, especially in areas where high bycatch rates were reported (Huang & Liu 2010). The at-sea distribution of juvenile Sooty Albatrosses after fledging (during the 3rd quarter of the year) was concentrated into even warmer waters, and showed high overlap with fishing effort (Fig. 4). The overlap varied in time and space, and was mainly concentrated on subtropical and tropical waters between the Crozet Islands and Madagascar. Thus, juveniles tended to be distributed farther north than adults (both breeding and non-breeding) and probably faced a higher risk of bycatch, as revealed by their overlap with the area where high bycatch values were reported. Unfortunately, bycatch estimates were not available for the Korean fleet and for the area 25°S-35°E/35°S-70°E which appeared to be important for juvenile birds during their first month at sea.



**Fig. 2.** Foraging distribution of breeding adult Sooty Albatrosses from Marion Island.



**Fig. 3.** Overlap of IOTC longline fishing effort (maximum value of fishing effort reported during 2005-08) and utilization (UDs of 50, 75 and 95%) or Kernel density ( $h=1$ ) of satellite locations for adult Sooty Albatrosses during the breeding period from Crozet Island (2nd quarter of the year). The areas of highest estimated bycatch of seabirds are shaded (Chinese Taipei's fleet: yellow; Japanese fleet: blue).



**Fig. 4.** Overlap of IOTC longline fishing effort (maximum value of fishing effort reported during 2005-2008) and utilization (UDs of 50, 75 and 95%) or Kernel density ( $h=1$ ) of satellite locations for juvenile Sooty Albatrosses after fledging from Crozet Island during the 3rd quarter of the year. The areas of highest estimated bycatch of seabirds are shaded (Chinese Taipei's fleet: yellow; Japanese fleet: blue).

## Conclusions

Sooty Albatrosses, especially juveniles, which are often found farther north than breeding birds, experience considerable overlap with pelagic longline fisheries and therefore have a great risk of bycatch. Our results show clearly that in the case of Sooty Albatrosses from the south-western Indian Ocean, all stages in the populations (breeding as well as non-breeding adults and juveniles), and overlap greatly with tuna longline fisheries in the IOTC zone. These results are thus in full agreement with the strong effect of longline effort on adult survival rate, which is the key parameter driving long-term trends in populations of long-lived species. The studies also highlight the crucial need to have access to fishery data of quality and to bycatch estimates (by fleet, by specific areas and with species composition and recovery data) in order better to understand the link between fishery effort and population trends, and ultimately to enable effective management of fisheries and seabird populations.

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## ANNEX 11

## ANNEX 11: INDICATORS RELATING TO STATUS &amp; TRENDS

Potential candidate indicators to evaluate in respect of breeding sites and population status and trends.

Breeding Sites	2011	
	Count	%
<b>Islands with alien species</b>	<b>38</b>	<b>15.3</b>
<b>Islands with habitat modifiers</b> (Black (Ship) Rat, Brown (Norwegian) Rat, Cattle, Cotton-tail Rabbit, deer, European Hare, House Mouse, domestic Pig, Polynesian Rat, European Rabbit, Reindeer, domestic Sheep)	<b>38</b>	<b>15.3</b>
<b>Islands with known/potential predators</b> (Black (Ship) Rat, Brown (Norwegian) Rat, Brushtail Possum, feral Cat, Dog, Ferret, House Mouse, Polynesian Rat, Stoat)	<b>31</b>	<b>12.5</b>
<b>Sites with threats – Low</b>	<b>42</b>	<b>7.3</b>
<b>Sites with threats – Medium</b>	<b>8</b>	<b>1.4</b>
<b>Sites with threats – High</b>	<b>1</b>	<b>0.2</b>
<b>Sites with threats - Very High</b>	<b>0</b>	<b>0</b>
<b>Sites with Protected Status</b> (Antarctic Specially Managed Area, Antarctic Specially Protected Area, Antarctic Treaty Area, Area restricted to scientific and technical research, IUCN Protected Area - Category 1a, IUCN Protected Area - Category 1b, IUCN Protected Area - Category II, IUCN Protected Area - Category III, IUCN Protected Area - Category IV, IUCN Protected Area - Category V, Marine National Monument, Marine Park, Marine Reserve, National Heritage List, National Nature Reserve, National Park, National Wildlife Protection Area, National Wildlife Refuge, Natural Area Reserve, Natural Monument, Nature Reserve, Private Sanctuary, Ramsar Wetland, Register of Critical Habitat, Register of National Estate, Scenic Reserve, Special Management Areas, Special Nature Reserve, Specially Protected Area, UNESCO Biosphere Reserve, UNESCO World Heritage Area)	<b>499</b>	<b>87.4</b>
<b>Sites with Management Plans</b>	<b>504</b>	<b>88.3</b>
<b>Sites with Biosecurity Protocol</b> (Biosecurity Plan or Quarantine)	<b>14</b>	<b>2.5</b>
Status and Trends		
Populations (Island Groups) counted within the last five years (at least one site per Island Group)	<b>67</b>	<b>47.5</b>
Populations (Island Groups) counted within the last 10 years (at least one site per Island Group)	<b>100</b>	<b>70.9</b>
Populations (Island Groups) counted within the last 20 years (at least one site per Island Group)	<b>113</b>	<b>80.1</b>
Populations (Island Groups) monitored annually (including part-sites) within the last five years - 5/5 years	<b>16</b>	<b>11.4</b>
Populations (Island Groups) monitored annually (including. part-sites) within the last 10 years - 10/10 years	<b>9</b>	<b>6.4</b>
Populations (Island Groups) monitored annually (including part-sites) within the last 20 years - 20/20 years	<b>5</b>	<b>3.6</b>
Populations (Island Groups) counted within the last five years (all sites per Island Group)	<b>37</b>	<b>26.2</b>
Populations (Island Groups) counted within the last 10 years (all sites per Island Group)	<b>68</b>	<b>48.2</b>
Populations (Island Groups) counted within the last 20 years (all sites per Island Group)	<b>88</b>	<b>62.4</b>
Populations (Island Groups) counted within the last five years (at least 50% of sites per Island Group)	<b>42</b>	<b>29.8</b>
Populations (Island Groups) counted within the last 10 years (at least 50% of sites per Island Group)	<b>76</b>	<b>53.9</b>

Populations (Island Groups) counted within the last 20 years (at least 50% of sites per Island Group)	<b>96</b>	<b>68.1</b>
Populations (Island Groups) monitored at least 5/10 years (Including part-sites) within the last 10 years	<b>30</b>	<b>21.3</b>
Populations (Island Groups) monitored at least 10/20 years (Including part-sites) within the last 20 years	<b>9</b>	<b>6.4</b>
Sites (or part sites) with ongoing annual monitoring - population	<b>4</b>	<b>0.7</b>
Sites (or part sites) with ongoing annual monitoring - demography	<b>4</b>	<b>0.7</b>
Populations (Island Groups) - Trend increasing over last 10 years	<b>10</b>	<b>7.1</b>
Populations (Island Groups) - Trend stable over last 10 years	<b>3</b>	<b>2.1</b>
Populations (Island Groups) - Trend down last 10 years	<b>7</b>	<b>5.0</b>
Populations (Island Groups) - Trend unknown over last 10 years	<b>120</b>	<b>85.1</b>
Populations (Island Groups) - Trend increasing over last 20 years	<b>7</b>	<b>5.0</b>
Populations (Island Groups) - Trend stable over last 20 years	<b>1</b>	<b>0.7</b>
Populations (Island Groups) - Trend down last 20 years	<b>3</b>	<b>2.1</b>
Populations (Island Groups) - Trend unknown over last 20 years	<b>130</b>	<b>92.2</b>
Total Sites = 571, Total Islands = 248 and Total Populations (Island Groups) = 141.		
Within last 5 years = 2006-2010		
Within last 10 years = 2001-2010		
Within last 20 years = 1991-2010		

**ANNEX 12****ANNEX 12: INDICATORS RELATING TO SEABIRD BYCATCH****State (S)**

- 1) Availability of data for definition of at-sea ranges of ACAP species
- 2) Availability of bycatch data relevant to ACAP species

**Pressure (P)**

- 1) Bycatch rates and levels of ACAP species

**Response (R)**

- 1) Implementation of seabird bycatch mitigation within EEZs
- 2) Engagement with RFMOs on seabird bycatch issues
- 3) Research and development for effective seabird mitigation measures

To develop and implement these indicators further the Working Group proposed the following actions to the extent that resources permit:

S1) ACAP Secretariat, with BirdLife International, to recommend the most appropriate formulation of one or more indicators to reflect the progressive acquisition of at-sea range data and to provide data on values for these indicators both currently and at the inception of ACAP.

S2) ACAP Secretariat to develop indicator[s] of availability of bycatch data, based on the data submitted to ACAP by Parties and collaborating non-Parties.

P1a) ACAP Secretariat to develop indicators of rates and levels of seabird bycatch, based on the data submitted to ACAP by Parties and collaborating non-Parties. This may only apply to a limited number of ACAP species/ populations at present.

P1b) SBWG to consider intersessionally which data in the recent global review of seabird bycatch in longline fisheries (AC6 Doc 30) would be appropriate as baselines for assessing trends in bycatch levels and rates, initially on a fishery-specific basis.

R1-R3) SBWG to consider intersessionally how appropriate indicators for these topics might be formulated and, if possible, to suggest how appropriate baseline values might be derived.

**ANNEX 13****ANNEX 13: PELAGIC LONGLINE MITIGATION REVIEW****REVIEW OF SEABIRD BYCATCH MITIGATION MEASURES FOR  
PELAGIC LONGLINE FISHERIES**

Weighted branchlines, bird scaring streamer lines and night setting are best practice mitigation in pelagic longline fisheries. ACAP-SBWG has comprehensively reviewed the scientific literature dealing with seabird bycatch mitigation in pelagic fisheries and this document is a distillation of that review.

<b>BEST PRACTICE MEASURES</b>	
1.	Branchline weighting
2.	Night setting
3	a). Bird scaring streamer lines for vessels > 35m in total length
3	b). Bird scaring streamer lines for vessels <35m in total length
<b>OTHER CONSIDERATIONS</b>	
4.	Side setting with line weighting and bird curtain
5.	Blue dyed bait
6.	Line shooter
7.	Bait caster
8.	Underwater setting chute
9.	Management of offal discharge
10.	Live bait
11.	Bait thaw status
12.	Area closures

## BEST PRACTICE MEASURES

### 1. Branchline weighting

#### ***Scientific evidence for effectiveness in pelagic fisheries***

**PROVEN AND RECOMMENDED.** Should be used in combination with night setting and bird scaring lines. Brothers 1991; Boggs 2001; Sakai *et al.* 2001; Brothers *et al.* 2001; Anderson & McArdle 2002; Gilman *et al.* 2003a, Hu *et al.* 2005.

#### ***Caveats /Notes***

Weights will shorten but not eliminate the zone behind the vessel in which birds can be caught. Even in demersal fisheries where weights are much heavier, weights must be combined with other mitigation measures (e.g. CCAMLR Conservation Measure 25-02).

#### ***Need for combination***

Should be combined with bird scaring lines and night setting

#### ***Research needs***

Mass and position of weight both affect sink rate. Further research on the effect of a range of weighting regimes on seabird mortality and catch rates of target and non-target fishes is needed (as has been completed for demersal [Spanish system] fisheries). Continued work to identify branchline weighting configurations (mass, placement, shape, number of leads, and materials) that are effective at reducing seabird bycatch with and without other mitigation, and that are safe and practical. Effect of propeller turbulence on baited hook sink rate and seabird mortality need to be quantified.

#### ***Minimum standards***

Current minimum standards for branchline weighting configurations are:

Greater than 45 g attached within 1 m of the hook or;

Greater than 60 g attached within 3.5 m of the hook or;

Greater than 98 g weight attached within 4 m of the hook.

#### ***Positioning weight farther than 4 m from the hook is not recommended.***

These regimes have been adopted in the Hawaiian (45 g at 1 m) and Australian (60 g at 3.5 m and 98 g at 4 m) pelagic longline fisheries and latter two regimes have been adopted by the Western and Central Pacific Fishing Commission (the WCPFC provisions also include the option of branchlines being configured with weights of 45 g to 60 g within 1 m of the hook). NB. The 98 g weights specified in the Australian fishery pertain to the line weighting experiment of Robertson *et al.* 2010. The commercially available leaded swivels used in the experiment weighed 98 g (not 100 g).

#### ***Implementation monitoring***

Coastal state fisheries (vessels <35 m total length): Line weights crimped into branch lines technically very difficult to remove at sea. Inspection before departure from port of all gear bins on vessels considered an acceptable form of implementation monitoring.



Distant water fisheries (vessels >35 m total length): Technically possible to remove and/or re-configure gear at sea. Implementation monitoring by monitoring line sets using appropriate methods (e.g., observer inspection of line setting operations; video surveillance; at-sea compliance checks). Video surveillance conditional on mainline setter being fitted with motion sensors to trigger cameras.

## **2. Night setting**

### ***Scientific evidence for effectiveness in pelagic fisheries***

**PROVEN AND RECOMMENDED.** Should be used in combination with weighted branch lines and bird scaring lines. Duckworth 1995; Brothers *et al.* 1999; Gales *et al.* 1998; Klaer & Polacheck 1998; Brothers *et al.* 1999; McNamara *et al.* 1999; Gilman *et al.* 2005; Baker & Wise 2005; Jiménez *et al.* 2009.

### ***Caveats /Notes***

Less effective during full moon, under intensive deck lighting or in high latitude fisheries in summer. Less effective on nocturnal foragers e.g. White-chinned Petrels (Brothers *et al.* 1999; Cherel *et al.* 1996).

### ***Need for combination***

Should be used in combination with bird scaring lines and weighted branch lines

### ***Research needs***

Determine effectiveness of bird scaring lines and branchline weighting at night by characterising seabird behaviour at night using thermal or night vision technologies.

### ***Minimum standards***

Night defined as between nautical twilight and nautical dawn.

### ***Implementation monitoring***

Requires VMS (satellite transmitter) or fishery observers. Vessel speed and direction vary between transiting, line setting, line hauling and when vessels are stationary on fishing grounds. VMS-derived assessment of vessel activity in relation to time of nautical dawn and dusk considered acceptable for implementation monitoring. Alternatively VMS-linked sensors fitted to mainline setting and hauling drum could be used to indicate compliance, as could sensors to trigger video surveillance cameras. This facility is currently unavailable and requires development.

## **3 a). Bird scaring streamer lines for vessels > 35m in total length**

### ***Scientific evidence for effectiveness in pelagic fisheries***

**PROVEN AND RECOMMENDED.** For vessels > 35 m in length two streamer lines is considered best practice. Streamer lines with the appropriate aerial extent can be more easily rigged on large vessels. Two streamer lines are considered to provide better protection of baited hooks in crosswinds (Melvin *et al.* 2004; Melvin *et al.* 2011). Hybrid tori lines (with

long and short streamers) were more effective than short tori lines (only short streamers) in deterring diving seabirds (white-chinned petrels) (Melvin *et al.* 2010; Melvin *et al.* 2011).

### **Caveats /Notes**

Potentially increased likelihood of entanglement, particularly if attachment points on davits (tori poles) are insufficiently outboard of vessels. Development of a towed device to prevent tangling with fishing gear essential to improve adoption and compliance.

Diving species increase vulnerability of surface foragers (albatrosses) due to secondary interactions.

### **Need for combination**

Should be used with appropriate line weighting and night setting.

### **Research needs**

Compare the effectiveness of one versus two bird scaring lines, including with respect to both primary and secondary interactions; develop methods that create drag to maximise aerial extent while minimising entanglements of the in-water portion of bird scaring lines with longline floats; and compare the effectiveness of bird scaring lines with different steamer lengths, configurations, and materials.

### **Minimum standards**

Vessels should deploy bird scaring lines with a minimum aerial extent of 100 m. Streamers should be: brightly coloured, a mix of long and short streamers, placed at intervals of no more than 5 m, and long streamers attached to the line with swivels that prevent streamers from wrapping around the line. All streamers should reach the sea-surface in calm conditions.

If large vessels use only one streamer line it should be set to windward of sinking baits. If baited hooks are set outboard of the wake, the streamer line attachment point to the vessel should be positioned several meters outboard of the side of the vessel that baits are deployed.

Baited hooks shall be deployed within the area bounded by the two streamer lines. Bait-casting machines shall be adjusted so as to land baited hooks within the area bounded by streamer lines

### **Implementation monitoring**

Requires fisheries observers, video surveillance, or at-sea surveillance (e.g. patrol boats or aerial over-flights).

<b>3</b>	<b>b). Bird scaring streamer lines for vessels &lt;35m in total length</b>
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### **Scientific evidence for effectiveness in pelagic fisheries**

**PROVEN AND RECOMMENDED.** Imber 1994; Uozomi & Takeuchi 1998; Brothers *et al.* 1999; Klaer & Polacheck 1998; McNamara *et al.* 1999; Boggs 2001; CCAMLR 2002; Minami & Kiyota 2004; Melvin 2003. For vessels < 35 m in length a single BSL in combination with

night setting and appropriate line weighting has been found effective for mixed and short streamer bird-scaring lines (ATF 2011; Domingo *et al.*, Gianuca *et al.* 2011).

### **Caveats /Notes**

Development of a towed device to prevent tangling with fishing gear essential to improve adoption and compliance.

Diving species increase vulnerability of surface foragers (albatrosses) due to secondary interactions.

### **Need for combination**

Should be used with appropriate line weighting and night setting.

### **Minimum standards**

Vessels should deploy bird scaring lines with a minimum aerial extent 75 m. Streamers should be brightly coloured. Short streamers (>1 m) should be placed at 1 m intervals along the length of the aerial extent. Two designs have been shown to be effective: a mixed design that includes long streamers placed at 5 m intervals over the first 55 m of the bird scaring line and a design that does not include long streamers. Bird scaring lines should be the lightest practical strong fine line. Lines should be attached to the vessel with a barrel swivel to minimise rotation of the line from torque created as it is dragged behind the vessel.

Towed devices to create drag can tangle with float lines leading to interruptions in vessel operations and in some cases lost fishing gear. Short streamers can be tied into the line to bristle the line and create a bottlebrush like configuration to generate drag while minimising the chance of fouling streamer lines on float lines. Breakaways should be incorporated into the streamer line in-water extent to minimise safety and operational problems should a longline float foul or tangle with the in-water extent of a streamer line.

### **Implementation monitoring**

Requires fisheries observers, video surveillance, or at-sea surveillance (e.g. patrol boats or aerial over-flights).

## **OTHER CONSIDERATIONS**

### **4. Side setting with line weighting and bird curtain**

#### ***Scientific evidence for effectiveness in pelagic fisheries***

**UNPROVEN AND NOT RECOMMENDED FOR SOUTHERN HEMISPHERE FISHERIES.**  
Brothers & Gilman 2006; Yokota & Kiyota 2006.

### **Caveats /Notes**

Only effective if hooks are sufficiently below the surface by the time they reach the stern of the vessel and protected by a bird curtain. In Hawaii, side-setting trials were conducted with bird curtain and 45-60 g weighted swivels placed within 0.5 m of hooks. Japanese research concludes must be used with other measures (Yokota & Kiyota 2006). Not tested in southern hemisphere fisheries and cannot be recommended at this time.

***Need for combination***

Lines set from the side of vessels must be appropriately weighted and protected by an effective bird curtain. Requires thorough testing in southern hemisphere fisheries.

***Research needs***

Currently untested in southern hemisphere fisheries against assemblages of diving seabirds (e.g. *Procellaria* sp. Petrels and *Puffinus* sp. Shearwaters) and albatrosses - urgent need for research.

***Minimum standards***

Clear definition of side setting is required. As noted, side setting trials in Hawaii were conducted in conjunction with a bird curtain and 45-60 g lead swivel < 1 m of the baited hook. Hawaiian definition is a minimum of only 1 m forward of the stern, which is likely to reduce effectiveness. The distance forward of the stern refers to the position from which baits are manually deployed. Baited hooks must be thrown by hand forward of the bait deployment location if they are to be afforded "protection" by being close to the side of the vessel.

***Implementation monitoring***

Requires fisheries observers or video surveillance.

<b>5. Blue dyed bait</b>
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***Scientific evidence for effectiveness in pelagic fisheries***

**UNPROVEN AND NOT RECOMMENDED.** Boggs 2001; Brothers 1991; Gilman *et al.* 2003a; Minami & Kiyota 2001; Minami & Kiyota 2004; Lydon & Starr 2005. Cocking *et al.* 2008.

***Caveats /Notes***

New data suggests only effective with squid bait (Cocking *et al.* 2008). Onboard dyeing requires labour and is difficult under stormy conditions. Results inconsistent across studies.

***Need for combination***

Must be combined with bird scaring lines or night setting.

***Research needs***

Need for tests in Southern Ocean.

***Minimum standards***

Mix to standardised colour placard or specify (e.g. use „Brilliant Blue“ food dye (Colour Index 42090, also known as Food Additive number E133) mixed at 0.5% for minimum 20 minutes).

***Implementation monitoring***

The current practice of dyeing bait on board vessels at sea requires observer presence or video surveillance to monitor implementation. Assessment of implementation in the absence of on-board observers or video surveillance requires baits be dyed on land and monitored through port inspection of all bait on vessels prior to departure on fishing trips.

<b>6. Line shooter</b>
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***Scientific evidence for effectiveness in pelagic fisheries***

**UNPROVEN AND NOT RECOMMENDED.** Robertson *et al.* 2010.

***Caveats /Notes***

Mainline set into propeller turbulence with a line shooter without tension astern (e.g. slack) as in deep setting significantly slows the sink rates of hooks (Robertson *et al.* 2010). Use of a line shooter to set gear deep cannot be considered a mitigation measure.

***Need for combination***

Not Applicable.

***Research needs***

Not Applicable.

***Minimum standards***

Use of this measure is not recommended as a mitigation measure.

***Implementation monitoring***

Not Applicable.

<b>7. Bait caster</b>
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***Scientific evidence for effectiveness in pelagic fisheries***

**UNPROVEN AND NOT RECOMMENDED.** Duckworth 1995; Klaer & Polacheck 1998.

***Caveats /Notes***

Not a mitigation measure unless casting machines are available with the capability to control the distance at which baits are cast. This is necessary to allow accurate delivery of baits under a bird scaring line. Current machines (without variable power control) likely to deploy baited hooks well beyond the streaming position of streamer lines, increasing risks to seabirds. Few commercially-available machines have variable power control. Needs more development.

***Need for combination***

Not recommended as a mitigation measure at this time.

***Research needs***

Develop (and implement) casting machine with a variable power control.

***Minimum standards***

Not recommended as a mitigation measure

**Implementation monitoring**

Not Applicable

<b>8. Underwater setting chute</b>
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**Scientific evidence for effectiveness in pelagic fisheries**

**UNPROVEN AND NOT RECOMMENDED.** Brothers 1991; Boggs 2001; Gilman *et al.* 2003a; Gilman *et al.* 2003b; Sakai *et al.* 2004; Lawrence *et al.* 2006.

**Caveats /Notes**

For pelagic fisheries, existing equipment not yet sturdy enough for large vessels in rough seas. Problems with malfunctions and performance inconsistent (e.g. Gilman *et al.* 2003a and Australian trials cited in Baker & Wise 2005).

**Need for combination**

Not recommended for general application at this time.

**Research needs**

Design problems to overcome.

**Minimum standards**

Not yet established

**Implementation monitoring**

Not Applicable.

<b>9. Management of offal discharge</b>
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**Scientific evidence for effectiveness in pelagic fisheries**

**UNPROVEN.** McNamara *et al.* 1999; Cherel *et al.* 1996.

**Caveats /Notes**

Supplementary measure. Definition essential. Offal attracts birds to vessels and where practical should be eliminated or restricted to discharge when not setting or hauling. Strategic discharge during line setting can increase interactions and should be discouraged. Offal retention and/or incineration may be impractical on small vessels.

**Need for combination**

Must be combined with other measures.

**Research needs**

Further information needed on opportunities and constraints in pelagic fisheries (long and short term).

**Minimum standards**

Not yet established for pelagic fisheries. In CCAMLR demersal fisheries, discharge of offal is prohibited during line setting. During line hauling, storage of waste is encouraged, and if discharged must be discharged on the opposite side of the vessel to the hauling bay.

**Implementation monitoring**

Requires offal discharge practices and events to be monitored by fisheries observers or video surveillance.

**10. Live bait****Scientific evidence for effectiveness in pelagic fisheries**

**LIVE BAIT NOT RECOMMENDED.** Trebilco *et al.* 2010; Robertson *et al.* 2010.

**Caveats /Notes**

Live fish bait sinks significantly slower than dead bait (fish and squid), increasing the exposure of baits to seabirds. Use of live bait is associated with higher seabird bycatch rates.

**Need for combination**

Use of live bait is not a mitigation measure.

**Research needs**

Not Applicable.

**Minimum standards**

Live bait is not a mitigation measure.

**Implementation monitoring**

Not Applicable.

**11. Bait thaw status****Scientific evidence for effectiveness in pelagic fisheries**

**NOT RECOMMENDED.** Brothers 1991; Duckworth 1995; Klaer & Polacheck; Brothers *et al.* 1999; Robertson & van den Hoff 2010.

**Caveats /Notes**

Baits cannot be separated from others in frozen blocks of bait, and hooks cannot be inserted in baits, unless baits are partially thawed (it is not practical for fishers to use fully frozen baits). Partially thawed baits sink at similar rates to fully thawed baits.

**Need for combination**

Not a mitigation measure

**Research needs**

Not Applicable.

**Minimum standards**

Not recommended as a mitigation measure.

**Implementation monitoring**

Not Applicable.

<b>12. Area closures</b>
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**Scientific evidence for effectiveness in pelagic fisheries**

**PROVEN AND RECOMMENDED.** Avoiding fishing at peak areas and during periods of intense foraging activity has been used effectively to reduce bycatch in longline fisheries.

**Caveats /Notes**

An important and effective management response, especially for high risk areas, and when other measures prove ineffective. Highly effective for target locations/seasons but may displace fishing effort into adjacent or other areas which may not be as well regulated, thus leading to increased incidental mortality elsewhere.

**Need for combination**

Must be combined with other measures, both in the specific areas when the fishing season is opened, and also in adjacent areas to ensure displacement of fishing effort does not merely lead to a spatial shift in the incidental mortality.

**Research needs**

Further information about the seasonal variability in patterns of species abundance around fisheries.

**Minimum standards**

No work done but highly recommended.

**Implementation monitoring**

Vessels equipped with VMS and activities monitored by appropriate management authority is considered appropriate monitoring. Areas/seasons should be patrolled to ensure effectiveness if IUU activities are suspected.



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**ANNEX 14****ANNEX 14: PELAGIC LONGLINE MITIGATION SUMMARY ADVICE****SUMMARY ADVICE STATEMENT FOR REDUCING IMPACT OF PELAGIC  
LONGLINE GEAR ON SEABIRDS*****Goal: Reduce the bycatch of seabirds to the lowest possible level.******Summary***

Recognising that most (84%) breeding albatrosses overlap with the pelagic longline fisheries for tuna and swordfish managed by the five tuna RFMOs, the adoption of best practice seabird conservation in these fisheries is a high priority for ACAP (AC3 Info 18, 2007).

A combination of weighted branchlines, bird scaring lines and night setting are best practice mitigation in pelagic longline fisheries. These measures should be applied in high risk areas such as the high latitudes of southern hemisphere oceans and lower to mid-latitude fisheries of both the northern and south east Pacific to reduce the incidental mortality to the lowest possible levels. Other factors such as safety, practicality and the characteristics of the fishery should also be recognised.

Currently, no single mitigation measure can reliably prevent the incidental mortality of seabirds in most pelagic longline fisheries. The most effective approach is to use the above measures in combination.

***Introduction***

The incidental mortality of seabirds, mostly albatrosses and petrels, in longline fisheries continues to be a serious global concern and was major reason for the establishment of the Agreement on the Conservation of Albatrosses and Petrels (ACAP). In longline fisheries seabirds are killed when they become hooked and drowned while foraging for baits on longline hooks as the gear is deployed. They also can become hooked as the gear is hauled; however, many of these seabirds can be released alive with careful handling. Although most mitigation measures are broadly applicable, the application and specifications of some will vary with local longlining methods and gear configurations. For example, most scientific literature on seabird bycatch mitigation in pelagic fisheries relates to larger vessels, with little research attention to smaller vessels and the gear configuration and methods of artisanal fleets; seabird bycatch mitigation advice is under development. ACAP has comprehensively reviewed the scientific literature dealing with seabird bycatch mitigation in pelagic fisheries and this document is a distillation of that review (AC6 Final Report ANNEX 13).

***Best Practice Measures*****1. Branchline weighting**

Branchlines should be weighted to sink the baited hooks rapidly out of the diving range of feeding seabirds. Weighted lines sink faster and more consistently, resulting in dramatic reductions in seabird attacks on baited hooks and seabird mortality; no negative effect has

been demonstrated on the catch rate of fishes. Continued refinement of line weighting configurations (mass, number and position of weights and materials) through controlled research and application in fisheries, is encouraged to find configurations that are most safe, practical and effective.

Scientific studies have demonstrated that branchline weighting configurations with more mass close to the hook, sinks the hooks most rapidly and consequently is most effective at reducing seabird interactions and mortalities. Current recommended minimum standard for branchline weighting configurations are the following:

Greater than 45 g attached within 1 m of the hook or;

Greater than 60 g attached within 3.5 m of the hook or;

Greater than 98 g weight attached within 4 m of the hook.

Positioning weight farther than 4 m from the hook is not recommended.

## **2. Night setting**

Setting longlines at night, between nautical twilight and nautical dawn, is highly effective at reducing incidental mortality of seabirds because the majority of vulnerable seabirds are inactive at night.

## **3. Bird scaring lines**

Properly designed and deployed bird scaring lines deter birds from sinking baits, thus dramatically reducing seabird attacks and related mortalities. A bird scaring line is a line that runs from a high point at the stern to a device or mechanism that creates drag at its terminus. As the vessel moves forward, drag lifts the section of line closest to the vessel from the water into the air. Brightly coloured streamers hanging from the aerial extent of the line scare birds from flying to and under the line preventing them from reaching the baited hooks. It is the aerial extent (out of water) section with suspended streamers that scares birds from the sinking baits.

Bird scaring lines should be the lightest practical strong fine line. Lines should be attached to the vessel with a barrel swivel to minimise rotation of the line from torque created as it is dragged behind the vessel.

Towed objects, applied to increase drag, and with it bird scaring line aerial extent, are prone to tangling with float lines leading to lost bird scaring lines, interruptions in vessel operations and in some cases lost fishing gear. Alternatives, such as adding short streamers to the in-water portion of the line, can enhance drag while minimising tangles with float lines. Weak links (breakaways) should be incorporated into the in-water portion of the line to minimise safety and operational problems should bird scaring lines become tangled with longline floats.

Given operational differences in pelagic longline fisheries due to vessel size and gear type, bird scaring lines specifications have been divided into recommendations for vessels greater than 35 metres and those less than 35 metres.

### 3. (a) Recommendations for vessels >35 m total length

Simultaneous use of two bird scaring lines, one on each side of the sinking longline, provide maximum protection from bird attacks under a variety of wind conditions and are recommended as best practice for larger vessels.

Bird scaring lines should include the following specifications:

Bird scaring lines should be deployed to maximise the aerial extent. Aerial extent is a function of vessel speed, height of the attachment point to the vessel, drag, and weight of bird scaring line materials.

Vessels should deploy bird scaring lines with a minimum aerial extent of 100 m.

Streamers should be: brightly coloured, a mix of long and short streamers, placed at intervals of no more than 5 m, and long streamers attached to the line with swivels that prevent streamers from wrapping around the line. All streamers should reach the sea-surface in calm conditions.

Baited hooks shall be deployed within the area bounded by the two bird scaring lines. Bait-casting machines shall be adjusted so as to land baited hooks within the area bounded by the bird scaring lines.

If large vessels use only one bird scaring line, the bird scaring line should be deployed windward of sinking baits. If baited hooks are set outboard of the wake, the bird scaring line attachment point to the vessel shall be positioned several meters outboard of the side of the vessel that baits are deployed. This position is best achieved using a purpose build davit (tori pole) located as close to the stern and as far aft as practical. Proper outboard positioning also minimises the likelihood of bird scaring lines tangling on float lines.

### 3. (b) Recommendations for vessels <35 m total length

A single bird-scaring line using either long and short streamers, or short streamers only, has been found effective on smaller vessels.

Streamers should be brightly coloured. Short streamers (>1 m) should be placed at 1 m intervals along the length of the aerial extent. Two designs have been shown to be effective: a mixed design that includes long streamers placed at 5 m intervals over the first 55 m of the bird scaring line and a design that does not include long streamers.

Vessels should deploy bird scaring lines with a minimum aerial extent 75 m.

### **Other Considerations**

**Area and seasonal closures:** The temporary closure of important foraging areas (e.g. areas adjacent to important seabird colonies during the breeding season when large numbers of aggressively feeding seabirds are present) to fishing will eliminate incidental mortality of seabirds in that area.

**Mainline tension:** Setting mainline, branch lines and baited hooks into propeller turbulence (wake) slows sink rates and should be avoided.

**Live vs. dead bait:** Use of live bait should be avoided. Individual live baits can remain near the water surface for extended periods (e.g. up to 120 seconds), thus increasing the likelihood of seabird captures.

**Bait hooking position:** Baits hooked in either the head (fish), or tail (fish and squid), sink significantly faster than baits hooked in the mid-back or upper mantle (squid).

**Offal and discard discharge management:** Seabirds are attracted to discards, offal and used baits. Used baits should be retained during line hauling. Ideally offal and used baits should be discharged on the side of the vessel opposite of line hauling. Offal and discards should not be discharged during line setting. All hooks should be removed and retained on board before discards are discharged from the vessel.

## **New Technologies**

New technologies that set or release baited hooks at depth (underwater setting device) or disarm hooks to specific depths, which have the potential to prevent seabird access to baits, are currently under development and undergoing sea trials.

### ***Mitigation Technologies that are Not Recommended***

**Line shooters:** There is no experimental evidence that line shooters reduce seabird bycatch in pelagic longline fisheries; therefore, they should not be considered a seabird bycatch mitigation option.

**Olfactory deterrents:** Olfactory deterrents (fish oils) have not been demonstrated to prevent or reduce seabird mortalities in pelagic longline fisheries.

**Hook size and design:** Changes to hook size and design may reduce the chance of seabird mortality in longline fisheries, but have not been sufficiently researched.

**Side setting:** Although side setting (defined as setting station a minimum of one metre forward of the stern and in combination with branchline weighting and a bird curtain) is being used in the Hawaiian surface longline fishery, it has not been tested in other fisheries, including southern hemisphere fisheries, consequently it cannot be recommended at this time.

**Blue dyed bait:** Blue dyed squid bait has been insufficiently researched and cannot be recommended.

**Bait thaw status:** In practical terms the thaw status of baits has no effect on the sink rate of baited hooks set on weighted lines.

**ANNEX 15****ANNEX 15: TRAWL MITIGATION REVIEW****REVIEW OF SEABIRD BYCATCH MITIGATION MEASURES FOR TRAWL FISHERIES.**

To monitor implementation of all trawl mitigation measures the presence of fisheries observers and/or electronic monitoring is recommended.

**1. Nets****1.1. Net binding*****Scientific evidence for effectiveness in trawl fisheries***

Shown to be a highly effective mitigation measure in CCAMLR icefish trawl fishery, reducing seabird bycatch to minimal levels (Sullivan 2010 submitted).

***Caveats /Notes***

Sisal string has been used to bind the sections of the net which pose the greatest threat seabirds prior to shooting (Sullivan et al. 2004). Bindings are simply tied onto the net to prevent the net from lofting and the mesh opening as the tension created by the vessel speed of between 1-3 knots is lost due to waves and swell action. Once shot-away the net remains bound on the surface until it sinks. Once the trawl doors are paid away and the net has sunk beyond the diving depth of seabirds the force of the water moving the doors apart is sufficient to break the bindings and the net spreads into its standard operational position.

***Need for combination***

Recommend combination with net cleaning and net weights to minimise the time the net is on the surface (Sullivan *et al.* 2010 submitted)

***Research needs***

Not needed.

***Minimum standards / Recommendation***

Recommended for reducing bycatch when shooting gear in pelagic gear.

3-ply sisal string (typical breaking strength of c.110 kg), or a similar inorganic material should be applied to the net on the deck, at intervals of approximately 5 m to prevent net from spreading and lofting at the surface. Net binding should be applied to mesh ranging from 120–800 mm as these are known to cause the majority of seabird entanglements (Sullivan et al 2010). When applying string, tie an end to the net to prevent string from slipping down the net and ensure it can be removed when net is hauled.



## 1.2. Net weights

### ***Scientific evidence for effectiveness in trawl fisheries***

Evidence suggests net weighting on or near the cod end increases the rate of ascent of the net during hauling operations, thus reducing the time the net is on the water's surface. All attempts should be made to retrieve the net as quickly as possible. Good deck practices to minimise the time that the net is on the water's surface have been the key factors in reducing seabird entanglements during hauling in South Atlantic trawl fisheries (Hooper *et al.* 2003; Sullivan 2010 submitted).

### ***Caveats /Notes***

None identified.

### ***Need for combination***

Recommend combination with net binding and net cleaning to minimise the time the net is on the water's surface during both setting and hauling (Sullivan 2010 submitted).

### ***Research needs***

Development of minimum standards for amount and placement of weight (cod end, wings, footrope, mouth, belly), to build on work to date in CCAMLR trawl fisheries (Sullivan *et al.* 2010 submitted).

### ***Minimum standards / Recommendation***

None established.

Recommended for reducing bycatch during both shooting and hauling of gear (Sullivan *et al.* 2010).

Suitable for both pelagic and demersal gear.

## 1.3. Net cleaning

### ***Scientific evidence for effectiveness in trawl fisheries***

Removal from nets of all fish „stickers“ and other material is a critical step to reducing net entanglement during shooting (Hooper *et al.* 2003; Sullivan *et al.* 2010 submitted).

### ***Caveats /Notes***

None identified.

### ***Need for combination***

Recommend combination with net binding and net weights to minimise the time net is on water's surface during both setting and hauling (Sullivan 2010 submitted).

### ***Research needs***

None identified.

**Minimum standards / Recommendation**

Remove all stickers from net prior to shooting gear.

Recommended for reducing bycatch during both shooting and hauling of gear.

Suitable for both pelagic and demersal gear.

<b>1.4. Reduced mesh size</b>
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**Scientific evidence for effectiveness in trawl fisheries**

Roe (2005) reported on the use of reduced mesh size from 200 to 140 mm in the pelagic icefish fishery in CCAMLR waters, but did not quantify effectiveness of the measure.

**Caveats /Notes**

Measure may be impractical. Reduced mesh size was believed to have caused severe damage to the net because of increased water pressure during trawling (Roe 2005), although the use of chain weights in the net may also have been influential.

**Need for combination**

None identified.

**Research needs**

Thorough testing in a range of fisheries required if measure is practical.

**Minimum standards / Recommendation**

None. Insufficient evidence to recommend this measure, although theoretically should be effective in reducing seabird entanglement in nets.

<b>1.5. Net jackets</b>
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**Scientific evidence for effectiveness in trawl fisheries**

Free-floating panels of net attached to the most dangerous mesh sizes have been trialled in CCAMLR's icefish trawl fishery, with efficacy uncertain (Sullivan *et al.* 2010 submitted).

**Caveats /Notes**

Found to cause serious drag and subsequent damage to the net. Drag also slows vessel speed and increases fuel consumption (Sullivan *et al.* 2010 submitted).

**Need for combination**

None identified.

**Research needs**

Efficacy of measure not quantified.

**Minimum standards / Recommendation**

Not recommended.

Currently detrimental to fishing efficiency and mitigation efficacy uncertain.

## 1.6. Acoustics

### ***Scientific evidence for effectiveness in trawl fisheries***

The use of acoustic „scaring“ devices on nine vessels in CCAMLR trawl fisheries indicated that loud noises (bells and flares/fireworks) had limited effect and birds quickly became habituated to the sound, no longer causing an aversion response (Sullivan *et al.* 2010).

### ***Caveats /Notes***

May be a useful back-up measure for circumstances when another measure is needed immediately (Sullivan *et al.* 2010 submitted).

### ***Need for combination***

None identified.

### ***Research needs***

None identified.

### ***Minimum standards / Recommendation***

None. Insufficient evidence to recommend this measure.

## 2. Cables

### 2.1. Offal discharge<sup>1</sup> and fish discard management

The most important factor influencing contacts between seabirds and warp cables is the presence of discharge (Wienecke & Robertson 2002; Sullivan *et al.* 2006a). Methods used to reduce the attractiveness of vessels to seabirds through management of offal discharge and fish discards include mealing (the conversion of waste into fish meal waste reducing discharge to sump water), mincing waste to a nominal maximum particle size of 25 mm diameter prior to discharge, batching (storage or controlling release of discards / discharge during fishing operations). Where practicable the full retention of all waste material is recommended.

#### 2.1.1. Mealing

### ***Scientific evidence for effectiveness in trawl fisheries***

**Mealing** resulted in significant reduction in the number of seabirds species feeding behind vessels, relevant to the discharge of unprocessed fish waste (Abraham *et al.* 2009; Wienecke & Robertson 2002; Favero *et al.* 2010) or minced waste (Melvin *et al.* 2010).

<sup>1</sup> Offal discharge refers to the disposal at sea of any fish waste resulting from processing, including heads, guts and frames. Fish discards refers to any unwanted whole fish (and or benthic material)

**Caveats /Notes**

Good evidence in global fisheries that fish meal processing and reducing discharge to stick / sump water is highly effective in reducing seabird bycatch.

**Need for combination**

None identified.

**Research needs**

None.

**Minimum standards / Recommendation**

Suitable for both pelagic and demersal trawl gear.

**2.1.2. Mincing****Scientific evidence for effectiveness in trawl fisheries**

**Mincing** reduced the number of large albatrosses (*Diomedea* spp) attending vessels but had no effect on other groups of seabirds (Abraham *et al.* 2009; Abraham 2010).

**Caveats /Notes**

Bottom trawled material, such as rocks, may impact the feasibility of mincing.

**Need for combination**

Should be used in combination with other mitigation methods.

**Research needs**

At present only effective against large *Diomedea* spp albatrosses. Efficacy with *Thalassarche* spp albatrosses needs to be proven before measure can be recommended (Abraham *et al.* 2009).

**Minimum standards / Recommendation**

Insufficient evidence to recommend this as a primary measure at present, although reduced bird abundance should reduce cable impacts and mortality for larger albatross species.

**2.1.3. Batching****Scientific evidence for effectiveness in trawl fisheries**

**Batching** (storage or controlling release of discards / discharge during) has been trialed in New Zealand and was shown to significantly reduce the number of seabirds associated with vessels (Pierre *et al.* 2010; SBWG-4 Doc 14 Rev1).

**Caveats /Notes**

Effectiveness of batching relies on efficient (fast) dumping of batched material.

**Need for combination**

Should be used in combination with other mitigation methods.

**Research needs**

Robust trialling to investigate the extent to which reduced seabird abundance effects seabird interaction rates.

**Minimum standards / Recommendation**

Recommended when full retention or mealing not possible. Batch waste for at least 2 hours, preferably 4 hours or longer.

**2.1.4. Full retention****Scientific evidence for effectiveness in trawl fisheries**

Repeated studies have shown in the absence of offal discharge / fish discards seabirds interactions and mortality levels are negligible (Sullivan *et al.* 2006; Watkins *et al.* 2008; Melvin *et al.* 2010; SBWG-3 Doc 14 Rev 1; Abraham & Thompson 2009). Storage of all fish discard and offal, either for processing or for controlled release when cables are not in the water, resulted in a significant reduction in the attendance of all groups of seabirds (Abraham *et al.* 2009).

**Caveats /Notes**

None.

**Need for combination**

None identified.

**Research needs**

None identified.

**Minimum standards / Recommendation**

Suitable for both Pelagic and Demersal trawl gear.

**2.2. Bird Scaring Lines (BSL or Streamer lines) for warp cables****Scientific evidence for effectiveness in trawl fisheries**

Attachment of a Bird Scaring Line to both the port and starboard sides of a vessel, above and outside of the warp blocks, greatly reduces the access of birds to the danger zone where warps enter the water (Watkins *et al.* 2006; Reid & Edwards 2005; Melvin *et al.* 2010). An off setting towed device has been demonstrated to improve BSL performance (BirdLife 2010).

**Caveats /Notes**

Effectiveness reduced in strong cross winds and rough seas, when BSLs are deflected away from warps (Sullivan & Reid 2003; Crofts 2006a, 2006b). This can be alleviated in part by

towing a buoy or cone attached to the end of lines to create tension and keep lines straight (Sullivan *et al.* 2006a). Semi rigid streamers have been demonstrated to perform better.

### ***Need for combination***

None identified.

### ***Research needs***

Further research is required on the effectiveness on the design and performance of an off-setting towed device under operational conditions.

### ***Minimum standards / Recommendation***

BSL are recommended even when appropriate offal discharge and fish discard management practices in place (Melvin *et al.* 2010).

Suitable for both pelagic and demersal trawl gear.

## **2.3. Warp scarers**

### ***Scientific evidence for effectiveness in trawl fisheries***

Warp scarers (weighted devices attached to each warp with clips or hooks, allowing the device to slide up and down the warp freely and stay aligned with each warp) create a protective area around the warp (see Bull 2009, Fig.2; Sullivan *et al.* 2006a).

Warp scarers have been shown to reduce contact rates but not to significant levels, and were not as effective as BSLs (Sullivan *et al.* 2006b, Abraham *et al.*, cited in Bull 2009).

### ***Caveats /Notes***

Attachment to the warp eliminates problems associated with crosswinds as they do not behave independently of warps. Warp scarers cannot be deployed while the warp cable is being set, or remain in place during hauling, leaving periods when warps are not protected.

Concerns have been raised regarding associated practicality and safety issues (Sullivan *et al.* 2006a; Abraham *et al.*, cited in Bull 2009).

### ***Need for combination***

None identified.

### ***Research needs***

None identified.

### ***Minimum standards / Recommendation***

None. Insufficient evidence to recommend this measure.

## 2.4. Bird bafflers

### ***Scientific evidence for effectiveness in trawl fisheries***

Bird bafflers comprise two booms attached to both stern quarters of a vessel. Two of these booms extend out from the sides of the vessel and the other two extend backwards from the stern. Dropper lines are attached to the booms, to create a curtain to deter seabirds from the warp–sea interface zone (see Bull 2009, Fig.3; Sullivan *et al.* 2006a).

Generally bird bafflers are not regarded as providing as much protection to the warp cables as BSLs or warp scarers (Sullivan *et al.* 2006a).

### ***Caveats /Notes***

Various designs exist including the Brady Baffler and the Burka.

While bafflers were designed to minimise warp interactions, the Brady Baffler has been used (inappropriately) within CCAMLR Icefish fisheries to mitigate net entanglements where they have been found to be consistently ineffective (Sullivan *et al.* 2010).

The great variability in the design and deployment of bird bafflers may influence their effectiveness.

### ***Need for combination***

None identified.

### ***Research needs***

The effectiveness of the Burka has not been experimentally tested. Needs to be trialled in a range of fisheries and areas to demonstrate efficacy.

### ***Minimum standards / Recommendation***

None. Insufficient evidence to recommend this measure.

## 2.5. Cones on warp cables

### ***Scientific evidence for effectiveness in trawl fisheries***

A plastic cone attached to each warp cable prevented birds from entering the warp/water interface in Argentine Hake Trawl Fishery by 89% and no seabirds were killed (Gonzalez-Zevallos *et al.* 2007).

### ***Caveats /Notes***

Applicable for small vessels.

### ***Need for combination***

None identified.

### ***Research needs***

Needs to be trialled in a range of fisheries and areas to demonstrate efficacy.

**Minimum standards / Recommendation**

None. Insufficient evidence to recommend this measure.

**2.6. Warp boom****Scientific evidence for effectiveness in trawl fisheries**

A boom with streamers extending to the water forward of the stern can divert birds feeding on offal away from the warps (Melvin *et al.* 2010).

**Caveats /Notes**

Results did not identify a statistically significant reduction in seabird interactions with the warp.

**Need for combination**

None identified.

**Research needs**

Longer-term studies required to identify effectiveness. Work also required to identify configuration and materials.

**Minimum standards / Recommendation**

None.

**2.7. Snatch block****Scientific evidence for effectiveness in trawl fisheries**

A snatch block, placed on stern of a vessel to draw the third-wire close to the water to reduce its aerial extent, reduced seabird strikes, although performance varied by vessel (Melvin *et al.* 2010).

**Caveats /Notes**

Melvin *et al.* (2010) were confident that third-wires can be pulled closer to the water or submerged at the stern to make this measure highly effective, but noted that, as third-wires are fragile and expensive, any snatch block-like system should aim to minimise cable wear.

**Need for combination**

Should be used in combination with other mitigation methods.

**Research needs**

Needs to be trialled in a range of fisheries and areas to further demonstrate efficacy.

Development of technical specification required.

**Minimum standards / Recommendation**

None.



Recommended on the basis that shortening aerial extent of monitoring cables will, intuitively, reduce seabird strikes.

### 3. General measures

#### 3.1. Area closures

##### ***Scientific evidence for effectiveness in trawl fisheries***

Avoiding fishing at peak areas and during periods of intense foraging activity has been used effectively to reduce bycatch in longline fisheries. The principles are directly transferrable to trawl and other net fisheries.

In some studies, longline-associated mortality has been almost exclusively within the breeding season of seabirds. Several studies have also shown that proximity to breeding colonies is an important determinant of seabird bycatch rates (Moreno *et al.* 1996; Nel *et al.* 2002) and temporal closures around breeding areas contributed to a substantial reduction in seabird bycatch (Croxall & Nicol 2004).

##### ***Caveats /Notes***

An important and effective management response, especially for high risk areas, and when other measures prove ineffective. There is a risk that temporal/spatial closures could displace fishing effort into neighbouring or other areas which may not be as well regulated, thus leading to increased incidental mortality elsewhere.

##### ***Need for combination***

Must be combined with other measures, both in the specific areas when the fishing season is opened, and also in adjacent areas to ensure displacement of fishing effort does not merely lead to a spatial shift in the incidental mortality.

##### ***Research needs***

Further information about the seasonal variability in patterns of species abundance around trawl fisheries.

##### ***Minimum standards / Recommendation***

No work done but highly recommended.

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**ANNEX 16****ANNEX 16: TRAWL MITIGATION SUMMARY ADVICE****SUMMARY ADVICE STATEMENT FOR REDUCING IMPACT OF PELAGIC AND DEMERSAL TRAWL GEAR ON SEABIRDS**

The causes of mortality in trawl fisheries are varied and dependent on the nature of the fishery (pelagic or demersal), the species targeted and fishing area. Mortalities may be categorised into two broad types: (1) cable-related mortality, including collisions with net-monitoring cables, warp cables and paravanes; and (2) net-related mortality, which includes deaths caused by net entanglements. Seabird interactions have been demonstrated to be significantly reduced by the use of mitigation measures that include protecting the warp cable, managing offal discharge and discards, and reducing the time the net is exposed on the surface of the water. The following measures have been demonstrated to be effective at reducing seabird bycatch in trawl fisheries and are recommended:

***Cable strike***

1. Deploy bird-scaring lines while fishing to deter birds away from warp cables and net monitoring cable.
2. Install a snatch block at the stern of a vessel to draw the net monitoring cable close to the water to reduce its aerial extent.

***Net entanglement***

1. Clean nets after every shot to remove entangled fish (“stickers”) and benthic material to discourage bird attendance during gear shooting;
2. Minimise the time the net is on the water surface during hauling through proper maintenance of winches and good deck practices; and
3. For pelagic trawl gear, apply net binding to large meshes in the wings (120–800 mm), together with a minimum of 400-kg weight incorporated into the net belly prior to setting.

In all cases the presence of offal and discards is the most important factor attracting seabirds to the stern of trawl vessels, where they are at risk of cable and net interactions. Managing offal discharge and discards while fishing gear is deployed has been shown to reduce seabird attendance. The following management measures are recommended:

1. Avoid any discharge during shooting and hauling;
2. Where possible and appropriate, convert offal into fish meal and retain all waste material with any discharge restricted to liquid discharge / sump water to reduce the number of birds attracted to a minimum; and
3. Where meal production from offal and full retention are not feasible, batching waste (preferably for two hours or longer) has been shown to reduce seabird attendance at

the stern of the vessel. Mincing of waste has also been shown to reduce the attendance of large albatross species.

Further measures include avoiding peak areas and periods of seabird foraging activity. It is important to note that there is no single solution to reduce or avoid incidental mortality of seabirds in trawl fisheries, and that the most effective approach is to use the measures listed above in combination. Net entanglements during the haul remain the most difficult interactions to mitigate.

### ***Context***

The FAO Best Practice Guidelines for IPOA/NPOA-Seabirds were recently amended to include trawl fisheries in addition to longline fisheries (FAO 2009), demonstrating increased serious concern and awareness of seabird mortality on global trawl fisheries.

ACAP has comprehensively reviewed the scientific literature dealing with seabird bycatch mitigation in trawl fisheries and this document is a distillation of the review (AC6 Final Report ANNEX 15).

**ANNEX 17****ANNEX 17: DEMERSAL LONGLINE MITIGATION REVIEW****REVIEW OF SEABIRD BYCATCH MITIGATION MEASURES FOR  
DEMERSAL LONGLINE FISHERIES**

This Annex summarises the results of studies that have been carried out to develop, test and improve seabird mitigation measures in demersal longline fisheries. A comprehensive range of technical and operational mitigation methods have been designed or adapted for use in demersal and semi-pelagic longline fisheries. These methods aim to reduce incidental mortality of seabirds by avoiding peak areas and periods of seabird foraging activity, reducing the time baited hooks are near the surface and thus available to birds, actively deterring birds from baited hooks, and making the vessel less attractive to birds and minimising the visibility of baited hooks. Apart from being technically effective at reducing seabird bycatch, mitigation methods need to be easy and safe to implement, cost effective, enforceable and should not reduce catch rates of target species. There is no single solution that will eliminate seabird bycatch; the most effective approach is to use a combination of measures. The suite of measures available may vary in their feasibility and effectiveness depending on the area, seabird assemblages involved, fishery and vessel type and gear configuration. Some of the mitigation methods are now well established and explicitly prescribed in longline fisheries. However, other measures are relatively recent and require further testing and refinements, and there is a need to ensure that the collaborative approach to research and monitoring that has characterised field of seabird bycatch mitigation continues.

<b>BEST PRACTICE GUIDELINES</b>	
1.	Night setting
2.	Area and seasonal closures
3.	Externally weighted lines: a) Spanish system
4.	Externally weighted lines: b) Chilean method (drop lines with nets)
5.	Externally weighted lines: c) Autoline
6.	Integrated weighting of lines
7.	Single bird scaring line
8.	Paired or multiple bird scaring lines
9.	Haul bird exclusion devices
<b>OTHER CONSIDERATIONS</b>	
10.	Side setting
11.	Underwater setting funnel/chute
12.	Line setter/shooter
13.	Thawing bait
14.	Olfactory deterrents
15.	Strategic management of offal discharge
16.	Blue-dyed bait
17.	Hook size and shape

## BEST PRACTICE GUIDELINES

### 1. Night setting

#### ***Scientific evidence for effectiveness in demersal fisheries***

**PROVEN AND RECOMMENDED.** Recommend combination with bird scaring lines and/or weighted lines, especially to reduce incidental mortality of birds that forage at night (Ashford *et al.* 1995; Cherel *et al.* 1996; Moreno *et al.* 1996; Barnes *et al.* 1997; Ashford & Croxall 1998; Klaer & Polacheck 1998; Weimerskirch *et al.* 2000; Belda & Sánchez 2001; Nel *et al.* 2002; Ryan & Watkins 2002; Sánchez & Belda 2003; Reid *et al.* 2004; Gómez Laich *et al.* 2006).

#### ***Minimum standards***

Night defined as the period between the times of nautical twilight (nautical dark to nautical dawn).

#### ***Caveats /Notes***

Bright moonlight and deck lights reduce the effectiveness of this mitigation measure. Not as effective for crepuscular/nocturnal foragers such as the white-chinned petrel but even for these species night setting is more effective than setting during the day. In order to maximise effectiveness of this mitigation measure, deck lights should be off or kept to an absolute minimum, and used in combination with additional mitigation measures, especially when setting in bright moonlight conditions. Night setting is not a practical option for fisheries operating at high latitudes during summer. Setting should be completed at least 3 hours before sunrise to avoid the predawn activity of white-chinned petrels

#### ***Research needs***

Effect of night setting on catch rates of target species for different fisheries.

#### ***Implementation monitoring***

Via VMS and fishery observers.

### 2. Area and seasonal closures

#### ***Scientific evidence for effectiveness in demersal fisheries***

**PROVEN AND RECOMMENDED.** Must be combined with other measures, both in the specific areas when the fishing season is opened, and also in adjacent areas to ensure displacement of fishing effort does not merely lead to a spatial shift in the incidental mortality. A number of studies have reported marked seasonality in seabird bycatch rates, with the majority of deaths taking place during the breeding season (Moreno *et al.* 1996; Ryan *et al.* 1997; Ashford & Croxall 1998; Ryan & Purves 1998; Ryan & Watkins 1999; Ryan & Watkins 2000; Weimerskirch *et al.* 2000; Kock 2001; Nel *et al.* 2002; Ryan & Watkins 2002; Croxall & Nicol 2004; Reid *et al.* 2004; Delord *et al.* 2005). In some studies, mortality has been almost exclusively within the breeding season. Several studies have also shown that proximity to breeding colonies is an important determinant of seabird bycatch rates (Moreno *et al.* 1996; Nel *et al.* 2002). The much higher rate of seabird bycatch during the breeding period led to

the temporal closure of the fishery in CCAMLR sub-area 48.3 from 1998, which contributed to a ten-fold reduction in seabird bycatch (Croxall & Nicol 2004). Movement of fishing effort away from the Prince Edward Islands coincided with a reduction in seabird bycatch in the sanctioned Prince Edward Island fishery.

### **Caveats /Notes**

It's difficult to separate the temporal closure from the increased uptake/implementation of other mitigation measures, but it is clearly an important and effective management response, especially for high risk areas, and when other measures prove ineffective. There is a risk that temporal/spatial closures could displace fishing effort into neighbouring or other areas which may not be as well regulated, thus leading to increased incidental mortality elsewhere.

### **Research needs**

Further information about the seasonal variability in patterns of species abundance, and particularly how these interact with the spatial and temporal characteristics of fishing effort, especially for high risk areas (e.g. adjacent to important breeding colonies). In some studies, incidental mortality has been greatest during the chick-rearing period (Nel et al. 2002; Delord et al. 2005), whereas others have reported highest mortality during the incubation period (Reid et al. 2004). This difference likely relates to where the birds are foraging in relation to fishing effort at the time, and highlights the importance of understanding this interaction. Research is also required to determine the regional impact of closures on catches of target species.

### **Minimum standards**

Currently, the area around South Georgia (Islas Georgias del Sur)<sup>1</sup> (CCAMLR Subarea 48.3) is open from May 1st. to Aug. 31st or till established catch limit is reached, as provided for by CCAMLR Conservation Measures in force. (41-02/2007).

### **Implementation monitoring**

Via VMS or fishery observers within national economic zones, and via aerial and at-sea surveillance if IUU fishing is suspected.

## **3. Externally weighted lines:**

### **a) Spanish system**

#### **Scientific evidence for effectiveness in demersal fisheries**

**PROVEN AND RECOMMENDED.** Must be combined with other measures, especially effective bird scaring lines, judicious offal management and/or night setting (Agnew *et al.* 2000; Robertson 2000; Robertson *et al.* 2008a; 2008b; Melvin *et al.* 2001; Moreno *et al.* 2006; Moreno *et al.* 2008).

<sup>1</sup> "A dispute exists between the Governments of Argentina and the United Kingdom of Great Britain and Northern Ireland concerning sovereignty over the Falkland Islands (Islas Malvinas), South Georgia and the South Sandwich Islands (Islas Georgias del Sur e Islas Sandwich del Sur) and the surrounding maritime areas".



### **Caveats /Notes**

Spanish system longlines are buoyant and weights must be attached to sink gear to fishing depth. Longlines with externally added weights sink unevenly, faster at the weights than at the midpoint between weights. Although gear configuration and setting speed influence the sink profiles of the hook lines (Seco Pon *et al.* 2007), the principle determinants of sink rates are the mass of the weights and the distance between weights (Robertson *et al.* 2008a). It is critical that tension astern is eliminated to ensure the smooth flow of hooks from gear baskets. This can be done by ensuring the correct packing of lines and snoods in baskets, preventing hooks snagging on snood baskets and by ensuring that weights are released from the vessel before line tension occurs (Robertson *et al.* 2008a,b). Weights must be attached and removed for each set-haul cycle, which is onerous and potentially hazardous for crew members. Weights comprised of rocks enclosed in netting bags and concrete blocks deteriorate and require ongoing maintenance/replacement and monitoring to ensure weights are the required mass (Otley 2005); weights made of solid steel are preferred, in terms of mass consistency, handling, minimal-to-no maintenance and compliance (Robertson *et al.* 2008b).

### **Research needs**

Sink rates and profiles of line weighting regimes may vary according to vessel type, setting speed and deployment position in relation to propeller turbulence. It is important that the sink rate relationships of different line weighting regimes are understood for a particular fishery (or fishery method) and that the effectiveness of the line weighting regime and the sink profile in reducing seabird mortality is tested.

### **Minimum standards**

Global minimum standards not established. Requirements vary by fishery and vessel type. For example, CCAMLR minimum requirements for vessels using the Spanish method of longline fishing are 8.5kg mass at 40m intervals (if rocks are used), 6kg mass at 20m intervals for traditional (concrete) weights, and 5kg weights at 40m intervals for solid steel weights.

### **Implementation monitoring**

Fishing gear is deployed manually. Weights are attached by hand during line setting and removed during line hauling. Distance between weights and the mass of the weight used may vary in accordance with fishing strategy and for operational reasons. Observer presence on vessel is required to assess implementation.

## **4. Externally weighted lines:**

### **b) Chilean method (drop lines with nets)**

#### **Scientific evidence for effectiveness in demersal fisheries**

**PROVEN AND RECOMMENDED.** Prudent to use in combination with a single bird scaring streamer line. This recently developed method (first tested on large longline vessels in 2005) is a variant of the traditional Spanish method of longlining and was developed to minimise tooth whale depredation of toothfish. This system makes use of net sleeves or „cachaloteras“ which envelop captured fish during hauling. Hooks are clustered on “droppers” to which weights are attached, resulting in very fast sink rates in the first 15-20 m (the length of the

droppers) of water column. Has the capacity to reduce seabird mortality to negligible levels (Moreno *et al.* 2006; Moreno *et al.* 2008; Robertson *et al.* 2008b). Because of its effectiveness in reducing impacts of toothed whales, this method is currently used in many longline fleets operating in South American waters (Moreno *et al.* 2008), as well as in the south west Atlantic.

### **Caveats /Notes**

This is a new system and should be monitored and possibly refined further. Concern has been raised about the excessive discarding of fish bycatch (e.g. grenadiers) with embedded hooks and the ingestion of these hooks by albatrosses following vessels (Phillips *et al.* 2010). The solution to this problem is to stop hooks from being discarded in the first place. This is best achieved by banning the discarding of hooks as part of the licence conditions, as is already done in many fisheries, and also increasing awareness amongst fishers, observers and operators to facilitate compliance with such a ban. Another concern is that vessels can switch between Spanish method and Chilean method within fishing trips and even within sets of the longline.

### **Research needs**

Effective as a solitary measure against albatrosses and most likely effective against *Procellaria* sp petrels due to the very rapid sink rates to depths beyond the known dive range of this group of seabirds. Research is required to determine effectiveness against *Puffinus* sp shearwaters.

This is a relatively new fishing method and may be in the process of refinement. It is important to monitor changes to gear design, especially those likely to affect the sink rates of baited hooks.

### **Minimum standards**

No global standards yet.

### **Implementation monitoring**

Hook-bearing droppers require weights be attached in order to sink. However, alternating between this fishing method and the traditional Spanish method within fishing trips is problematic. While this capacity exists the requirements for the Spanish system should apply (see “a”, above).

## **5. Externally weighted lines:**

### **c) Autoline**

#### **Scientific evidence for effectiveness in demersal fisheries**

**PROVEN AND RECOMMENDED.** Must be used in combination with an effective bird scaring streamer line. In the Southern Hemisphere evidence pertains to effect of added external weights on longline sink rates, not effectiveness in deterring seabirds. Attachment of 5 kg weights at no more than 40 m intervals increased mean sink rate from 0.1 m/s (unweighted gear) to 0.3 m/s on the section of longline mid-way between line weights (Robertson 2000). This rate exceeds that of integrated with longlines, which have been thoroughly tested against seabirds (see below). Attachment of external weights necessary in Antarctic toothfish

fisheries to comply with the minimum sink rate (0.3 m/s) required by CCAMLR operating in high latitude areas in summer, where it was not possible to set lines at night.

### **Caveats /Notes**

As for the Spanish system it is important that external weights be released from vessels in a manner that avoids tension astern (tension astern may lift sections of the longline already deployed out of the water).

### **Research needs**

Likely to be effective in deterring albatrosses and *Procellaria* sp seabirds. Evidence is lacking for effectiveness against *Puffinus* sp shearwaters.

### **Minimum standards**

CCAMLR requires as a minimum 5kg mass at intervals no more than 40m. It is also required that weights be released before line tension occurs. In the New Zealand fisheries, a minimum of 4kg (metal weight) or 5kg (non-metal weight) be attached every 60m if the hook bearing line is 3.5mm or greater in diameter, and a minimum of 0.7kg of weight every 60m when the line is less than 3.5mm diameter. The New Zealand minimum standards also include requirements relating to the use of floats.

### **Implementation monitoring**

Weights are attached to longlines manually. Observer presence on-board vessel is required to assess implementation.

## **6. Integrated weighting of lines**

### **Scientific evidence for effectiveness in demersal fisheries**

**PROVEN AND RECOMMENDED.** Should be used in combination with bird scaring lines, judicious offal management and/or night setting. Apart from the practical advantages of integrated weight (IW) longlines – superior handling qualities and practically inviolable – the IW longlines sink more quickly and uniformly out of reach of most seabirds compared with externally weighted lines. IW longlines have been shown to reduce substantially mortality rates of surface foragers and diving seabirds, while not affecting catch rates of target species (Robertson *et al.* 2002; Robertson *et al.* 2003; Robertson *et al.* 2006; Dietrich *et al.* 2008).

### **Caveats /Notes**

Restricted to autoline vessels. The sink rate of IW longlines can vary depending on vessel type, setting speed and deployment of line relative to propeller wash (Melvin & Wainstein 2006; Dietrich *et al.* 2008). Setting speed influences the extent of the seabird access window – the area in which most seabirds are still able to access the baited hooks in the absence of bird scaring lines (Dietrich *et al.* 2008). Use of IW lines is likely to increase the portion of the line on the seafloor, and may lead to increases in the bycatch of vulnerable fish, shark and ray species. This may be mitigated by placing a weight and a float on a 10m line at the point of the dropper line attachment, thus ensuring the line sinks rapidly to 10m, out of reach of vulnerable seabirds, but remains off the seabed (Petersen 2008).

### **Research needs**

The relationship between line-weighting regime, setting speed, sink rates/profiles and the seabird access window should be investigated for other fisheries (i.e. those that haven't already been tested –Bering Sea, Alaska, and New Zealand ling fishery) including with additional mitigation measures (particularly bird scaring lines); these investigations would be useful in determining the necessary aerial extent of the bird scaring lines.

### **Minimum standards**

Global minimum standards not in place. CCAMLR currently require as a minimum IW lines with a lead core of 50g/m, which is also required in the New Zealand demersal longline fishery.

### **Implementation monitoring**

Weight (lead core) integrated into fabric of longline, so compliance is intrinsic in this measure. It is expensive and time consuming to alter longline when at sea, including for vessels with long transit times to fishing grounds (e.g. Antarctic and sub Antarctic fisheries). Port inspection of all longline on board prior to embarkation on fishing trips considered adequate for assessment of compliance.

## **7. Single bird scaring line**

### **Scientific evidence for effectiveness in demersal fisheries**

**PROVEN AND RECOMMENDED.** Effectiveness is increased when using multiple bird scaring lines and when used in combination with other measures – e.g. night setting, appropriate weighting of line and judicious offal management. The use of a single bird scaring line has been shown to be an effective mitigation measure in a range of demersal longline fisheries, especially when used properly (Moreno *et al.* 1996; Løkkeborg 1998, 2001; Melvin *et al.* 2001; Smith 2001; Løkkeborg & Robertson 2002; Løkkeborg 2003).

### **Caveats /Notes**

Effective only when streamers are positioned over sinking hooks. Single bird scaring lines can be less effective in strong crosswinds (Løkkeborg 1998; Brothers *et al.* 1999; Agnew *et al.* 2000; Melvin *et al.* 2001; Melvin *et al.* 2004). In the event of strong crosswinds, bird scaring lines should be deployed from the windward side. This problem can also be overcome by using paired bird scaring lines (see below). The effectiveness of the bird scaring lines is also dependent on the design, the aerial coverage of the bird scaring line, seabird species present during line setting (proficient divers being more difficult to deter from baits than surface feeding birds) and the proper use of the bird scaring line. The aerial coverage and the position of the bird scaring line relative to the sinking hooks are the most important factors influencing their performance. There have been a few incidents of birds becoming entangled in bird scaring lines (Otley *et al.* 2007). However it must be stressed that the numbers are minuscule, especially when compared with the number of mortalities recorded in the absence of bird scaring lines. Bird scaring lines remain a highly effective mitigation measure, and efforts should be directed to improving further their design and use so that their effectiveness can be improved further.

### **Research needs**

The use and specifications/performance standards are fairly well established in demersal longline fisheries. However, there is scope to improve further the effectiveness and practical use of bird scaring lines on individual vessels or vessel type.

### **Minimum standards**

Current minimum standards vary. CCAMLR was the first conservation body that required all longline vessels in its area of application to use bird scaring lines (Conservation Measure 29/X adopted in 1991). The bird scaring line has gone on to become the most commonly applied mitigation measure in longline fisheries worldwide (Melvin *et al.* 2004). CCAMLR currently prescribes a range of specifications relating to the design and use of bird scaring lines. These include the minimum length of the line (150m), the height of the attachment point on the vessel (7m above the water), and details about streamer lengths and intervals between streamers. Other fisheries have adapted these measures. Some, such as those in New Zealand and Alaska have set explicit standards for the aerial coverage of the bird scaring lines, which varies according to the size of the vessel.

### **Implementation monitoring**

Bird scaring lines are usually deployed and retrieved on a set-by-set basis (they are not a fixed part of fishing gear/operations). Requires fisheries observers, video surveillance or at-sea surveillance (e.g. patrol boats or aerial over-flights).

## **8. Paired or multiple bird scaring lines**

### **Scientific evidence for effectiveness in demersal fisheries**

**PROVEN AND RECOMMENDED.** Effectiveness is increased when used in combination with other measures – e.g. night setting, appropriate weighting of line and judicious offal management. Several studies have shown that the use of two or more streamer lines is more effective at deterring birds from baited hooks than streamer line (Melvin *et al.* 2001; Sullivan & Reid 2002; Melvin 2003; Melvin *et al.* 2004; Reid *et al.* 2004). The combination of paired streamer lines and IW longlines is considered the most effective mitigation measure in demersal longline fisheries using autoline systems (Dietrich *et al.* 2008).

### **Caveats /Notes**

Potentially increased likelihood of entanglement with other gear. Use of an effective towed device that keeps lines from crossing surface gear essential to improve adoption and compliance. See also above comment about bird entanglements in bird scaring lines. Manually attached and operated paired or multiple bird scaring lines requires some effort to operate (a 150m double line takes about 8-10 men to retrieve). One way of overcoming this is to make use of electronic winches.

### **Research needs**

Further trialling in fisheries which currently only use single streamer lines.

### **Minimum standards**

Paired streamer lines required in Alaskan fisheries and encouraged/recommended by CCAMLR, except in the French exclusive economic zone (CCAMLR Subarea 58.6 and Division 58.5.1), where paired streamer lines have been compulsory since 2005. Paired streamer lines have also been required in the Australian longline fisheries off Heard Island since 2003 (Dietrich *et al.* 2008)

### **Implementation monitoring**

Bird scaring lines are usually deployed and retrieved on a set-by-set basis (they are not a fixed part of fishing gear/operations). Requires fisheries observers, video surveillance or at-sea surveillance (e.g. patrol boats or aerial over-flights).

## **9. Haul bird exclusion devices**

### **Scientific evidence for effectiveness in demersal fisheries**

**PROVEN AND RECOMMENDED AS A HAUL MITIGATION MEASURE.** Must be used in combination with other mitigation measures – bird scaring lines at setting, line weighting, night setting and judicious offal management. The use of a bird exclusion device such as a Brickle curtain can effectively reduce the incidence of birds becoming foul hooked when the line is being hauled (Brothers *et al.* 1999; Sullivan 2004; Otley *et al.* 2007; Reid *et al.* 2010, Snell *et al.* in prep.).

### **Caveats /Notes**

Some species, such as the black-browed albatross and cape petrel, can become habituated to the curtain, so it is important to use it strategically – when there are high densities of birds around the hauling bay (Sullivan 2004).

### **Minimum standards**

A device designed to discourage birds from accessing baits during hauling operations is required in high risk CCAMLR areas (exact design not specified, but it is required that they fulfil two operational characteristics: 1) deter birds from flying into the area where the line is being hauled, and 2) prevents birds that are sitting on the surface from swimming into the hauling bay area). Also required in the Falkland Islands<sup>1</sup> (Islas Malvinas) longline fishery, where the Brickle Curtain is recommended (Snell *et al.* in prep).

### **Implementation monitoring**

Bird exclusion devices are usually deployed and retrieved on a haul-by-haul basis (they are not a fixed part of fishing gear/operations). Requires fisheries observers, video surveillance or at-sea surveillance.

## OTHER CONSIDERATIONS

### 10. Side setting

#### ***Scientific evidence for effectiveness in demersal fisheries***

**NOT RECOMMENDED AT THIS TIME.** Must be used in combination with other mitigation measures, especially the use of a bird curtain (Gilman *et al.* 2007), and bird scaring lines. Has not been widely tested in demersal longline fisheries. In trials in the New Zealand ling fishery, side setting appeared to reduce seabird bycatch; however, the results were not convincing and there were practical/operational difficulties, with the line becoming entangled in the propeller (Bull 2007). Sullivan (2004) reported that side setting has been used in some demersal fisheries (e.g. shark fisheries) which have experienced negligible incidental mortality.

#### ***Caveats /Notes***

Practical difficulties, especially in difficult weather/sea conditions. In many cases it may be difficult and expensive converting the vessel's deck design to employ a side setting system.

#### ***Research needs***

Largely untested in the demersal fisheries, especially in the Southern Ocean, where the seabird assemblages include proficient diving seabirds. Research urgently needed.

#### ***Minimum standards***

Only in Hawaii for the pelagic longline fisheries, where it is used in conjunction with a bird curtain and weighted branch lines (45g within 1m of hook); side setting is defined as a minimum of 1m forward of the stern.

#### ***Implementation monitoring***

Requires longline be set with the aid of a device(s) (e.g., autobaiter; line shooter) from a fixed position on vessels that is crucial to the operational effectiveness of line setting. Port inspection of line deployment set-up considered to be adequate to assess implementation.

### 11. Underwater setting funnel/chute

#### ***Scientific evidence for effectiveness in demersal fisheries***

**NOT RECOMMENDED AT THIS TIME.** Must be used in conjunction with other mitigation measures – bird scaring lines, weighted lines, night setting and judicious offal management. An underwater setting funnel has been tested in demersal longline fisheries in Alaska, Norway and South Africa, with all studies showing a reduction in the mortality rate, although the extent of the reduction varied between studies (Løkkeborg 1998, 2001; Melvin *et al.* 2001; Ryan & Watkins 2002).

#### ***Caveats /Notes***

Present design is mainly for a single line system. Results from studies to date have been inconsistent, likely due to the depth at which the device delivers the baited hooks and the diving ability of the seabirds in the fishing area studied. The pitch angles of the vessel, which

are influenced by the loading of weight and sea conditions, affect the performance of the funnel (Løkkeborg 2001).

### **Research needs**

Need to investigate improvements to the current design to increase the depth at which the line is set, especially during rough seas. Should also be tested with integrated weight lines to determine whether this improves bycatch reduction. Also need to investigate optimal use of device together with other mitigation measures (bird scaring lines and weighted lines).

### **Minimum standards**

Not yet established.

### **Implementation monitoring**

On-board monitoring, such as full-time observer coverage, video surveillance or at-sea inspection is recommended to monitor implementation.

## **12. Line setter/shooter**

### **Scientific evidence for effectiveness in demersal fisheries**

**NOT RECOMMENDED AT THIS TIME.** Must be combined with other measures, such as bird scaring lines, night setting, weighted lines and judicious offal management. Less used in demersal long-line fisheries; variation in the precise method of operation is cause of variation in efficacy. In Norway, no statistical differences were detected in catch rates of northern fulmars between sets with and without a line shooter (Løkkeborg & Robertson 2002; Løkkeborg 2003). In Alaska, use of a line shooter increased seabird bycatch (Melvin *et. al.* 2001). However, the reasons for this finding are unclear.

### **Caveats /Notes**

Robertson *et al.* (2008c) found no significant difference between the sink rates of integrated weight longlines of autoline vessels that were set with and without a line setter in the Ross Sea, and were doubtful that the use of line setters would lead to substantial reductions in interactions between seabirds and longlines. Unequivocal evidence of effectiveness in reducing seabird bycatch is lacking. In need of further refinement.

### **Research needs**

Need to investigate whether refinement/modification of the device will be able to overcome the problem of propeller wash and ensure consistently rapid sink rates and significantly reduced seabird mortality. Not considered a mitigation measure at this time.

### **Minimum standards**

Not considered a mitigation measure at this time.



### 13. Thawing bait

#### ***Scientific evidence for effectiveness in demersal fisheries***

**NOT RECOMMENDED AS A PRIMARY MITIGATION MEASURE.** Not as much of an issue compared with pelagic longlining. For autoliners, the bait must be at least partially thawed before they can be sliced by the automated baiting system; in the Spanish system, the interval between manually baiting the hooks and setting the lines is sufficiently long to allow for thawing (except in very low ambient temperatures); and the line weighting regime overcomes most of the problems with frozen bait (Brothers *et al.* 1999).

#### ***Caveats /Notes***

Effect is likely to be very minor. Not a primary measure.

#### ***Research needs***

No priority research needs.

### 14. Olfactory deterrents

#### ***Scientific evidence for effectiveness in demersal fisheries***

**NOT RECOMMENDED AS A MITIGATION MEASURE AT THIS TIME.** Must be used in combination with other mitigation measures – bird scaring lines at setting, line weighting, night setting and judicious offal management – especially until further testing has been conducted. Dripping shark liver oil on the sea surface behind vessels has been shown to effectively reduce the number of seabirds (restricted to burrow-nesting birds) attending vessels and diving for bait in New Zealand (Pierre & Norden 2006; Norden & Pierre 2007).

#### ***Caveats /Notes***

The shark liver oil did not deter albatrosses, giant petrels, or Cape petrels from boats (Norden & Pierre 2007). The potential impact of releasing large amounts of concentrated fish oil into the marine environment is unknown, as is the potential for contaminating seabirds attending vessels and the potential of seabirds to become habituated to the deterrent (Pierre & Norden 2006).

#### ***Research needs***

Testing should be extended to candidate/suitable species of conservation concern, such as white-chinned petrels and sooty shearwaters. Research is also required to identify the key ingredients in the shark oil that are responsible for deterring seabirds, and the mechanism by which the birds are deterred. The potential “pollution” effects also need to be investigated.

#### ***Minimum standards***

None yet.

#### ***Implementation monitoring***

Monitoring of line setting operations by observer placement or video surveillance is required to assess implementation.

## 15. Strategic management of offal discharge

### *Scientific evidence for effectiveness in demersal fisheries*

**NOT RECOMMENDED AS A PRIMARY MITIGATION MEASURE.** Must be used in combination with other mitigation measures – bird scaring lines, line weighting, and night setting. Some studies have shown that dumping homogenised offal (which is generally more easily available and thus attractive to seabirds than bait) during setting attracts birds away from the baited line to the side of the vessel where the offal is being discharged, and thus reduces bycatch of seabirds on the baited hooks (Cherel *et al.* 1996; Weimerskirch *et al.* 2000).

### *Caveats /Notes*

Although strategic offal discharge has been shown to be effective at reducing seabird bycatch around Kerguelen Island, there are many risks associated with the practice. Offal discharge needs to be continued throughout the setting operation so as to ensure the birds do not move on to the baited hooks. This will only be possible in fisheries where line setting is short, and there is sufficient offal to sustain the line-setting period. This measure also has the potential to foul hook birds if offal is discharged with hooks. It is crucial, then, that all offal is checked for hooks before being discharged. Given these risks, and the fact that the presence of offal is a critical factor affecting seabird numbers attending vessels, most fisheries management regimes require that no offal can be discharged during line setting, and that if discarding is necessary at other times it should take place on the side of the vessel opposite to where the lines are being hauled.

### *Research needs*

Further information needed on opportunities to manage offal more effectively – considering both practical aspects and seabird bycatch mitigation – in the short and long term.

### *Minimum standards*

In CCAMLR demersal fisheries, discharge of offal is prohibited during line setting. During line hauling, storage of waste is encouraged, and if discharged must be discharged on the opposite side of the vessel to the hauling bay. A system to remove fish hooks from offal and fish heads prior to discharge is required. Similar requirements are prescribed by other demersal longline fisheries (e.g. Falkland Islands<sup>1</sup> (Islas Malvinas), South Africa and New Zealand).

### *Implementation monitoring*

Requires offal discharge practices and events to be monitored by fisheries observers or video surveillance.

## 16. Blue-dyed bait

### *Scientific evidence for effectiveness in demersal fisheries*

**NOT RECOMMENDED AS A PRIMARY MEASURE AT THIS TIME.** Must be used in combination with other mitigation measures – bird scaring lines, line weighting, night setting and judicious offal management. The performance of this measure has only been tested in

the pelagic longline fishery (Boggs 2001; Minami & Kiyota 2004; Gilman *et al.* 2007; Cocking *et al.* 2008), and with mixed success.

### **Caveats /Notes**

New data suggests that this measure is only effective with squid bait (Cocking *et al.* 2008). It has not been tested in demersal fisheries, possibly due to larger number of hooks deployed and thus the need for considerably more bait (Bull 2007). There is no commercially available dye. Onboard dyeing is practically onerous, especially in inclement weather. In the long-term birds may become habituated to blue-dyed bait.

### **Research needs**

Need for tests of efficacy and practical feasibility in demersal longline fisheries, especially in the Southern Ocean to determine its effectiveness as a long-term mitigation measure. Research would also need to determine the effect of dyed bait on catches of target species.

### **Minimum standards**

Mix to standardized colour placard or specify (e.g. use „Brilliant Blue“ food dye (Colour Index 42090, also known as food additive number E133) mixed at 0.5% for a minimum of 20 minutes).

### **Implementation monitoring**

The current practice of dyeing bait on board vessels at sea requires observer presence or video surveillance to assess monitor implementation. Assessment of implementation in the absence of on-board observers or video surveillance requires baits to be dyed on land and monitored through port inspection of all bait on vessels prior to departure on fishing trips.

## **17. Hook size and shape**

### **Scientific evidence for effectiveness in demersal fisheries**

**NOT RECOMMENDED AS A PRIMARY MITIGATION MEASURE.** Must be used in combination with other mitigation measures – bird scaring lines. line weighting, night setting and judicious offal management Hook size was found to be an important determinant in seabird bycatch rates of Argentinean and Chilean longline vessels fishing in Subarea 48.3 in the 1995 season, with smaller hooks killing significantly more seabirds than larger hooks (Moreno *et al.* 1996).

### **Caveats /Notes**

Other than the finding in Moreno *et al.* (1996), little or no work has been conducted to investigate the impact of hook design and shape on seabird bycatch levels.

### **Research needs**

Determine impact on seabird bycatch and on catch of target species.

### **Minimum standards**

No global standard

## **Implementation monitoring**

Port inspection of all hooks on board considered adequate for monitoring implementation.

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**ANNEX 18****ANNEX 18: DEMERSAL LONGLINE MITIGATION SUMMARY ADVICE****SUMMARY ADVICE STATEMENT FOR REDUCING IMPACT OF DEMERSAL LONGLINES ON SEABIRDS****SUMMARY**

The most effective measures to reduce incidental take of seabirds in demersal longline fisheries are:

- use of an appropriate line weighting regime to reduce the time baited hooks are near or on the surface and thus available to birds,
- actively deterring birds from baited hooks by means of bird scaring lines, and
- setting by night.

Further measures include bird deterrent curtains at the hauling bay, responsible offal management and avoiding peak areas and periods of seabird foraging activity. It is important to note that there is no single solution to reduce or avoid incidental mortality of seabirds in demersal longline fisheries, and that the most effective approach is to use the measures listed above in combination.

**INTRODUCTION**

The incidental mortality of seabirds, mostly albatrosses and petrels, in longline fisheries has been of growing global concern. This was a major reason for the establishment of the Agreement on the Conservation of Albatrosses and Petrels (ACAP). A large number of mitigation methods to reduce and eliminate seabird bycatch has been developed and tested over the last 10 to 15 years, especially for demersal longline fisheries. Within demersal longlining, there are different systems – the autoline system, the Spanish double line system, and more recently the Chilean system. Although most mitigation measures will be broadly applicable, the feasibility, design and effectiveness of some measures will be influenced by the type of longlining method and gear configuration used. In particular it should be noted that most scientific literature relates to fleets of larger vessels, with longline usage from artisanal fleets receiving less attention. Some of this advice may need to be modified for smaller vessels. ACAP has comprehensively reviewed the scientific literature dealing with seabird bycatch mitigation in demersal fisheries and this document is a distillation of the review (AC6 Final Report ANNEX17).

Best practice mitigation measures for demersal longline fisheries are listed below; the first recommendation is a general measure followed by those for line setting and line hauling.

**1. BEST PRACTICE MEASURES - GENERAL****1.1 Area and seasonal closures**

The temporary closure of important foraging areas (e.g. areas adjacent to important seabird colonies during the breeding season when large numbers of aggressively feeding seabirds are present) has been a very effective way to reduce incidental mortality of seabirds in fisheries in those areas.

## **2. BEST PRACTICE MEASURES - LINE SETTING**

### **2.1. Line weighting**

Lines should be weighted to get the baited hooks rapidly out of the range of feeding seabirds. Weights should be deployed before line tension occurs to ensure that the line sinks rapidly out of reach of seabirds.

### **2.2. Weighted lines for Spanish gear**

Steel weights are considered best practice. The mass should be a minimum of 5kg at 40m intervals.

Where steel weights are not used, longlines should be set with a minimum of 8.5kg at 40m intervals when using rocks, and a minimum of 6kg at 20m intervals when using concrete weights.

### **2.3. Weighted lines for autoline gear**

Integrated weight longlines (IWL) are designed with lead core of 50g/m. Their key characteristic is that they sink with a near-linear profile from the surface (minimal lofting in propeller turbulence) and are effective at sinking quickly out of reach of foraging seabirds. IWL should average  $\geq 0.24$  to 10 m depth.

Where it is practical to use IWL gear in a fishery, IWL is preferred over externally weighted alternatives because of its linear sink profile from the surface and consistent ability to achieve the minimum sink rate.

When using external weights on non-IWL autoline gear, the minimum average sink rate should be 0.3 m/s to 10 m depth. A faster sink rate is necessary with this configuration to minimise the lofting of sections of line between line weights in propeller turbulence. The sink rate can be achieved with a minimum of 5kg at no more than 40m intervals.

### **2.4. Night setting**

Setting longlines at night (between the times of the end of nautical twilight and before nautical dawn) is effective at reducing incidental mortality of seabirds because the majority of vulnerable seabirds are diurnal foragers.

### **2.5. Bird scaring lines**

Bird scaring lines are designed to provide a physical deterrent over the area where baited hooks are sinking.

Two bird scaring lines should be used.

The design of the bird scaring lines should include the following specifications:

The attachment height should be at least 7m above sea level.

The lines should be at least 150m long to ensure the maximum possible aerial extent.

Streamers should be brightly coloured and reach the sea-surface in calm conditions, and placed at intervals of no more than 5m.

A suitable towed device should be used to provide drag, maximise aerial extent and maintain the line directly behind the vessel during crosswinds.

## **2.6. Offal and discard discharge management**

Seabirds are attracted to offal that is discharged from vessels. Ideally offal should be retained onboard but if that is not possible, offal and discards should not be discharged while setting lines.

## **3. BEST PRACTICE MEASURES - LINE HAULING**

### **3.1. Bird exclusion device (BED)/Brickle curtain**

During hauling operations birds can accidentally become hooked as gear is retrieved. A BED consists of a horizontal support several metres above the water that encircles the entire line hauling bay. Vertical streamers are positioned between the support and water surface. The seabird deterrent effectiveness of this streamer line configuration can be increased by deploying a line of floats on the water surface and connecting this line of floats to the support with downlines. This configuration is the most effective method to prevent birds entering the area around the hauling bay, either by swimming or by flying.

### **3.2. Offal and discard discharge management**

Ideally offal should be retained onboard, but if that is not possible offal and discards should be either, preferably, retained on board during hauling or released on the opposite side of the vessel to the hauling bay.

All hooks should be removed and retained on board before discards are discharged from the vessel.

## **4. OTHER CONSIDERATIONS**

### **4.1. Chilean method**

The Chilean method of longline fishing was designed to prevent toothed whale depredations of fish. Because weights are deployed directly below the hooks, and because hook-bearing lines sink with a vertical profile in the seabird foraging depths (not horizontally, as in the traditional Spanish method), lines sink rapidly, making it an effective method for avoiding bycatch of foraging seabirds.

To eliminate the ingestion of hooks by seabirds during line hauling operations, care must be taken to retain all hooks onboard and not discard them overboard, either as unwanted hooks or as hooks embedded in discarded fish.

## **5. NOT RECOMMENDED**

The following mitigation options are **NOT** recommended best practice:

**Hook design** – insufficiently researched

**Olfactory deterrents** – insufficiently researched

**Underwater setting chutes** - insufficiently researched.

**Side setting** - insufficiently researched and operational difficulties.

**Blue-dyed bait, thawed bait** - not relevant in demersal longline gear

**Use of a line setter** - not relevant in demersal longline gear.

**ANNEX 19****ANNEX 19: CONSERVATION PRIORITIES**

The Advisory Committee adopted the following recommendations for conservation priorities:

**Conservation Priorities for At Sea Threats**

Agreed to support intersessional work to complete the prioritisation framework for at-sea threats.

Agreed that the Secretariat and, where appropriate, the relevant Working Groups, be tasked with completing those aspects of the framework that are not finished or require refinement, which include:

- identifying a suitable scoring and weighting regime for the at-sea framework;
- agree upon a scheme to present the results of the prioritisation process using a simple categorical system; and
- providing recommendations for the use and maintenance of the prioritisation framework

Agreed to fund as a matter of urgency those aspects of the framework that are not finished such that funds are available immediately to complete the framework

Agreed to consider the outputs from a completed at-sea framework intersessionally, in order to report to MoP4 on those high priority conservation actions that are necessary to ensure the effective implementation of the Agreement

Noted that the Seabird Bycatch Working Group and its members have agreed to support and contribute to intersessional work, both to complete the framework and to provide advice to the Advisory Committee on its adoption and appropriate use prior to MoP4

**Interim priorities for at-sea threats**

Agreed that the bycatch of Wandering and Black-browed albatrosses at South Georgia (Islas Georgias del Sur)<sup>1</sup>, Tristan Albatrosses at Gough Island, and Sooty Albatrosses at the Crozet and Prince Edward Islands be considered as high priority threats requiring urgent and coordinated international action (ANNEX 10);

Agreed that the urgent action should include:

- ACAP Parties to immediately submit to ACAP any existing bycatch data, in order to improve assessment of bycatch of these albatross populations;
- ACAP Parties which authorise fishing in the range of these species/populations to commence gathering bycatch data in relevant fisheries if they have not already done so and to submit those data to ACAP; and
- ACAP specifically highlighting the conservation threat to these species/populations in

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<sup>1</sup> "A dispute exists between the Governments of Argentina and the United Kingdom of Great Britain and Northern Ireland concerning sovereignty over the Falkland Islands (Islas Malvinas), South Georgia and the South Sandwich Islands (Islas Georgias del Sur e Islas Sandwich del Sur) and the surrounding maritime areas".

its engagement with RFMOs with responsibility for managing fisheries within its foraging distribution, and to request that those RFMOs implement best practice seabird bycatch mitigation measures recommended by ACAP, gather seabird bycatch data at a species level and promptly provide ACAP with any existing seabird bycatch data.

### **Conservation priorities for land-based threats**

Agreed that the task of prioritising land-based threats has been completed,

Agreed to report to MoP4 on those high priority conservation actions that are necessary to ensure the effective implementation of the Agreement.

Agreed that conservation priorities should be reviewed at the last Advisory Committee meeting prior to every Meeting of Parties

Recommended to Parties that they address the High Priority threats identified in the land-based prioritisation process, including Avian Cholera at Ile Amsterdam, increased competition from Australasian Gannet at Pedra Branca, habitat loss or destruction, or predation, by introduced Rabbits and Black Rats at Macquarie Island, Pigs at Auckland Island, and House Mouse at Gough Island, and advance programmes to mitigate those threats, including eradication campaigns

Requested that Parties provide updates on these and other actions to address on-land threats, or reasons why no management response is in place through annual reports and at AC7

Recognised the potential benefits of collaborations or capacity building initiatives that may assist in the transfer of technical or practical expertise, and the securing of funding, to progress high priority management actions.

**ANNEX 20****ANNEX 20: DRAFT AGENDA MOP4**

**DRAFT AGENDA  
FOURTH SESSION OF THE MEETING OF THE PARTIES TO ACAP**

<b>1. Official Opening</b> 1.1 Official Opening and Opening Statements
<b>2. Procedural Issues</b> 2.1 Adoption of Agenda 2.2 Establishment of Credentials Committee
<b>3. Reports</b> 3.1 Report of Credentials Committee 3.2 Report of the Depository 3.3 Reports of Observers
<b>4. Operation of the Secretariat</b> 4.1 Report of the Secretariat 4.2 Secretariat Work Programme 2013-15 4.3 Review of Staff Regulations – appointment process for Executive Secretary
<b>5. Operation of the Meeting of the Parties</b> 5.1 Amendments to the MoP Rules of Procedure
<b>6. Operation of the Advisory Committee</b> 6.1 Report of the Advisory Committee 6.2 Advisory Committee Work Programme 2013-2015
<b>7. Operation of the Agreement</b> 7.1 Report on Implementation of the Agreement 7.2 Amendment to Reporting Format for the Report on the Implementation of the Agreement 7.3 Proposed Amendment to Annex 1 - listing of Balearic shearwater 7.4 Identification of Priority Actions for Conservation Measures 7.5 Proposed Indicators to Measure the Success of the Agreement 7.6 Capacity Building 7.7 Development of Arrangements with Other International Organisations 7.8 Financial and Auditor's Reports 7.9 Agreement Budget 2013-2015 7.10 Scale of Contributions 7.11 National Plans of Action 7.12 Accession of non-Party Range States to the Agreement

<b>8.</b>	<b>Provisional Date and Venue of the Fifth Meeting</b>
<b>9.</b>	<b>Other Business</b>
9.1	Media Release
9.2	Participation at 5 <sup>th</sup> International Albatross and Petrel Conference
<b>10.</b>	<b>Closing Remarks</b>
<b>11.</b>	<b>Adoption of MoP4 Report</b>
<b>12.</b>	<b>Close of Meeting</b>



**ANNEX 21****ANNEX 21: DRAFT AGENDA AC7****DRAFT AGENDA, 7<sup>TH</sup> MEETING OF THE ADVISORY COMMITTEE**

<b>AC7 –DRAFT AGENDA</b>
<b>1. Opening Remarks</b>
<b>2. Adoption of the Agenda</b>
<b>3. Rules of Procedure</b>
<b>4. Report of Depository</b>
<b>5. ACAP Secretariat</b> 5.1 Activities undertaken in 2012/13 intersessional period
<b>6. Agreement's Financial Matters</b> 6.1 Financial Report
<b>7. Observer Reports</b> 7.1 Reports from ACAP Observers at International Meetings 7.2 Reports from Observers to AC7
<b>8. Report on the Fourth Meeting of the Parties</b>
<b>9. Conservation and Population Status and of Albatrosses and Petrels</b> 9.1 Report of Working Group 9.2 Future Work Programme
<b>10. Taxonomy of Albatrosses and Petrels</b> 10.1 Report of Working Group 10.2 Future Work Programme
<b>11. Seabird Bycatch</b> 11.1 Report of Working Group 11.2 Future Work Programme
<b>12. Advisory Committee Work Programme</b> 12.1 Advisory Committee Work Programme 2013-2015 12.2 Allocation of funds of the Advisory Committee Work Programme
<b>13. Indicators to Measure the Success of ACAP</b>
<b>14. Listing of New Species</b>

<b>15. Species Action Plans</b>
15.1 Waved Albatross Action Plan
<b>16. Impacts of Global Climate Change</b>
<b>17. Election and appointment of AC Officers</b>
<b>18. Eighth Meeting of the Advisory Committee</b>
18.1 Timing and Venue
18.2 Draft Agenda
<b>19. Other Business</b>
<b>20. Closing remarks</b>
<b>21. Adoption of report</b>

**ANNEX 22****ANNEX 22: OPENING & OTHER STATEMENTS****BRAZIL**

“Brazil reaffirms commitment with ACAP, visible not only through the fulfillment of its financial obligations, but especially through the monitoring and improvement of its National Plan of Action for the Conservation of albatrosses and petrels, following ACAP recommendations.

For instance, in April 2011 Brazil passed a regulation that requires all long line vessels fishing south of 20°S latitude to use Toriline and adequate line weighting regimes, as suggested by the Best Practice Technical Guidelines developed by the Seabird Bycatch Working Group last year.

These measures, in conjunction with relevant research and environmental education for fishermen, show that conservation of these endangered species has been a matter of concern for Brazil.”

**UNITED STATES OF AMERICA**

“The USA thanks the Secretariat for organising this meeting and thanks Ecuador for hosting this 6th Meeting of the Advisory Committee of ACAP. The USA supports and encourages ACAP’s role as the international expert body on the conservation needs of imperiled albatrosses and petrels. We are pleased to be able to support the work of ACAP through many of our seabird conservation activities and participation in the Advisory Committee Working Groups as an observer and as invited experts. We would like to highlight two major events that happened this year related to ACAP species in the United States:

First, two severe winter storms occurred in January and February 2011 and a tsunami in March, generated by a powerful earthquake off the coast of Japan, affected nesting albatrosses on Midway Atoll National Wildlife Refuge. Surveys of the Refuge revealed that more than 252,000 Laysan and 30,000 black-footed albatross chicks (about 42% and 56% respectively of this year’s total production) were lost by these events. At least 2000 adults were also killed.

The second event was the first successful fledging of a Short-tailed albatross chick on a Pacific island outside of Asia. This occurred in the United States on Midway Atoll National Wildlife Refuge. After a successful courtship over the past four years on Midway, the chick’s parents, an eight-year old female and a 24-year old male, successfully bred in 2011. The Short-tailed albatross nest was washed over several times during the winter storms and tsunami, but the chick and parents survived these events to result in a successful fledging on June 17. If successful nesting continues, the United States should be included within the breeding range for the species.

As many of you are aware, the United States continues to actively consider accession to ACAP. Although progress has been significant, we are not able to predict the outcome of these efforts. In the meantime, the United States looks forward to continuing to work with the ACAP Parties and other key participants in efforts to conserve albatross and petrel species.”

## **ANTARCTIC AND SOUTHERN OCEAN COALITION**

“The Antarctic and Southern Ocean Coalition (ASOC) commends ACAP for the progress made during the last year, especially in relation to cooperation with RFMOs. ASOC looks forward to working increasingly and in close cooperation with ACAP and the NGOs deeply involved in the conservation of albatrosses and petrels with regard to the effective implementation of seabird bycatch mitigation measures by RFMOs to further the objectives of the Agreement.”

## **HUMANE SOCIETY INTERNATIONAL AUSTRALIA**

“Humane Society International (HSI) Australia would like to thank the ACAP Parties for the opportunity to participate as an observer. In Australia, HSI has been instrumental and highly effective at the political and legislative level to ensure fisheries address a range of bycatch issues and in particular that of seabird mortalities in longlining and trawling.

On this occasion HSI is here in Ecuador for two reasons. Firstly to participate in the ACAP process to emphasise again, as it did in ACAP 5 the necessity for a focus on the issue of line weighting to be recognised as the essential mandatory backbone of mitigating seabird bycatch in longline fisheries. Identifying how this will be achieved needs to be a priority goal of the ACAP and its Parties. HSI is also here on this occasion to collaborate with ABC and local NGO, Equilibrio Azul in assessing artisanal fisheries to avoid seabird mortalities by developing better and cost effective fishing gear and methods. This work is progressing very well.

HSI urges the ACAP Parties to ensure that line weighting is prescribed in their NPOA (Seabirds), as a number have done so already and by so doing become influential on non-Party members as well as in all international fisheries to adopt this same measure as soon as possible. For trawl fisheries in which incidental seabird mortality occurs HSI urges that further work be undertaken to identify better solutions. For longline fisheries and in particular that for high sea seas tuna controlled by the five tuna RFMOs the SBWG much attention on line weighting mitigation. The necessity for this was highlighted by the plight of the South Georgia (Georgias del Sur)<sup>1</sup> Wandering albatross population decline and the proposal that this species become the “flagship” species of the ACAP. Currently we seem still far away from truly effective mitigation measure uptake to halt the decline of this and many other species with the tuna RFMOs continuing to allow for the choice of ineffective measures which, in reality are seldom used anyway.

Tuna RFMOs must be persuaded to cease allowing for ineffective uptake of measures under the Two Column approach. If the columns of choice approach is to be retained then column A must contain only one mitigation measure, line weighting and the weighting options specified. Column B then contains the other proven effective measures, one of which is chosen to combine with Column A which is not optional. A third column, column C then contains two measures, night setting and BSL (and alternate designs of BSL specified) which must be combined with Column A for identified high risk seasons and or areas to generate what is currently considered best practice mitigation. Acceptance of and agreement to such a strategy is just the first step as the issue of uptake and compliance will require consideration.

HSI acknowledges the commitment of Parties to conservation of albatrosses and petrels by their participation as members of ACAP.”

## **WWF**

“WWF appreciates the opportunity to formally observe the Sixth Advisory Committee meeting to ACAP. WWF wishes to congratulate Parties and non-parties engaged in the Agreement on achievements to date to improve the conservation status of ACAP species and indeed to meet the objective of the Agreement.

The importance of critical information, formal advice and sound technical knowledge imparted by ACAP cannot be underestimated. In addition, the development and implementation of effective NPOAs that are compliant with FAO IPOA Technical Guidelines are critical to achieving the objective of the Agreement. As progress on implementation of the Agreement is to be reported to the Meeting of Parties in 2012, we urge those Countries who are not yet Party to the Agreement to join and ratify as a matter of priority.

WWF is committed to supporting the Agreement to help further its role in the conservation of Albatrosses and Petrels on a global scale. Finally we note the next Albatross and Petrel Conference which is of particular relevance to this Agreement is to be held in New Zealand in August 2012. WWF-New Zealand looks forward to welcoming all ACAP delegates who may be attending.”

## **JOINT NGO STATEMENT –**

### **NEW ZEALAND GOVERNMENT’S DRAFT SEABIRD POLICY**

“As NGO Observers to the Sixth Meeting of the Advisory Committee on the Conservation of Albatrosses and Petrels (ACAP) the following organisations; ASOC, Humane Society International, BirdLife International and WWF, collectively express their concern at the recent release for public consultation by the New Zealand Government of a draft seabird policy, not a National Plan of Action-Seabirds (NPOA-Seabirds). We believe this draft policy is fundamentally flawed and most importantly, will not lead to a reduction in the high levels of seabird bycatch that are currently recorded and those modeled for the future. This draft policy is proposed to replace New Zealand’s existing NPOA-Seabirds released in 2004.

We have serious concerns about the draft policy both in terms of the lack of regard paid to multi-stakeholder input and advice in developing the revised-NPOA-Seabirds and, more fundamentally, the failure of New Zealand to meet its international obligations to develop and implement a NPOA-Seabirds through this revision process.

As a signatory to the United Nations Law of the Sea and an active member of the UN Food and Agriculture Organisation (FAO), and a Party to the Agreement on the Conservation of Albatrosses and Petrels (ACAP), New Zealand has an international responsibility to develop and implement a robust NPOA-Seabirds to reduce seabird bycatch in its fisheries. Further, Article 3 1(h) of the ACAP Agreement calls for Parties to: support the implementation of the actions elaborated in the FAO International Plan of Action for Reducing Incidental Catch of Seabirds in Longline Fisheries which complement the objectives of this Agreement. The critical importance of New Zealand taking action is emphasised by the fact that of the 29 ACAP-listed species, 16 breed in New Zealand and 10 of these breed only in New Zealand.

The risk assessment the policy is based upon estimates that the potential average annual bycatch levels across all commercial fisheries is between 22,200 and 40,900 seabirds, including between 10,800 and 19,200 albatrosses, and that current fisheries practices will exceed

sustainable bycatch levels for up to 25 species. These data raise serious questions about the effectiveness of the current New Zealand NPOA-Seabirds, which was adopted in 2004, and its associated voluntary codes of conduct, and clearly demonstrate that a new more robust approach is required.

We strongly believe that with the recent publication of the FAO Technical Guidelines: Best practice to reduce the incidental catch of seabirds in capture fisheries (FAO 2009), progress made in mitigation research in the last few years and best practice mitigation advice developed by ACAP, the New Zealand Government is in a unique position to show the strong leadership that is required to ensure the adoption of a comprehensive and robust revised NPOA-Seabirds. It is important to also note that in their foraging areas throughout the Southern Ocean many New Zealand seabird species interact with fisheries from a number of States, some of which have developed and implemented NPOA-Seabirds.

We urge the New Zealand Government to take the steps required to achieve this goal. New Zealand should develop, adopt and implement a NPOA-Seabirds that meets and exceeds the global standard for managing fisheries and seabird interactions outlined in the FAO Technical Guidelines. A fundamental inclusion would be clear bycatch reduction objectives, and the prescription of mitigation measures in all fleets, particularly in the inshore fleets, which are responsible for the highest levels of bycatch.

Indeed, it is imperative that all Parties and Range States commit to producing effective NPOA-Seabirds that achieve the objective of the Agreement, and that closely follow the FAO Technical Guidelines and that are underpinned by clear time-bound bycatch reduction objectives and implementation plans.”

**ANNEX 23****ANNEX 23: STATEMENT BY ARGENTINA**

Unofficial translation:

“The Argentine Delegation to the Sixth Meeting of the Advisory Committee of the Agreement on the Conservation of Albatross and Petrels (ACAP) presents its compliments to the aforementioned Committee and in relation to the documents AC6 Inf. 15, SBWG-4 Doc. 55 y Joint BSWG4/STWG6 Doc.6 presented by the United Kingdom of Great Britain and Northern Ireland, recalls that upon its ratification of the Agreement on the Conservation of Albatross and Petrels, Argentina rejected the United Kingdom’s pretended territorial extension of the Agreement to the Malvinas Islands, South Georgias and South Sandwich Islands, since those archipelagos and the surrounding maritime areas are an integral part of the Argentine national territory.

The Argentine Government rejects the references made to alleged illegitimate authorities of the Malvinas Islands, South Georgias and South Sandwich Islands and the presentation of these archipelagos detenting an international status that they do not have.

The British presence in those archipelagos and the surrounding maritime areas constitutes an illegitimate occupation, which is rejected by the Argentine Republic, as so are any unilateral acts from it emanated.

The Argentine Republic reaffirms its sovereignty rights over the Malvinas Islands, South Georgias and South Sandwich Islands, and the surrounding maritime areas, which are an integral part of the Argentine national territory and that, being illegitimately occupied by the United Kingdom, are object of a sovereignty dispute, recognised by the United Nations.

The Argentine Delegation to the Sixth Meeting of the Advisory Committee of the Agreement on the Conservation of Albatross and Petrels avails itself of this opportunity to renew to the aforementioned Committee the expressions of its most distinguished consideration.”

**ANNEX 24: STATEMENT BY THE UNITED KINGDOM****“United Kingdom Statement - Falkland Islands and South Georgia”**

“The delegation of the United Kingdom deeply regrets the need to make interventions following the statements by the distinguished delegate of the Argentine Republic and the statement from the distinguished delegate from Chile.

The UK delegation does not believe that this is the appropriate forum to raise sovereignty issues of any kind, which are outside the scope and purpose of the Agreement on the Conservation of Albatrosses and Petrels.

The United Kingdom has no doubt about its sovereignty over the Falkland Islands, South Georgia and the South Sandwich Islands and their surrounding maritime areas.

The principle of self-determination, enshrined in Article 1.2 of the Charter of the United Nations and Article 1 of the International Covenant on Civil and Political Rights, underlies our position on the sovereignty of the Falkland Islands. There can be no negotiation on the sovereignty of the Falkland Islands unless and until such time as the Falkland Islanders so wish. The Islanders regularly make it clear that they wish the Falkland Islands to remain under British sovereignty.

The United Kingdom frequently repeats its position on the Falkland Islands within the International Community, including at the United Nations.”