



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

**REPORT OF  
THE EIGHTH MEETING OF  
THE ADVISORY COMMITTEE**

*Punta del Este, Uruguay  
15 – 19 September 2014*



**LIST OF ACRONYMS**

ABC	American Bird Conservancy
AC	Advisory Committee (AC1, AC2 etc. refer to the first, second, etc. meetings of the Advisory Committee)
ACAP	Agreement on the Conservation of Albatrosses and Petrels
AEWA	African-Eurasian Waterbird Agreement
APEC	Asia-Pacific Economic Cooperation
ATF	Albatross Task Force
AUD	Australian Dollars
BLI	BirdLife International
(SC-) CCAMLR	(Scientific Committee-) Commission for the Conservation of Antarctic Marine Living Resources
CCSBT	Commission for the Conservation of Southern Bluefin Tuna
CMS	Convention on Conservation of Migratory Species of Wild Animals
EEZs	Exclusive Economic Zones
FAO	Food and Agriculture Organization of the United Nations
HSI	Humane Society International
ICCAT	International Commission for the Conservation of Atlantic Tunas
IOTC	Indian Ocean Tuna Commission
IPOA-Seabirds	International Plan of Action-Seabirds
ISSF	International Sustainable Seafood Foundation
IUCN	International Union for the Conservation of Nature and Natural Resources
MoP	Meeting of the Parties (MoP1, MoP2 etc. refer to the first, second etc. Session of the Meeting of Parties)
MPA	Marine Protected Area
NGO	Non-governmental Organisation
NPOA-Seabirds	National Plan of Action – Seabirds
PaCSWG	Population and Conservation Status Working Group
RSPB	Royal Society for the Protection of Birds
SBWG	Seabird Bycatch Working Group
SCAR	Scientific Committee on Antarctic Research
SEAFO	South East Atlantic Fishery Organisation
SEO	Sociedad Española de Ornitología
SPRFMO	South Pacific Regional Fisheries Management Organisation
(t)RFMO	(tuna) Regional Fisheries Management Organisation
TWG	Taxonomy Working Group
UK	United Kingdom of Great Britain and Northern Ireland
USA	United States of America
WCPFC	Western Central Pacific Fisheries Commission
WGs	Working Groups



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**1 OFFICIAL OPENING AND OPENING REMARKS**

- 1.1 The Eighth Meeting of the Advisory Committee (AC8) to the Agreement on the Conservation of Albatrosses and Petrels (ACAP) was held in Punta del Este, Uruguay from 15 – 19 September 2014, with Dr Marco Favero as Chair. Apologies were received from the Vice-chair, Mr Mark Tasker, who was unable to attend due to other commitments.
- 1.2 Ten Parties were represented: Argentina, Australia, Brazil, Chile, Ecuador, New Zealand, Peru, South Africa, the United Kingdom (UK) and Uruguay. France, Norway and Spain notified their apologies for not being able to attend.
- 1.3 In addition, three Range States participated as observers: Canada, Namibia and the United States of America (USA).
- 1.4 American Bird Conservancy (ABC), BirdLife International, Humane Society International (HSI) and Projeto Albatroz 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 in **ANNEX 2**.
- 1.6 The meeting commenced with a welcoming address by Dr Daniel Gilardoni, Director of the Dirección Nacional de Recursos Acuáticos, Ministerio de Ganadería, Agricultura y Pesca de la República Oriental del Uruguay.
- 1.7 Dr Gilardoni welcomed delegates to the Eighth Meeting of the Advisory Committee. As the Head of the Dirección Nacional de Recursos Acuáticos de la República Oriental del Uruguay, responsible for the regulation and promotion of the sustainable use of fisheries and aquaculture resources, he noted the importance of the Advisory Committee in improving the conservation status of albatross and petrel species found in these waters. Uruguay's National Plan of Action was launched under the umbrella of ACAP in 2007 – and amended in 2014 - and designed to implement the actions required under the Agreement's Action Plan.
- 1.8 Dr Gilardoni drew attention to the existence of collaborative work with other Parties to ACAP, and also local and international NGOs to address issues allied to conserving seabirds in fisheries. He also spoke of the very recent study on the trawl fleet, and the efforts to control foreign fleets with respect to compliance on the use of mitigation measures such as weighting regimes and bird scaring lines. He noted the achievements of Uruguay in working in complementary international agreements on seabird issues and particularly in ICCAT and CCAMLR, where Uruguay has incorporated into their legislation the recommendations and conservation measures of those organizations. He finally welcomed the work done by ACAP, and wished Delegates a productive meeting.
- 1.9 On behalf of the Advisory Committee, the AC Chair thanked Dr Gilardoni for his words and good wishes for the meeting.

## 2 ADOPTION OF THE AGENDA

- 2.1 The draft agenda was adopted by the meeting (**ANNEX 3**). Four additional items were included under Agenda Item 19, Other Business: Conflict of Interest; Selection Process for the Executive Secretary; Seabird conservation activities undertaken by the African-Eurasian Waterbird Agreement (AEWA); and Bibliographic references.

## 3 RULES OF PROCEDURE

### 3.1 Report of Intersessional Committee established by Resolution 4.8

- 3.1.1 Mr Jonathon Barrington (Australia), Chair of the Intersessional Committee (Chair) established by Resolution 4.8, advised that negotiations were continuing within the Intersessional Committee on options for participation by relevant APEC member economies in the MoP and its subsidiary bodies, firstly concerning observership. He indicated that Parties were welcome to participate in the work of this Intersessional Committee at any time. The intersessional committee continued to work expeditiously on fulfilling its terms of reference. Concerning observership by relevant APEC member economies, two options remain under consideration: (a) amending Rule 4(1) of the Rules of Procedure, and (b) maintaining status quo. He advised changes had been made to the report of the Intersessional Committee, to reflect views of an Intersessional Committee member that were not available before the cut-off date for documents ([AC8 Doc 10 Rev 1](#) refers).
- 3.1.2 The Chair of the Intersessional Committee advised that the Intersessional Committee met on 15 September 2014 in the margins of the Committee. Representatives from Argentina, Australia, Brazil, Chile, Ecuador, New Zealand, Peru, South Africa, the United Kingdom, Uruguay, as well as the United States and the Advisory Committee Chair (ex officio) attended. The Intersessional Committee reviewed the two options under consideration, as well as alternatives under the options. The Intersessional Committee noted the analysis provided by the Chair in Memorandum 7 about the potential feasibility of the options and related alternatives. The Intersessional Committee reviewed the views and concerns within the Intersessional Committee about the following:
- a. *Reasoned objections* – some, but not others, considered inclusion of this mechanism was problematic, as it would inappropriately require Parties to explain the reasons for their decisions concerning observership.
  - b. *Single objection* – some, but not others, considered the single objection approach was problematic, as it put at risk observership by relevant APEC member economies to the detriment of ACAP's work.
  - c. *Status quo* – some, but not others, considered the status quo was problematic, as the potential ambiguity in Rule 4(1) could potentially give rise to procedural difficulties at future Meetings of the Parties.

- 3.1.3 The Intersessional Committee agreed, in light of the above, to consider further at this time a proposal concerning observership by relevant APEC member economies at sessions of the Meeting of the Parties and in meetings of its subsidiary bodies. This proposal would allow observership by any relevant APEC member economy except if one-third of the Parties objected (known as Option A *bis*). There would be no requirement to provide written reasons for objections.
- 3.1.4 The Chair of the Intersessional Committee requested all participants on the Intersessional Committee attending the in-the-margins meeting provide a provisional indication by 1 October 2014 of the acceptability of the proposal to them. The Chair of the Intersessional Committee advised that a memorandum would be then circulated by the Chair in early October to all Intersessional Committee participants (including those present at the in-the-margins meeting) about the content of the proposal to be put to Parties for consideration intersessionally. With an indicative timing of early May 2015 for the Fifth Session of the Meeting of the Parties, Intersessional Committee participants agreed on the need to commence the intersessional decision process no later than mid-December 2014. The Intersessional Committee noted the mechanism for intersessional voting and potential outcomes of that process (AC8 Doc 10 Rev 1 refers). The Chair of the Intersessional Committee expressed his appreciation to the Intersessional Committee participants for their continued efforts to advance their work, and willingness to consider further the proposal to amend the Rules of Procedure of the Meeting of the Parties.
- 3.1.5 Following a request from Brazil, the Secretariat agreed that any proposal for intersessional voting on this issue would be sent to ACAP National Contact Points and the relevant Embassies and High Commissions for each Party.
- 3.1.6 Argentina thanked the Chair of the Intersessional Committee for his work. Regarding the discussions that took place at the in-the-margin meeting, it noted that the Intersessional Committee is still working on a range of options and that a consensus has not been reached in favour of one of the options being considered by the Committee. As such, it would be premature at this stage to rule out options that are still under analysis. It emphasised that the Parties have not yet expressed their views about the possible future content of the next memorandum and as such it is not yet decided that this should focus on only one option. Argentina expressed a view that as indicated at the in-the-margin meeting, unless the Parties indicate otherwise before 1 October 2014, the possible memorandum to be circulated should include all options that are still under analysis.
- 3.1.7 Regarding AC8 Doc 10 Rev 1, Argentina wished to record its view that references to the preliminary views of the Intersessional Committee about Option A and Option B should not be included in this document. Argentina stressed that according to Resolution 4.8 and its annex, the Intersessional Committee should “present to the Parties a report setting out the available options, the basis for each option and the modalities by which each option could be achieved”. In this regard, Argentina noted that AC8 Doc 10 Rev 1

should not include preliminary views as they may influence the decision of the Parties to ACAP.

- 3.1.8 The Chair of the Intersessional Committee indicated that a balance of views had been sought concerning the content of AC8 Doc 10 Rev 1 including those of Argentina, among other views.

### **3.2 Amendments to Rules of Procedure**

- 3.2.1 Argentina reported that it had been working intersessionally with interested Parties on the amendment of Rule 20.
- 3.2.2 Further discussions on this issue took place in the margins of AC8 involving Argentina, Australia, Brazil, New Zealand, United Kingdom and the USA as an observer. Argentina recognised the professionalism of the members of the contact group and thanked them for their efforts in achieving a common text. The Advisory Committee expressed its appreciation for the progress achieved.
- 3.2.3 Argentina presented the draft text to the Advisory Committee (**ANNEX 4**). On behalf of the contact group, Argentina requested all Parties to consider the proposed text and send any possible comments to the contact group.
- 3.2.4 It was noted that on the basis of the draft text and taking into consideration comments received, a document will be presented by this group for the consideration of the Advisory Committee at AC9. For this purpose it was further requested that an agenda item on this topic be included in the provisional Agenda of the AC9 Meeting (**ANNEX 5**).

## **4 REPORT OF THE DEPOSITARY**

- 4.1 Australia tabled the Report of the Depositary Government to the Agreement ([AC8 Doc 07](#)), which indicated that there have been no new accessions or notifications to the Agreement since AC7 in La Rochelle, France, 6-10 May 2013. Australia noted that amendments to Annex 1 of the Agreement, which entered into force on 30 July 2009 have now been formally notified to Parties by a Depositary Notification issued by Australia on 2 July 2014 -Amendments to Annex 1: Addition of the Short-tailed albatross (*Phoebastria albatrus*), Laysan albatross (*Phoebastria immutabilis*) and Black-footed albatross (*Phoebastria nigripes*) and updating of spelling of *Thalassarche melanophris*. Australia advised that the revised version of Annex 1 attached to the 23 January 2013 Report of the Depositary remains current (and is also attached to the present report).

## **5 ACAP SECRETARIAT**

### **5.1 Activities undertaken in 2013/2014 intersessional period**

- 5.1.1 The Executive Secretary provided a report on activities undertaken by the

Secretariat during the 2013/2014 intersessional period ([AC8 Doc 06](#)). Support was provided for a range of tasks in the Advisory Committee's work programme including the development of a de-hooking guide, a photographic seabird identification guide for use in tuna RFMOs, and a review of injuries sustained by fishers in the course of using weighted branchlines. In addition, the Secretariat participated in ten meetings of international fisheries related management organisations and provided support for the attendance of ACAP observers at other fisheries meetings. A number of significant outcomes were achieved at these meetings in furthering the implementation of the RFMO engagement strategy.

- 5.1.2 Support was also provided for the AC Grants Programme and the AC Secondment Programme through the coordination of the application and assessment processes.
- 5.1.3 Brazil sought clarification on which non-Party Range States the Secretariat had engaged with in relation to their possible accession to the Agreement. The Executive Secretary advised that the countries concerned were China, Namibia and the United States of America.
- 5.1.4 Brazil recalled that AC7 agreed to establish an intersessional group, coordinated by the Vice-chair, Chair and Executive Secretary and open to any Party, to refine, develop and implement to the extent possible, a strategy to engage non-Parties. In relation to developing such a Strategy, Brazil also recalled that three potential target groups had been previously identified by AC7:
- 1) Range States with jurisdictions which include breeding sites for ACAP species (e.g. Japan, Mexico, USA).
  - 2) Range States with domestic fisheries already identified by ACAP as priority targets with respect to seabird bycatch (e.g. Angola, Namibia).
  - 3) Range States with distant water fleets already identified by ACAP (e.g. China, Japan, Korea).
- 5.1.5 Brazil therefore expressed concern about the lack of a Strategy for the Engagement of New Parties to back the actions of the Agreement.
- 5.1.6 The USA expressed its appreciation to the Executive Secretary for his visit to Washington D.C. earlier this year, noting that it had brought ACAP to the attention of a range of interested parties who could potentially be supportive of, or influence action to assist the USA's accession to ACAP.
- 5.1.7 New Zealand noted that the prioritization exercise could be a useful tool for identifying key Range States to engage with e.g. those where bycatch is an issue.
- 5.1.8 Uruguay noted that there would be merit in sending a formal request to non-Party Range States requesting their accession to the Agreement.
- 5.1.9 Australia expressed its interest in joining in the intersessional work on this issue and to assist with the preparation of materials on accession. Argentina also offered to assist with this work.

- 5.1.10 Parties were encouraged to engage with non-Party Range States when attending international meetings at which these States participate, such as at RFMO meetings.

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

- 5.2.1 The Executive Secretary presented the Secretariat Work Programme for 2015 (AC8 Doc 19). It was noted that the Secretariat Work Programme comprises two elements, one determined by the requirements of specific articles of the ACAP Agreement, the second determined by tasks allocated to it by the Advisory Committee.
- 5.2.2 It was agreed that the Secretariat Work Programme for 2015 would be amended to include any additional items requested by the Advisory Committee for action by the Secretariat in its 2015 Work Programme ([AC8 Doc 19 Rev 1](#)).

## **5.3 Secretariat Work Programme 2016-2018**

- 5.3.1 The Executive Secretary presented the draft Secretariat Work Programme for 2016-2018 (AC8 Doc 20). It was agreed that the Secretariat Work Programme for 2016 - 2018 would be amended to include any additional items requested by the Advisory Committee for action by the Secretariat in its 2016 - 2018 Work Programme ([AC8 Doc 20 Rev 1](#)), for presentation to MoP5.

## **5.4 Agreement Sponsorship Policy**

- 5.4.1 At MoP4, several Parties expressed a desire to have a policy developed to provide transparent guidance on the sponsorship of delegates and experts to meetings, together with an application procedure and criteria for qualification and selection. The Secretariat was requested to develop a policy in the intersessional period for consideration at MoP5.
- 5.4.2 At AC7 the Secretariat presented a draft policy for consideration, which included selection criteria, an application procedure, and a process for assessment (AC7 Doc 18). A number of amendments were proposed at AC7, which have been incorporated into the document presented for consideration at AC8.
- 5.4.3 The Executive Secretary introduced a paper on the development of a policy on the sponsorship of delegates ([AC8 Doc 22](#)).
- 5.4.4 Argentina, Australia, Brazil, New Zealand, United Kingdom and Uruguay worked on further amendments to the draft policy in the margins of the meeting (**ANNEX 6**). It was agreed that this policy should not include the consideration of non-Party Ranges States, as this is addressed separately under the Advisory Committee's Work Programme.
- 5.4.5 A number of aspects of the draft policy required further discussion and it was

agreed that intersessional consultations would be held with the intention of presenting a document with a refined sponsorship policy for the consideration of MoP5.

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

### **6.1 Financial Report**

6.1.1 The Executive Secretary presented the 2014 Interim Financial Report ([AC8 Doc 08 Rev 1](#)). It was noted that a number of outstanding contributions had been received since the preparation of the report and that the level of cash on hand was sufficient to meet all expected expenditure over the next six month period. A number of changes had been made to the financial report to provide Parties with further information on the allocation and expenditure of funds against projects in the Agreement's Special Funds.

6.1.2 A number of Parties sought clarification on specific issues related to the interim financial report. Brazil asked for clarification on: (1) the reason why 31% of the funding allocated to the Advisory Committee have been expended, considering that the AC8 is being held in the next financial year; (2) how the level of cash on hand would be sufficient to meet expected expenditure over the next six month period if c. 27% of the contributions for the 2014 financial year remain outstanding; (3) the reasons for the over-expenditure in the Advisory Committee Work Programme above the allocation; and (4) the reasons for the significant gap between the allocation and the expenditure regarding the sponsorship of experts and the support for AC Officials (items 3.3.1 and 3.4.1). The Executive Secretary advised in relation to (1) part of this expenditure related to airfares, deposits for venue hire and interpretation services paid in the 2014 financial year with the remainder of the allocation to be paid in the 2015 financial year; (2) cash on hand includes outstanding contributions from previous financial years and Special Fund reserves, such as the Contingency Fund; (3) expenditure figures include expenditure from allocations from previous financial years, as the AC Work Programme is operated on a cash basis; and (4) the reason for this is the same as for question (1).

6.1.3 Australia asked for clarification about (1) interest on funds, (2) workers compensation, and (3) the rent and parking offset. The Executive Secretary advised that funds of the Secretariat are invested by the Tasmanian Government in low yield securities (as approved by MoP) and the interest receipts were low; workers compensation expenditure was for insurance payments only (no claims have been made); and the rent and parking offset reflects an AUD 20,000 contribution by the Tasmanian Government for these purposes.

6.1.4 In order to improve the clarity of expenditure on the sponsorship of delegates and experts, as opposed to the sponsorship of delegates of non-Party Range States, it was agreed that the latter expenditure would be identified under the strategy for engagement of non-Party Range States, if funds are allocated by

the Parties for this purpose. The Secretariat undertook to identify this expenditure separately in future financial reports, where relevant.

## **6.2 Agreement Budget 2016-2018**

6.2.1 The Executive Secretary presented a draft budget for the Agreement for the 2016-2018 triennium, noting that this had been prepared in accordance with Regulation 3.1 of the Finance Regulations (AC8 Doc 09). The draft budget includes a statement of the significant financial implications for the 2016-2018 triennium in respect of proposed work programmes.

6.2.2 Australia proposed that a contingency fund be established for legal expenses of the Secretariat with AUD 20,000 per annum allocated for this purpose. The contingency fund would roll over from one year to the next, i.e. a single allocation of AUD 20,000 would be provided for each triennium, unless the funds were drawn upon, in which case the funding would be available in the years that it was required.

6.2.3 The Advisory Committee noted the direction from MoP that the overall budget should as a minimum achieve 0% real growth but preferably better. It was requested that the Secretariat prepare a new draft budget that had a 2.5% inflator across the budget for the triennium. The estimated allocation for the selection process of the new Executive Secretary was also requested to be taken into consideration. A revised draft budget was presented for consideration of the meeting ([AC8 Doc 09 Rev 1](#)).

## **7 OBSERVER REPORTS**

### **7.1 Reports from ACAP Observers at international meetings**

7.1.1 No reports were submitted for consideration under this agenda item.

### **7.2 Reports from Observers to AC8**

7.2.1 BirdLife International (BLI) reported that together with local in-country partners, it has continued with the ATF programme in six countries in South America (Argentina, Brazil, Chile, Ecuador, Peru and Uruguay) and in two African countries (South Africa and Namibia). In all countries, BLI has continued working on trials and experiments on mitigation measures in different fisheries (pelagic longliners, trawlers, and recently gillnets and purse seine vessels). During the last year particularly, BLI has been working on supporting partners and governments in developing new regulations on mitigation measures and compliance, engaging with Argentina, Brazil and Namibia in the last few months in particular. BLI was deeply involved in all the tuna RFMOs, working in coordination with ACAP in a number of them, and some good advances were achieved. The seabird-tracking programme of BLI continued to be active, providing information to support some of ACAP's stated objectives.

- 7.2.2 Projeto Albatroz reflected that it was created 24 years ago in Santos, in southeastern Brazil, with the aim of reducing seabird bycatch. Sponsored by Petrobras through Programa Petrobras Socioambiental, nowadays it has bases in five states in Brazil covering the most important part of the Brazilian coast in terms of seabirds, maintaining its own observer program to study seabird interactions and developing mitigation techniques with the support of fishermen. Projeto Albatroz works in partnership with governmental agencies, but also with fisheries industries, captains and crewmembers. It has also recently commenced an education program with school children in Santos and will extend this program to other ports in due course. Projeto Albatroz is also a partner of Royal Society for the Protection of Birds (RSPB), Birdlife International and the Albatross Task Force Program.
- 7.2.3 American Bird Conservancy (ABC) provided an opening statement to the meeting (**ANNEX 7**) and expressed appreciation for the opportunity to contribute to the work of the meeting.
- 7.2.4 Humane Society International (HSI) noted, having attended four meetings of the SBWG, it was disappointing that it has failed to provide advice in relation to making line weighting a mandatory mitigation measure, which HSI considers essential to reduce the incidental bycatch of seabirds. HSI/ABC urged the USA to pursue accession to ACAP as a priority and recalled Dr Gilardoni's opening address regarding quota allowances being tied to performance against agreed standards.
- 7.2.5 The Secretariat presented a statement ([AC8 Inf 18](#)) from the Convention for Migratory Species (CMS). This highlighted a number of areas of relevance to ACAP's agenda including marine debris, boat-based wildlife watching, flyways, bird poisoning, preventing the illegal killing, taking and trade in migratory birds, invasive alien species and the development of a strategic plan for migratory species.
- 7.2.6 Australia proposed that ACAP should continue to build mutually beneficial links with CMS in key areas of interest to ACAP.
- 7.2.7 Uruguay reflected on the need for better collaboration between the CMS and ACAP on issues such as alien species and marine debris.
- 7.2.8 Chile considered these were important points to be addressed however noted the potential resource implications and duplication of effort that may result. It was suggested that an intersessional group could possibly be established to facilitate this cooperation.
- 7.2.9 The United Kingdom agreed with the points made by Chile, noting that some issues are of more relevance to ACAP's agenda than others and stressed the need to avoid adding to the existing workloads and concentrating on engaging on issues that help assist ACAP's mission.
- 7.2.10 The Secretariat noted it was currently a member of the CMS Flyways Working Group. It also suggested that it may be appropriate to exchange relevant reports/papers with the CMS on relevant issues in order to avoid duplication.

- 7.2.11 The Chair recommended that a succinct document be prepared summarizing the work of the Committee and its Working Groups of relevance to the CMS. This proposal was endorsed by the meeting.
- 7.2.12 The Chair invited Dr Johannes Holtzhausen, Ministry of Fisheries & Marine Resources, Namibia, to give a presentation on the situation in his country as it relates to the conservation of seabirds, including albatrosses and petrels, and their marine habitats.
- 7.2.13 In his presentation Dr Holtzhausen described to delegates the position of Namibia in the south-east Atlantic with a coastline that embraces both warm and cold waters that support important demersal and pelagic fisheries and a rich bird life. Significant populations of seabirds included breeding penguins and cormorants on offshore islands and guano platforms, and visiting non-breeding albatrosses and petrels such as the ACAP-listed Critically Endangered Tristan Albatross *Diomedea dabbenena* and the Endangered Atlantic Yellow-nosed Albatross *Thalassarche chlororhynchos*.
- 7.2.14 Dr Holtzhausen went on to state that Namibia was a member of both the Benguela Current Commission and the South East Atlantic Fisheries Organization (SEAFO), and had declared a Marine Protected Area (MPA) around its seabird breeding islands – on which landings without permit was prohibited.
- 7.2.15 The Advisory Committee was informed that Namibia recognized its fisheries have deleterious effects on its breeding and non-breeding seabirds, both by competing for forage fish and by causing direct mortality on its longliners and trawlers. It fully intended to address this fishery-induced mortality as soon as possible by formally adopting its National Plan of Action - Seabirds, already drafted and finalized, which awaited only the required regulations to be promulgated. In the meantime some Namibian fishing vessels had voluntarily adopted the use of mitigation measures, such as the deployment of bird-scaring lines.
- 7.2.16 Dr Holtzhausen concluded that Namibia wished to move from being a nation with a poor record of killing up to an estimated 30,000 albatrosses and petrels a year in its fisheries, to one that could serve as a best-practice example to others.
- 7.2.17 The Advisory Committee through its Chair warmly thanked Dr Holtzhausen for his interesting and heartening presentation.

## **8 REPORT ON THE IMPLEMENTATION OF THE AGREEMENT**

- 8.1 The Executive Secretary presented the Report on Progress with the Implementation of the Agreement 2011-2014 ([AC8 Doc 15](#)). Implementation reports were received from twelve Parties. In addition, one Range State (USA) provided a report on actions they had taken relevant to the Agreement's work.
- 8.2 The information contained within Part 1 of this report had been obtained by

the Secretariat from Parties pursuant to Article VII (1) (c) and Article VIII (10). Part 2 contains information provided by Parties to the Advisory Committee on an annual basis to assist it with its work, supplemented by the outcomes of work undertaken by PaCSWG and SBWG.

- 8.3 Argentina noted that a statement had been presented to the Secretariat in relation to information contained in [AC8 Inf 14](#) and requested that the statement be circulated to Members of the Advisory Committee and attached as an annex to the report of the meeting (**ANNEX 8**).
- 8.4 In response to Argentina's note submitted with respect to AC8 Inf 14, the UK read a statement and asked that a note of its position be included in the record of the meeting (**ANNEX 9**).
- 8.5 Argentina reserved the right to respond to the note presented by the UK, if necessary.
- 8.6 Uruguay requested that information provided in [AC8 Inf 15](#) be included in the report. Brazil provided further information in relation to question 1.3.3 and 1.4.2 in AC8 Doc 15. The Secretariat undertook to revise the paper to include this information.
- 8.7 Australia requested that the Secretariat contact those Parties who have not yet provided their implementation reports and request provision of the implementation reports in a timely manner, noting the importance of the information contained in the report in identifying action achieved by the Agreement. Australia proposed that more information be provided in the Report on Implementation of the Agreement under 1.5 Research Programs and 1.6 Education and Public Awareness. The Secretariat advised that this had not been detailed due to the cost of including the large volume of information provided by Parties. The merits of providing this information was discussed and it was agreed that the Secretariat would identify a number of key programmes from each Party for inclusion in the report.
- 8.8 The United Kingdom suggested looking at the approach taken by other intergovernmental organisations, such as the Regional Reports of the Ramsar Convention on Wetlands.
- 8.9 Projeto Albatroz suggested the inclusion of information on National Plans of Action (NPOA) Seabirds be included in Parties' implementation reports. It was agreed that these two suggestions should be considered by the intersessional group established to review the presentation of information on NPOAs.
- 8.10 Chile noted that consideration should be given to the target audience for this information and agreed with the UK that it would be useful to look at the approach taken by other international organisations/conventions.

## **9 ADVISORY COMMITTEE REPORT TO THE FIFTH MEETING OF PARTIES**

- 9.1 The Chair of the Advisory Committee presented a draft outline report from the Advisory Committee to the Fifth Session of the Meeting of the Parties

([AC8 Doc 18](#)). The report to MoP5 will be prepared by the Chair and the Vice-chair after the conclusion of the current meeting (AC8) in order to incorporate its outcomes.

- 9.2 Argentina thanked the Chair and Vice-chair of the Advisory Committee, and the Secretariat for the drafting of this document, which reflects in a clear and concise way the extensive work of the Advisory Committee.
- 9.3 UK supported Argentina's thanks to the Chair for this document, noting there would be merit in being more explicit as to the disparity between what ACAP wished to do and what it was able to do consequent on limited resources. It would help Parties to be clearer as to needs that were currently unfulfilled owing to resource constraints.
- 9.4 The Science Officer introduced [AC8 Doc 14 Rev 2](#) on the Agreement's priority actions and the exercise conducted within the Working Groups to update the data underpinning the framework and to generate a revised list of priorities to be presented to MoP5. The document's recommendations were that (1) Parties are encouraged to implement any conservation actions identified by SBWG and PaCSWG, and that (2) actions undertaken to address conservation priorities be specifically highlighted in the web-based reports to MoP.
- 9.5 Brazil indicated that some bycatch mitigation devices recommended by the SBWG are patented products, in some cases produced by a single company. As such, Brazil noted that it may not be possible to use or recommend them in some or all national policies.
- 9.6 Uruguay and Brazil expressed concerns regarding the potential differences between priorities identified by this tool developed by the Agreement and local priorities that individual Parties may develop, especially through NPOAs.
- 9.7 The Chair of the AC highlighted that the prioritization exercise was a tool developed to guide the Agreement in identifying the most effective conservation actions, but did not constitute a master tool driving the Agreement's agenda. In support, Australia stressed that the prioritization framework constituted a guideline for the Parties.
- 9.8 Both documents will be circulated intersessionally among the Members of the Advisory Committee for review and approval prior to MoP5.

## **10. CONSERVATION AND POPULATION STATUS OF ALBATROSSES AND PETRELS**

### **10.1 Report of the Population and Conservation Status Working Group**

- 10.1.1 The Co-convenor of the Population and Conservation Status Working Group (PaCSWG), Dr Richard Phillips, introduced the report of the Second Meeting of the PaCSWG. This report outlined inter-sessional progress against the Work Programme of the PaCSWG adopted at MoP4 in 2012 and amended

by the Seventh Meeting of the Advisory Committee (AC7). The report also reflected discussions and advice resulting from the WG meeting (PaCSWG2) held in Punta del Este, Uruguay.

10.1.2 Participants from Argentina, Australia, Brazil, Chile, Ecuador, New Zealand, South Africa, Spain, United Kingdom, Uruguay, Canada, United States, American Bird Conservancy (ABC), BirdLife International, Humane Society International (HSI), and Projeto Albatroz attended the meeting. The full report of the Working Group ([AC8 Doc 11](#)) provided a comprehensive record of the inter-sessional progress, a 2014 assessment of the global status and trends of ACAP species, the deliberations of the PaCSWG and the recommendations that the PaCSWG presented to the AC.

10.1.3 The Advisory Committee supported the following recommendations and took note of them when developing the AC Work Programme:

- i) requested that Parties develop and implement effective biosecurity plans for albatross and petrel breeding sites to minimize the risk of disease transmission;
- ii) encouraged the implementation of disease surveillance programmes, including in birds obtained as fisheries bycatch;
- iii) advised Parties to investigate thoroughly albatross disease or mortality events when they occur;
- iv) develop an MoU between ACAP and the One Health Institute, School of Veterinary Medicine, University of California, Davis;
- v) requested that ACAP Parties continue to focus on the five high-priority populations that were identified at AC6 as requiring urgent attention;
- vi) requested the Chair of the AC to submit a letter to the relevant authorities in support of the eradication of the introduced House Mouse at Gough Island, in light of the threat that predation by this species presents to the Tristan Albatross;
- vii) encouraged Parties and others responsible for breeding populations of ACAP species to implement the monitoring programmes identified as priorities at AC6 in order to increase current knowledge of population size, trends and demography of ACAP species;
- viii) encouraged Parties, where possible, to undertake or plan for the tracking studies identified as priorities to take place;
- ix) requested Parties inform BirdLife International of sample sizes in recent or ongoing tracking studies that are not captured in the current gap analysis,
- x) encouraged researchers conducting tracking studies to submit their data to the BirdLife International Seabird Tracking Database;
- xi) endorsed the suggested list of indicators of population status, breeding site condition and tracking data availability;
- xii) encouraged the use of the guidelines for the translocation of albatrosses

and petrels as a conservation tool when populations can be enhanced by moving birds back to sites that were occupied previously as part of an ecological restoration, or to assist colonization of new sites in response to emerging threats at existing colonies;

- xiii) cautioned Parties that to increase the likelihood of success in a translocation programme, careful consideration must be given to site selection and preparation, future biosecurity, assessment of the number and characteristics of birds to be moved, chick care at the new site, and post-translocation monitoring and management. In addition, there should be an assessment of the risk of possible disease transfer, and of effects of the action on the source population, the translocated birds and the ecosystem at the translocation site;
- xiv) adopted the ranking procedure outlined in AC8 Doc 24 Rev 1 as a guide for future nominations of species to Annex 1 of the Agreement; and
- xv) adopted the same ranking procedure to guide any delisting, as for listing of species.

10.1.4 Australia asked PaCSWG to keep under review approaches to population and conservation status performance indicators that take account of the changes to Annex 1 to ACAP, so as to take into account all ACAP species.

10.1.5 Brazil raised a concern on whether the release of rehabilitated seabirds, such as albatrosses, was permitted in terms of the Scientific Committee on Antarctic Research (SCAR) Recommendation XXIV-3 that urged against the reintroduction of rehabilitated indigenous animals to sub-Antarctic islands and to the Antarctic Continent. The Secretariat explained that such reintroductions applied only to the SCAR area of interest<sup>1</sup> and did not affect Parties releasing rehabilitated species north of the SCAR region as defined.

## **10.2 Future PaCSWG Work Programme**

10.2.1 The Committee endorsed the Working Group's 2015 Work Programme ([AC8 Doc 16 Rev 3](#)) and its proposed 2016-2018 Work Programme ([AC8 Doc 17 Rev 3](#)) following discussion under Agenda Items 13.1 and 13.2 respectively.

## **11 TAXONOMY OF ALBATROSSES AND PETRELS**

### **11.1 Report of the Taxonomy Working Group**

11.1.1 The AC Chair advised the meeting that no report had been submitted by the Taxonomy Working Group (TWG) as it had not been active since AC7.

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<sup>1</sup> "SCAR's indicated area of interest includes Antarctica, its offshore islands, and the surrounding Southern Ocean including the Antarctic Circumpolar Current, the northern boundary of which is the Subantarctic Front. Subantarctic islands that lie north of the Subantarctic Front and yet fall into SCAR's area of interest include: Ile Amsterdam, Ile St Paul, Macquarie Island and Gough Island." <http://www.icsu.org/what-we-do/interdisciplinary-bodies/scar/>

- 11.1.2 Australia considered it important to ensure the taxonomy used by ACAP continues to be seen as the global 'standard' for ACAP-listed species, including by other international agreements such as the Convention on Migratory Species of Wild Fauna (CMS). Australia proposed that TWG seek updates to albatross and petrels species names listed under the CMS appendices to harmonise the listings with those on Annex 1 to ACAP, and the IUCN Red List of Threatened Species.

## 11.2 Future TWG Work Programme

- 11.2.1 The Committee discussed the Working Group's 2015 Work Programme ([AC8 Doc 16 Rev 3](#)) and its proposed 2016-2018 Work Programme ([AC8 Doc 17 Rev 3](#)) under Agenda Items 13.1 and 13.2 respectively.

## 12 SEABIRD BYCATCH

### 12.1 Report of the Seabird Bycatch Working Group

- 12.1.1 The Convenor of the Seabird Bycatch Working Group (SBWG), Dr Anton Wolfaardt, introduced the report of the Sixth Meeting of the Seabird Bycatch Working Group (SBWG6). This report outlined intersessional progress against the Work Programme of the SBWG, as well as discussions and advice resulting from the SBWG meeting held from 10-12 September 2014, in Punta del Este, Uruguay.

- 12.1.2 Participants from Argentina, Australia, Brazil, Chile, Ecuador, New Zealand, Peru, South Africa, United Kingdom, Uruguay, Canada, United States, American Bird Conservancy, BirdLife International, Humane Society International, Pro-Delphinus Peru, Projeto Albatroz and SEO/BirdLife attended the meeting. The full report of the SBWG ([AC8 Doc 12 Rev 1](#)) provides a comprehensive record of work progressed intersessionally, the deliberations of the SBWG and the recommendations presented by the SBWG to the Advisory Committee.

- 12.1.3 The Advisory Committee supported the following recommendations of the Seabird Bycatch Working Group:

#### Bycatch mitigation review and best practice advice documents

- i) endorsed the revised definition of Best Practice outlined in 3.1 of the SBWG6 report (AC8 Doc 12 Rev 1) to be used when developing advice on mitigation measures to reduce seabird bycatch;
- ii) endorsed the intersessional process to revise the layout and presentation of information in the bycatch mitigation review and best practice advice documents;

#### Seabird bycatch mitigation in pelagic longline fisheries

- iii) endorsed the proposal to re-evaluate the effectiveness of the branch line weighting configurations (as defined in the existing ACAP best

practice branch line weighting recommendations), recognizing that new information has become available since the existing best practice recommendations were formulated, using the 3 step research programme:

1. statistical analysis of existing sink rate data to categorise various weighting configurations according to their sink rates;
  2. review of the papers underpinning the existing ACAP advice, including taking account of the criteria for best practice and the type of seabird assemblages within which the previous studies were conducted; and
  3. carrying out further collaborative field research on the relationship between sink rate configurations, identified in step 1, and resulting seabird mortalities and/ or seabird attack rates. This re-evaluation should inform a reconsideration of the best practice recommendations at a future meeting of the SBWG;
- iv) endorsed the proposal for comprehensive testing of line weighting configurations and devices to provide robust advice on the potential for different weighting configurations to cause fly-back injuries, and identify configurations and handling practices for ACAP recommended branch line weighting configurations that improves safety;
- v) endorsed the development of a reporting template to be provided to the Working Group and Parties to facilitate improved and consistent data collection and reporting of fly-back incidents;
- vi) encouraged Parties to provide information on the nature and extent of fly-back incidents;
- vii) the proposed revision to the bycatch mitigation review and summary advice documents for pelagic longline fisheries to clarify the advice on side-setting as detailed in Annex 2 of the SBWG6 report;

#### Seabird bycatch in gillnet fisheries

- viii) recognised the standard terminology proposed for net fisheries in [SBWG6 Doc 07](#);
- ix) supported the proposed intersessional work to draft a mitigation review document for gillnet and entangling net fisheries in support of future development of mitigation advice;
- x) supported the proposed intersessional work to develop research priorities for these fisheries, including research in the area of sensory ecology;
- xi) supported the proposed intersessional work to further review the risk posed to seabirds by other net fishing gear methods to identify any other methods for which the development of ACAP mitigation advice would be appropriate;

#### Artisanal fisheries and intentional take

- xii) recognised the standard terminology proposed for artisanal, small-scale and recreational fisheries in [SBWG6 Doc 08](#);
- xiii) endorsed intersessional work to develop a 'toolbox' template for providing mitigation advice in artisanal, small-scale and recreational fisheries;
- xiv) supported the development of a research strategy for artisanal and small-scale fisheries, based on research priorities identified.

#### Bycatch data collection and reporting

- xv) endorsed the development of appropriate bycatch indicators before defining the data needs, methodological approaches and reporting requirements for monitoring bycatch of ACAP species;
- xvi) endorsed an intersessional investigation of the benefits and limitations of e-monitoring concerning seabird bycatch and mitigation, and through this process the development of best practice guidelines;

#### ACAP performance indicators

- xvii) endorsed the proposed intersessional work to refine measures for Pressure indicator P1 Bycatch rates and levels of ACAP species and review the range of methodologies currently used by Parties, in order to establish guidelines and advice on suitable methodologies;
- xviii) supported the proposed changes to reporting requirements of Parties to create categorical reporting on mitigation measures in order to allow Response indicator R1 Implementation of seabird bycatch mitigation within EEZs to be populated;
- xix) endorsed the proposed approach of assessing the relevance of mitigation research reported to SBWG meetings as a measure for Response indicator R3 *Research and development for effective seabird mitigation measures*;

#### Co-ordination of activities relating to RFMOs

- xx) recognised the progress made on many of the tasks identified in the RFMO engagement strategy;
- xxi) endorsed the inclusion of the additional actions to be taken in the SPRFMO during 2015-2016 by the Advisory Committee in the RFMO strategy;
- xxii) supported the implementation of the actions identified in the RFMO strategy and the provision of resources necessary to achieve them;
- xxiii) endorsed the recommendations of the ACAP intersessional group on the proposed elements for reviewing RFMO bycatch mitigation requirements (see [SBWG6 Doc 20](#));
- xxiv) supported the participation of members in the 2015 ICCAT review and in the WCPFC discussion of management objectives and

submitting a paper to the IOTC Working Party on Ecosystems and Bycatch in October 2014;

- xxv) endorsed participation in the workshops planned by CCSBT (November 2014) and ISSF (January 2015), noting that these will be helpful in developing a harmonised approach to seabird bycatch data and monitoring across tuna RFMOs, which is necessary if cumulative impacts are to be assessed;
- xxvi) endorsed the submission of [SBWG6 Doc 21](#) as a background paper to SC-CAMLR-XXXIII;

#### FAO IPOA/NPOA-Seabirds

- xxvii) endorsed the proposed intersessional work to conduct a comprehensive review of the status and implementation of NPOA-Seabirds adopted by ACAP Parties and other Range States;
- xxviii) encouraged all ACAP Parties and collaborating Range States to adopt, implement and review NPOA-Seabirds and to ensure that these are aligned with the 2009 FAO Technical guidelines;

#### Listing of species on Annex 1

- xxix) supported intersessional work to review and update the 'at-sea threats' scores, and where appropriate, the 'migratory' scores that form part of these criteria; and
- xxx) adopted the revised criteria and process as a guide for listing and delisting species on Annex 1 of the Agreement.

12.1.4 A number of points were made by delegates during the presentation of the SBWG report.

#### Line-weighting in pelagic longline fisheries

12.1.5 HSI noted that in [SBWG6 Doc 13](#), it is stated that line weighting be given priority over night setting and using bird-scaring lines and that this concept has been incorporated into the best practice advice at SBWG5. HSI suggested that the Advisory Committee should now be considering how to further develop this concept in advance of the outcomes from essential work in this area being initiated by Uruguay. HSI indicated that it may be appropriate for the Advisory Committee to direct the SBWG to develop advice in relation to the ACAP best practice guidelines that more clearly specifies the mandatory use of line weighting, irrespective of the other mitigation measures that may be necessary to ensure line weighting is sufficiently effective.

12.1.6 Australia welcomed and strongly endorsed the comments of HSI.

12.1.7 In response, the Convenor indicated that ACAP's current best practice advice for reducing seabird bycatch in pelagic longline fisheries is to use line weighting, together with bird-scaring lines and night setting. It was further noted that there are two research streams planned for the intersessional period that are of relevance, one to evaluate ACAP's best practice advice on

line weighting specifications and the other on safety considerations. It is anticipated that the results will inform discussions at the next meeting of the SBWG on any possible changes to the advice on line weighting, and the presentation of this information to target audiences.

#### Seabird Bycatch Mitigation in Gillnet Fisheries

- 12.1.8 The UK noted that the SBWG had highlighted that, for mitigation research in pelagic longline fisheries, different research protocols were making comparison of different studies difficult. If this was the case more broadly, there may be merit in SBWG considering the issue of methodological protocols in other research areas, with the aim of developing advice in future on this issue.
- 12.1.9 The Convenor responded that the Best Practice Seabird Bycatch Mitigation Criteria provide high-level guidance on the aspects that should be considered when developing research methods. The merits of developing more detailed guidelines for research could be considered further at the next meeting of the SBWG.

#### NPOA-Seabirds

- 12.1.10 Several members highlighted the importance of avoiding duplication of reporting between National Implementation Reports to ACAP and the meetings of the SBWG. It was agreed that the process to review NPOA-Seabirds should include the development of a reporting template that facilitates the efficient submission of relevant information from Parties to ACAP.

## **12.2 Future SBWG Work Programme**

- 12.2.1 The Committee endorsed the Working Group's 2015 Work Programme ([AC8 Doc 16 Rev 3](#)) and its proposed 2016-2018 Work Programme ([AC8 Doc 17 Rev 3](#)) following discussion under Agenda Items 13.1 and 13.2 respectively.

## **13 ADVISORY COMMITTEE**

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

- 13.1.1 The 2015 Work Programme (AC8 Doc 16 Rev 2) was introduced by the Chair. It had been developed during the meetings of PaCSWG2 and SBWG6, and following suggestions and discussion, actions that were completed were noted (with strikethrough text) and further actions (numbered separately) were decided upon. Some actions include further notes or have been amended to better describe the Topic or Task. A final version of the Work Programme was agreed ([AC8 Doc 16 Rev 3](#)).
- 13.1.2 Some actions in the Work Programme have a cost indicated against them (in Australian dollars). These figures are indicative only. The value of work to implement the Work Programme that is carried out by Parties, Range States, Observer Organisations and the Secretariat, and many scientists on their

budgets and in their time, is not included.

- 13.1.3 The UK noted that, given the potential significant consequences to ACAP of a widescale change of taxonomy, and that since the new BirdLife International taxonomy had only recently been published, the Taxonomy Working Group should not rush to conclusions on harmonisation of taxonomies but be informed by the views of the wider taxonomic community.

### **13.2 Advisory Committee Work Programme 2016-2018**

- 13.2.1 The 2016-2018 Work Programme was amended ([AC8 Doc 17 Rev 3](#)) and endorsed by the Advisory Committee for its presentation to MoP5.

### **13.3 Agreement Grant Scheme**

- 13.3.1 The AC Chair presented an overview of the process followed for the allocation of grant funds in 2013-14 ([AC8 Doc 21](#)). A total of 23 applications were received requesting AUD 388,906, ten of which were granted a total of AUD 107,666. During the assessment process, considerations arose associated with conflicts of interest and lethal experimentation. The Advisory Committee was requested to note the process followed for the allocation of grant funds and the manner in which issues related to conflict of interest and lethal experimentation were addressed.

- 13.3.2 The Advisory Committee indicated its support for the process followed by the Grants Sub-committee in the assessment of grants in 2013-14 and agreed to the adoption of the procedures outlined in AC8 Doc 21 for use in future grant application processes. The AC Chair noted that the next call for grant applications would take place towards the end of this year, or in early 2015.

### **13.4 Agreement Secondment Programme**

- 13.4.1 The AC Chair presented a report on the operation of the Agreement's secondment programme ([AC8 Doc 25](#)). He reported that a new strategy had been adopted by MoP4, to be implemented in coordination between the Secretariat and the Advisory Committee, allowing secondments to occur either in the Agreement's Headquarters in Hobart or at other institutions, and following the schedule of two calls every three financial years in line with the grant scheme. In September 2013 the first call for secondments under this new scheme was opened. Four secondment proposals were submitted, however only one of these proposals was successful. Details of secondment proposals received and the grant provided, together with reasons for not allocating the total available funds were discussed.

- 13.4.2 Brazil noted that it is important that the secondment programme builds capacity, but also that it addresses tasks in the Advisory Committee's Work Programme. The AC Chair agreed and noted that it would be desirable that more tasks suitable for secondments be identified in the Work Programme. He noted that the Working Groups which had met last week had now identified a number of tasks that would be suitable for secondments.

- 13.4.3 Uruguay agreed with Brazil and expressed its appreciation for the opportunity provided to Mr Sebastian Jiménez to study in Britain with the support of the secondment programme. The AC Chair noted that this was a concrete example of how the sponsorship programme could assist the Advisory Committee's Work Programme, while at the same time building capacity within the Agreement.

### **13.5 Outcomes of projects and secondments supported**

- 13.5.1 The AC Chair advised that a report on grant projects and secondments supported in 2013 was provided in [AC8 Inf 01](#) and that a report on progress achieved in projects supported with grants between 2009-2012 was provided in [AC8 Inf 02 Rev 1](#).
- 13.5.2 These reports were noted by the Advisory Committee.
- 13.5.3 Uruguay reported on the finalization of project ACAP 10-11 "Improving data collection on seabird incidental mortality associated with fisheries in South American observer programmes: Part II" with a workshop carried out between 5 and 7 of November 2013 in Piriapolis, Uruguay. Delegates from Argentina, Brazil, Chile, Peru and Uruguay attended the workshop which addressed three main areas: (1) needs for spatial and temporal coverage of sampling, (2) data gathering and onboard protocols for the study of seabird bycatch in fisheries, and (3) outreach and dissemination of information from observer programmes to the fishing sector and the society.

## **14 INDICATORS TO MEASURE THE SUCCESS OF ACAP**

- 14.1 Working Group Convenors reported on progress made in the development of indicators. Results of these considerations can be found in AC8 Doc 11 (Agenda Item 10) for indicators on population status and breeding site condition, and AC8 Doc 12 Rev 1 (Agenda Item 12) for bycatch indicators.
- 14.2 Argentina presented [AC8 Doc 23 Rev 1](#) on the development of performance indicators related to capacity building, showing progress achieved since AC7 with the collaboration of Australia, Brazil, Chile and New Zealand. The document not only further developed indicators but also provided examples of information that Parties could submit for analysis of performance.
- 14.3 The UK thanked Argentina for its excellent work developing possible capacity development indicators, as laid out in AC8 Doc 23 Rev 1. UK noted that whilst the work so far considered indicators related to the process of capacity development, ultimately it is the outcomes that are important and asked if this aspect has been given any consideration by Argentina. UK also noted that ultimately development of outcome-based indicators may prove to be too problematic.
- 14.4 The AC Chair proposed that the indicators could be reshaped following the State – Pressure – Response approach already considered for the development of other indicators. Further intersessional work will be required

for the refinement of such indicators.

- 14.5 A document outlining the suite of indicators on population status and breeding site condition proposed in AC8 Doc 11, along with those related to capacity building will be prepared by the Advisory Committee to be presented to MoP5.

## 15 LISTING OF NEW SPECIES

- 15.1 The Chair introduced [AC8 Doc 24 Rev 2](#) prepared by the Secretariat and the Advisory Committee Officials, proposing criteria to guide the process of listing and delisting species on Annex 1 of the Agreement. Criteria originally tabled were amended following inputs from Working Group reports (see AC8 Doc 11 and AC8 Doc 12 Rev 1) where the value of having established criteria to provide an independent tool to assess the merit of a species being listed relative to other species was agreed.
- 15.2 The Advisory Committee recognized that the criteria should provide a tool when considering species nominations, not preclude the listing of species which have scored less than the cut-off mark (lowest scoring species currently on Annex 1 of the Agreement) if a comprehensive justification can be presented for the listing. It was recognized that there is merit in further developing criteria on delisting species that is primarily based on the listing criteria, noting however that it is not proposed that any of the species currently listed on Annex 1 be considered for removal at this point.
- 15.3 Argentina reflected that delisting species which have improved their conservation status (for example downlisted to Least Concern) would be premature as those species could be a useful reference to analyse whether the reasons for these improvements may have been related to actions taken under ACAP.
- 15.4 In addition to the intersessional review of taxonomy by the TWG proposed at PaCSWG2, the SBWG6 agreed that it would be timely to review the at-sea threats scores, and where appropriate the scores for the 'migratory' criterion (see para 12.1.3 xxx) in 12.1).
- 15.5 Australia indicated that any changes to the taxonomy for albatrosses and petrels listed on Annex 1 to ACAP would necessarily trigger a review of the listing of the affected species. This is because taxonomic changes leading to con-specific outcomes may potentially alter the distribution of listed species potentially affecting one or more Parties, particularly concerning conservation of seabirds within their respective jurisdictions and in managing their respective domestic and distant water fishing fleets.
- 15.6 The Advisory Committee decided to task the TWG with an intersessional review of the taxonomic lists available for Procellariiformes as outlined in AC8 Doc 24 Rev 2 and to advise MoP5 to adopt the proposed criteria to guide the listing of new species.

**16 ELECTION AND APPOINTMENT OF AC OFFICERS**

- 16.1 The AC Chair advised the meeting that none of the Advisory Committee Officials' position were currently vacant. As no requests were received to stand down from any of these positions, no action was taken under this agenda item.

**17 FIFTH MEETING OF PARTIES****17.1 Timing and Venue**

- 17.1.1 The Executive Secretary advised the meeting that the Government of Spain has offered to host the Fifth Meeting of the Parties in Santa Cruz, Tenerife from 4-8 May, 2015.

**17.2 Draft Agenda**

- 17.2.1 The draft agenda for MoP5 ([AC8 Doc 26](#)) was endorsed with the addition of one item concerning the possibility of Non-Party Range States hosting ACAP meetings.

**18 NINTH MEETING OF THE ADVISORY COMMITTEE****18.1 Timing and Venue**

- 18.1.1 The Executive Secretary advised the meeting that no offers had been received yet to host the Ninth Meeting of the Advisory Committee (AC9). He asked Members if they would have any objections, in principle, to a non-Party Range State hosting an ACAP meeting.
- 18.1.2 Several AC Members advised the meeting that they would have to consult with their countries on this issue. It was agreed to place this issue on the agenda for consideration at MoP5.
- 18.1.3 The UK noted that it had no formal position with respect to the issue of non-Party Range States hosting ACAP meetings. However, there may be some merit in this, especially if the Range State concerned was close to acceding to the Agreement. As such, it might complement other elements of ACAP's engagement strategy with non-Party Range States.

**19 OTHER BUSINESS****19.1 Conflicts of Interest and Bias**

- 19.1.1 Australia proposed intersessional work be conducted on developing a procedure concerning conflicts of interest and bias, and how these matters would be managed if they arose during the work of the Advisory Committee and its working groups. Australia noted that the Intergovernmental Panel on

Climate Change had developed a comprehensive mechanism that could be considered during intersessional work. AC endorsed the proposal and indicated it would be appropriate for a paper to be provided to MoP5 to inform Parties about the progress of this work. Australia, New Zealand and Uruguay agreed to work intersessionally as a contact group on this topic.

19.1.2 Australia noted that positive steps are already being taken in the working groups concerning conflicts of interest, but these remained informal. In the interim, as procedures are developed, Australia proposed the Convenor(s) of each Working Group bring the following information concerning conflicts of interest to the attention of the participants in the working group for their consideration and action at the beginning and during the course of the meeting:

1) A conflict of interest may arise in work undertaken under the Agreement. This may happen where an individual has a direct or indirect interest which could impair the individual's impartiality, objectivity or independence in carrying out his or her role and functions under the Agreement. A conflict of interest may be actual or perceived.

2) Any individual with a potential or actual conflict of interest must declare the conflict of interest at the outset of a meeting. The individual may take part in the discussions at that meeting as long as there are no objections, but cannot: (a) for that aspect of the meeting, participate in making of recommendations and related matters; and (b) chair that aspect of the meeting where the conflict of interest arises. These procedural steps provide reassurance that any conflict of interest matter is managed practically, feasibly and effectively.

19.1.3 Uruguay expressed concern about whether an individual with an actual or potential conflict of interest should participate in discussions during the aspect(s) of the working group meeting where a conflict of interest arises. The SBWG Convenor advised there was merit in allowing the individual to engage in the relevant discussions to provide information and answer questions.

19.1.4 Brazil considered that the interim measures do not apply to the Parties or their representatives at ACAP forums.

19.1.5 In agreeing to the interim procedure, the Committee looked forward to the timely implementation of a procedure to manage actual and potential conflicts of interest and bias that may affect the work conducted by the Advisory Committee and its working groups under the Agreement, including the opportunity for reviewing the effectiveness of the interim approach for each working group.

## **19.2 Seabird conservation activities undertaken by the African-Eurasian Waterbird Agreement (AEWA)**

19.2.1 The UK's representative thanked the Chair for allowing him to make a short intervention in his role as the Chair of the Technical Committee (TC) of the

African-Eurasian Waterbird Agreement (AEWA). He noted that AEWA was a CMS Agreement that had been in force since 1999 and currently had 74 Contracting Parties. It provided a comprehensive framework for the conservation, management and sustainable use of migratory waterbirds in the African and west Eurasian continents. It covered an extensive list of species which included a number of seabirds, notably tropicbirds, gannets, frigatebirds, cormorants and a large number of gull, tern and auk species. AEWA was increasingly developing a programme of work related to these species, most recently through a workshop in Namibia coincident with AC8 to develop a multi-species action plan for southern African seabirds. Some of the issues, such as gillnet entanglement and other bycatch issues, were the same as those of concern to ACAP.

- 19.2.2 The UK noted that closer co-operation with ACAP on issues of mutual concern was seen as of increasing value by AEWA, but that should be in a form that was cost-efficient of the limited time and resources of all Parties. The UK's representative offered to develop such links with the AC Chair and Secretariat following AC8. In the first instance, he offered to provide ACAP with a summary of relevant AEWA activity (links and guidelines) that might be of relevance to ACAP activities and would be reporting back to AEWA on some of ACAPs mechanisms – such as its innovative secondment programme where there was scope for AEWA to learn from ACAP experience.

### **19.3 Selection process for Executive Secretary**

- 19.3.1 The Chair advised the meeting that the Executive Secretary had advised ACAP Parties in ACAP Circular 2014-08 of his intention to resign from the position of ACAP Executive Secretary on 31 December 2015. This notice had been provided in advance of AC8 in order to facilitate an efficient recruitment process and to allow Parties an opportunity to discuss the initial steps of the recruitment process at AC8.
- 19.3.2 Dr Marco Favero notified the meeting of his intention to submit an application for this position and that consequently he would not be available to assist in the recruitment process. He also asked Members to indicate if he should leave the meeting at any time where they thought a conflict of interest might occur.
- 19.3.3 The UK advised the meeting that the Vice-chair, Mr Mark Tasker, had offered to assist the recruitment panel. This offer was gratefully accepted by AC Members.
- 19.3.4 Members held consultations in the margins of the meeting about initiating the recruitment process.

### **19.4 Bibliographic references**

- 19.4.1 Argentina presented to AC8 a proposal on the use of bibliographic

references. It informed the meeting that during AC7 Argentina had presented this issue and had announced that it would present a proposal to AC8 (see Annex 11 of [AC7 Report](#)). Such proposal had been supported by several Parties.

- 19.4.2 The issue presented relates to the fact that in meetings of the Agreement documents are often seen using geographic names and other references not necessarily recognised by all Party States.
- 19.4.3 When it comes to references in the body of documents, the Agreement provides procedures that allow the safeguard of respective national positions if such references might prejudice issues beyond scientific aspects. However, when it comes to citing scientific papers in the references section, such citations may contain geographic names not recognized by some of the State Parties, whose inclusion involuntarily prejudice issues that go beyond scientific rigor. For this, there is no agreed solution under the Agreement or its Rules.
- 19.4.4 A solution such as removing the citation to the place name not recognized by some of the State Parties would undermine the scientific rigor of the document, since its drafting has used such literature.
- 19.4.5 In the absence of a specific rule, the Argentinean Delegation submitted for the consideration of the Parties a formula based on publications of the United Nations that could be included as a footnote in the cover page of the documents in question. This would help to ensure the reference to cutting edge scientific documents that provide relevant background to the subject of the Agreement, without any prejudice of the position of the Parties on other issues.
- 19.4.6 The text of the proposal is as follows:  
“The bibliographic and documentary references included in this paper have been made for exclusively scientific purposes and do not imply the expression of any opinion whatsoever on the legal status of any country, territory, city or any area, or of its authorities.”
- 19.4.7 The UK noted that Argentina’s suggestion was unclear in the detail of its application, and that it would be important that Parties were quite clear as to how and when any such new procedure would be applied. Lacking detailed proposals in advance of the meeting the UK considered it was not possible to further consider the proposal at the meeting.
- 19.4.8 Regarding the concerns expressed by the UK, Argentina noted that the presentation of the topic aimed to comply with what had been announced in AC7, indicating that the proposal was presented to the Parties for its consideration and that it will be treated in detail at the next AC Meeting. Therefore, Argentina requested to include this topic in the Provisional Agenda of AC9 (**ANNEX 5**). Argentina and the UK agreed to explore the possibility of working intersessionally on the proposal.

**20 ADOPTION OF THE REPORT**

20.1 The meeting adopted the report of AC8.

**21 CLOSING REMARKS**

21.1 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 are essential for the effective implementation of the Agreement. He extended special thanks to the Secretariat for its assistance.

21.2 Thanks were extended to the Government of Uruguay for hosting the meeting and for providing delegates with a wonderful experience on the field excursion. The interpreters from OnCall, technical staff from Proaudio and the staff from the Barradas Parque Hotel were also thanked for their excellent support, which ensured the smooth functioning of the meeting.

21.3 Uruguay thanked the ACAP Secretariat for accepting its offer to host the meeting and expressed its appreciation to all involved for a successful event.

21.4 The Advisory Committee thanked the Chair for his excellent stewardship during the meeting and strong guidance during the past intersessional period. The Executive Secretary noted in particular the large amount of work the AC Chair has contributed on a voluntary basis to assist the Secretariat.

21.5 Mr Marcelo Garcia (Chile) reflected that this was the Executive Secretary's last Advisory Committee meeting given his retirement at the end of 2015. He therefore wished to especially thank him for his excellent and efficient work and his commitment to the Agreement over the years.

21.6 A number of Parties joined Chile in the sentiments expressed.

**ANNEX 1. LIST OF AC8 MEETING PARTICIPANTS**

AC OFFICIALS	
Chair:	Dr Marco FAVERO
Convenor SBWG:	Dr Anton WOLFAARDT
Convenor PaCSWG:	Dr Richard PHILLIPS

PARTIES	
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**ANNEX 2. LIST OF MEETING DOCUMENTS**

<b>WORKING DOCUMENTS</b>			
<b>Paper</b>	<b>Title</b>	<b>Agenda Item</b>	<b>Submitted by</b>
AC8 Doc 01 Rev 1	Agenda	2	AC Chair, Secretariat
AC8 Doc 02	Annotated Agenda	2	AC Chair, Secretariat
AC8 Doc 03 Rev 1	Schedule	2	AC Chair, Secretariat
AC8 Doc 04 Rev 1	Participant List	2	Secretariat
AC8 Doc 05 Rev 2	List of Documents	2	AC Chair, Secretariat
AC8 Doc 06	Secretariat Report	5.1	Secretariat
AC8 Doc 07	Depositary Report	4	Australia
AC8 Doc 08 Rev 1	2014 Financial Report	6.1	Secretariat
AC8 Doc 09 Rev 1	Agreement Budget 2016-2018	6.2	Secretariat
AC8 Doc 10 Rev 1	Report of Intersessional Committee established by Resolution 4.8	3.1	Intersessional Committee
AC8 Doc 11	Report of Population and Conservation Status Working Group	10.1	PaCSWG Convenors
AC8 Doc 12 Rev 1	Report of Seabird Bycatch Working Group	12.1	SBWG Convenor
AC8 Doc 13	NOT SUBMITTED, see AC8 Report 11.1	11.1	
AC8 Doc 14 Rev 2	Prioritising ACAP Conservation Actions - Update and Report to MoP5	8	Secretariat, PaCSWG, SBWG, AC Chair
AC8 Doc 15	Report on Implementation of the Agreement	8	Secretariat, AC Officials
AC8 Doc 16 Rev 3	Advisory Committee Work Programme 2015	13.1	AC Chair, Vice-chair
AC8 Doc 17 Rev 3	Advisory Committee Work Programme 2016-2018	13.2	AC Vice-chair, Chair
AC8 Doc 18	Advisory Committee Report to MoP5	9	AC Chair, Vice-chair
AC8 Doc 19 Rev 1	Secretariat Work Programme 2015	5.2	Secretariat
AC8 Doc 20 Rev 1	Secretariat Work Programme 2016-2018	5.3	Secretariat

AC8 Doc 21	Agreement Grant Scheme	13.3	Grant Sub-Committee, Secretariat
AC8 Doc 22	Agreement Sponsorship Policy	5.4	Secretariat
AC8 Doc 23 Rev 1	Performance Indicators to measure the success of Agreement	14	Argentina, Australia, Brazil, Chile, New Zealand
AC8 Doc 24 Rev 2	Criteria for listing new species on Annex 1	15	Secretariat, AC Officials
AC8 Doc 25	Agreement Secondment Programme	13.4	Secretariat, AC Officials
AC8 Doc 26	Draft MoP5 Agenda	17.2	AC Chair, Secretariat

### INFORMATION PAPERS

Paper	Title	Agenda Item	Submitted by
AC8 Inf 01	Conservation Projects and Secondments Supported in 2013	13.5	Secretariat
AC8 Inf 02	Outcomes of projects supported in 2009-2012	13.5	Secretariat, AC Officials
AC8 Inf 03	2014 Implementation Report - Argentina	8	Argentina
AC8 Inf 04	2014 Implementation Report - Australia	8	Australia
AC8 Inf 05	2014 Implementation Report - Brazil	8	Brazil
AC8 Inf 06	2014 Implementation Report - Chile	8	Chile
AC8 Inf 07	2014 Implementation Report - Ecuador	8	Ecuador
AC8 Inf 08	Not submitted	8	
AC8 Inf 09	2014 Implementation Report - New Zealand	8	New Zealand
AC8 Inf 10	Not submitted	8	
AC8 Inf 11	2011 Implementation Report - Peru	8	Peru
AC8 Inf 12	2014 Implementation Report - South Africa	8	South Africa
AC8 Inf 13	2014 Implementation Report - Spain	8	Spain
AC8 Inf 14	2014 Implementation Report - UK	8	United Kingdom
AC8 Inf 15	2014 Implementation Report - Uruguay	8	Uruguay
AC8 Inf 16	2014 Report on conservation actions relevant to the Agreement's Action Plan - United States	8	United States
AC8 Inf 17	Contributions for ACAP species conservation in Brazil	8	Projeto Albatroz
AC8 Inf 18	CMS Secretariat Statement to The Eighth Meeting of ACAP's Advisory Committee (AC8). Punta del Este, Uruguay, 15 to 19 September 2014.	7.2	CMS Secretariat

**ANNEX 3. AC8 AGENDA**

<b>AC8 AGENDA</b>	
<b>1. Opening Remarks</b>	
<b>2. Adoption of the Agenda</b>	
<b>3. Rules of Procedure</b>	<ul style="list-style-type: none"> <li>3.1 Report of Intersessional Committee established by Resolution 4.8</li> <li>3.2 Amendments to Rules of Procedure</li> </ul>
<b>4. Report of Depositary</b>	
<b>5. ACAP Secretariat</b>	<ul style="list-style-type: none"> <li>5.1 Activities undertaken in 2013/14 intersessional period</li> <li>5.2 Secretariat Work Programme 2013-2015</li> <li>5.3 Secretariat Work Programme 2016-2018</li> <li>5.4 Agreement's Sponsorship Policy</li> </ul>
<b>6. Agreement's Financial Matters</b>	<ul style="list-style-type: none"> <li>6.1 Financial Report</li> <li>6.2 Agreement Budget 2016-2018</li> </ul>
<b>7. Observer Reports</b>	<ul style="list-style-type: none"> <li>7.1 Reports from ACAP Observers at International Meetings</li> <li>7.2 Reports from Observers to AC8</li> </ul>
<b>8. Report on the Implementation of the Agreement</b>	
<b>9. Advisory Committee Report to the Fifth Meeting of Parties</b>	
<b>10. Conservation and Population Status of Albatrosses and Petrels</b>	<ul style="list-style-type: none"> <li>10.1 Report of the Population and Conservation Status Working Group</li> <li>10.2 Future PaCSWG Work Programme</li> </ul>
<b>11. Taxonomy of Albatrosses and Petrels</b>	<ul style="list-style-type: none"> <li>11.1 Report of the Taxonomy Working Group</li> <li>11.2 Future TWG Work Programme</li> </ul>
<b>12. Seabird Bycatch</b>	<ul style="list-style-type: none"> <li>12.1 Report of the Seabird Bycatch Working Group</li> <li>12.2 Future SBWG Work Programme</li> </ul>
<b>13. Advisory Committee</b>	<ul style="list-style-type: none"> <li>13.1 Advisory Committee Work Programme 2013-2015</li> <li>13.2 Advisory Committee Work Programme 2016-2018</li> <li>13.3 Agreement Grant Scheme</li> </ul>

<p>13.4 Agreement Secondment Programme</p> <p>13.5 Outcomes of projects and secondments supported</p>
<p><b>14. Indicators to Measure the Success of ACAP</b></p>
<p><b>15. Listing of New Species</b></p>
<p><b>16. Election and Appointment of AC Officers</b></p>
<p><b>17. Fifth Meeting of Parties</b></p> <p>17.1 Timing and Venue</p> <p>17.2 Draft Agenda</p>
<p><b>18. Ninth Meeting of the Advisory Committee</b></p> <p>18.1 Timing and Venue</p>
<p><b>19. Other Business</b></p> <p>19.1 Conflict of interest</p> <p>19.2 Seabird conservation activities undertaken by AEWA</p> <p>19.3 Selection process for Executive Secretary</p> <p>19.4 Bibliographic references</p>
<p><b>20. Adoption of Report</b></p>
<p><b>21. Closing Remarks</b></p>

## **ANNEX 4. RULE 20 PROPOSED DRAFT TEXT**

### **Rule 20: Establishment and composition 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 up to 2 Convenors and up to 2 Vice-Convenors from among nationals of an ACAP Party to 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. The Convenor(s) and Vice-Convenor(s) of a working group may be nominated for re-election at the end of their term of office and shall normally not hold office in that working group for more than two consecutive terms.

2. The composition of a working group shall be as follows:

a. Members: Convenor(s), Vice-Convenor(s), Committee Members, Alternate Committee Members and advisors of Committee Members.

b. Experts: individuals with relevant expertise appointed consensually by the Committee or invited by the Convenor(s) to participate in a given working group. Any expert invited by the Convenor(s) shall provide a written summary outlining their relevant expertise that will be forwarded by the Convenor(s) to the Secretariat at least 120 days before the relevant working group meeting and circulated immediately by the Secretariat to the Committee Members. An invited expert shall be allowed to participate in the relevant working group provided no objection from any Committee Member is received within 45 days of the date of the initial notification by the Secretariat. The Committee and Convenor(s) of working groups shall regularly review the participation of appointed and invited experts to ensure that the performance of working groups is adequate to achieve the tasks assigned by the Committee.

3. Observers may attend working group meetings following the procedures described in Rule 3.

**ANNEX 5. DRAFT AC9 AGENDA**

<b>DRAFT AC9 AGENDA</b>	
<b>1. Opening Remarks</b>	
<b>2. Adoption of the Agenda</b>	
<b>3. Rules of Procedure</b>	3.1 Amendments to Rule 20
<b>4. Report of Depositary</b>	
<b>5. ACAP Secretariat</b>	5.1 Activities undertaken in 2015/2016 intersessional period 5.2 Secretariat Work Programme 2016-2018
<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 AC9
<b>8. Report on the Fifth Meeting of Parties</b>	
<b>9. Conservation and Population Status of Albatrosses and Petrels</b>	9.1 Report of the Population and Conservation Status Working Group 9.2 Future PaCSWG Work Programme
<b>10. Taxonomy of Albatrosses and Petrels</b>	10.1 Report of the Taxonomy Working Group 10.2 Future TWG Work Programme
<b>11. Seabird Bycatch</b>	11.1 Report of the Seabird Bycatch Working Group 11.2 Future SBWG Work Programme
<b>12. Advisory Committee</b>	12.1 Advisory Committee Work Programme 2016-2018 12.2 Agreement Grant Scheme 12.3 Agreement Secondment Programme 12.4 Outcomes of projects and secondments supported
<b>13. Indicators to Measure the Success of ACAP</b>	
<b>14. Listing of New Species</b>	
<b>15. Bibliographic References</b>	

<b>16. Election and Appointment of AC Officers</b>
<b>17. Tenth Meeting of the Advisory Committee</b> 17.1 Timing and Venue 17.2 Draft Agenda
<b>18. Sixth Meeting of Parties</b> 18.1 Timing and Venue
<b>19. Other Business</b>
<b>20. Adoption of Report</b>
<b>21. Closing Remarks</b>

## **ANNEX 6. PROPOSED DRAFT SPONSORSHIP POLICY**

### **2. PROPOSED PROCEDURE FOR SPONSORSHIP OF DELEGATES**

The following criteria and process shall apply in regard to the selection of delegates to be sponsored to attend ACAP meetings:

#### **2.1 Criteria**

The following criteria must be met for the sponsorship of delegates to ACAP meetings:

1. A lack of travel funds would otherwise prevent the participation or an adequate level of representation of a developing country<sup>1</sup> Party in an ACAP meeting;
2. [The Party has submitted their annual report on time for that year;]
3. The Party has used properly sponsorship funds provided previously. If a Party cancels their attendance to a meeting for which they have received financial support and the Secretariat is unable to recover the travel costs, the Party will be ineligible to apply for sponsorship for the next ACAP meeting, unless they reimburse the Agreement for the amount lost. This requirement will not apply if there were exceptional circumstances preventing the Party's participation; and
4. An application for sponsorship is received on the approved application form, within the time-frame specified by the sponsorship policy.

#### **2.2 Application**

1. The Secretariat will write to National Contact Points 120 days in advance of an ACAP meeting seeking requests for sponsorship. The Secretariat will advise Parties of the approximate number of delegates likely to be supported with the level of funds available;
2. Parties requiring sponsorship support will submit an application in accordance with Annex A to the Secretariat at least 60 days before the start of the meeting.
3. The Secretariat will advise Parties of the level of sponsorship available at least 50 days before the start of the meeting.
4. Subject to funding being available, the Secretariat will organise the most cost effective airfares and accommodation for the delegate, and organise the payment of a per diem consistent with the United Nations allowance scheme. Where funding is insufficient to meet all costs, the Party can advise the Secretariat of their preferences for the use of the funds e.g. an airfare in preference to a per diem.
5. The delegate being sponsored will provide the Secretariat with a copy of their passport (personal details page only) and their preferred itinerary, at least 45 days before the start of the meeting.

#### **2.3 Selection**

1. The Executive Secretary will review all applications received for the sponsorship of delegates to ensure that they meet the selection criteria;
2. Taking into account the level of funding available to support the sponsorship of delegates, the Executive Secretary and the Chair of the Advisory Committee will allocate support to the applications meeting the selection criteria;

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<sup>1</sup> As defined by the United Nations.

3. Where funding is insufficient to meet all requests that are in accordance with the aforementioned criteria, support will be provided in the order applications are received by the Secretariat after the official communication of the Secretariat that sponsorship is available.

### **3. PROPOSED PROCEDURE FOR THE SPONSORSHIP OF EXPERTS**

The following criteria and process shall apply in regard to the selection of experts to be sponsored to attend ACAP meetings:

#### **3.1 Criteria**

1. The AC Chair and Convenors of the relevant Working Group(s) consider the person's expertise would best aid the work of that meeting in achieving a successful outcome.
2. [The AC Chair and Convenors of the relevant Working Group(s) will also consider cost effectiveness of sponsorship by considering whether experts are working in the region where the relevant Working Group meeting(s) will be held.]
2. bis [The AC Chair and Convenors of the relevant Working Groups(s) will take into account geographical representation in the composition of the Working Groups.]
3. Efforts will be made to support all required experts that need assistance, paying particular attention to available expertise in developing countries.

#### **3.2 Application**

1. The Secretariat will write to the relevant Convenors of Working Groups (for relevant WG meetings) and the Chair of the Advisory Committee at least 90 days in advance of the WG meetings, seeking requests for sponsorship of experts.
2. The Convenors/Chair will advise the Secretariat of the name of the expert requiring support at least 80 days before the start of the relevant meeting, together with a justification for their inclusion, based on the above-mentioned selection criteria.
3. The expert(s) being sponsored will provide the Secretariat with a copy of their passport (personal details page only) and their preferred itinerary, at least 75 days before the start of the meeting.
4. Subject to funding being available, the Secretariat will organise the most cost effective airfares and accommodation for the expert(s), and organise the payment of a per diem consistent with the United Nations allowance scheme. Where funding is insufficient to meet all costs, the expert(s) can advise the Secretariat of their preferences for the use of the funds e.g. an airfare in preference to a per diem.

#### **3.3 Selection**

1. The Grants sub-committee will jointly review the candidates identified to ensure that they meet the selection criteria and that their participation is cost-effective, taking into consideration the availability of regional expertise;
2. Where funding is insufficient to support all of the experts, funding will be allocated on a highest priority basis i.e. where the provision of the expertise is most critical to achieving a successful outcome to the meeting concerned.

## **ANNEX 7. JOINT OPENING STATEMENT - ACAP AC8 SEPTEMBER 2014 - HUMANE SOCIETY INTERNATIONAL AUSTRALIA AND AMERICAN BIRD CONSERVANCY**

Humane Society International Australia (HSI) and American Bird Conservancy (ABC) appreciate the opportunity provided by the ACAP Parties to participate as an Observer at AC8, and would also like to thank this year's meeting host country, Uruguay.

This is the fourth consecutive ACAP meeting that HSI has attended and the second for ABC, and we continue to be concerned about the bycatch of ACAP-listed seabird species in fisheries. We attend ACAP meetings to exchange information and to accelerate the widespread implementation of effective mitigation measures. In particular we wish to highlight the following issues:

- We urge Parties to make mandatory the appropriate line weighting requirements for seabird bycatch mitigation in all longline fisheries, irrespective of additional mitigation measures that may be recommended. Evidence to assist Members in supporting such action can be found in meeting documents 12 & 13 of SBWG6.
- A gulf exists between the recent adoption by virtually all tuna RFMO's of effective mitigation measures on paper and the lack of demonstrated uptake and proven at-sea performance of these measures. This shortfall must be addressed.
- Incorporating certain features into the construction of new ships can solve many bycatch problems in both trawl and longline fisheries, but this is a neglected aspect of bycatch mitigation efforts.
- Finally, we are concerned by the insufficient attention given to trawl fisheries that also cause extensive seabird mortality, so we welcome the submission to this meeting of specific papers such as SBWG Info 04 & 06 that focus on this threat.

We commend ACAP Parties for their input into these important issues and urge relevant non-Parties such as the United States to accelerate steps to join the Agreement.

## ANNEX 8. ARGENTINA NOTE

*"2014 – Año de Homenaje al Almirante Guillermo Brown, en el Bicentenario del Combate Naval de Montevideo".*



*Ministerio de Relaciones Exteriores y Culto*

N°            / 2014  
LETRA: DIGMA

Buenos Aires, 15 de septiembre de 2014

SEÑOR SECRETARIO:

La Delegación Argentina a la Octava Reunión del Comité Asesor del Acuerdo sobre la Conservación de Albatros y Petreles (ACAP) presenta sus atentos saludos a la Secretaría del Acuerdo y con relación al documento presentado por el Reino Unido AC8 Inf. 14, se recuerda que la República Argentina al ratificar el Acuerdo sobre Albatros y Petreles rechazó la pretendida extensión territorial del mismo efectuada por el Reino Unido a las Islas Malvinas, Georgias del Sur y Sandwich del Sur, por constituir dichos archipiélagos parte integrante del territorio nacional argentino.

Asimismo, en dicha oportunidad, la República Argentina declaró que sin perjuicio de lo dispuesto en el Artículo IV del Tratado Antártico, rechazaba igualmente la extensión del acuerdo al llamado "Territorio Antártico Británico", y reafirmaba sus legítimos derechos de soberanía sobre el Sector Antártico Argentino, comprendido entre los meridianos 25 y 74 grados de longitud Oeste y el paralelo de 60 grados de latitud sur y el Polo Sur, el cual es parte integrante del territorio nacional argentino. ...///

AL SEÑOR SECRETARIO EJECUTIVO  
DEL ACUERDO PARA LA CONSERVACIÓN  
DE ALBATROS Y PETRELES (ACAP)  
MR. WARREN PAPWORTH  
27 SALAMANCA SQUARE, BATTERY POINT 7004, TASMANIA, AUSTRALIA

"2014 – Año de Homenaje al Almirante Guillermo Brown, en el Bicentenario del Combate Naval de Montevideo".



Ministerio de Relaciones Exteriores y Culto

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El Gobierno argentino rechaza las referencias a pretendidas autoridades de las Islas Malvinas, Georgias del Sur y Sandwich del Sur y que se presente a los mencionados archipiélagos detentando un status internacional que no poseen, así como a un pretendido "Territorio Antártico Británico".

La presencia británica en dichos archipiélagos y sus espacios marítimos circundantes constituye una ocupación ilegítima y es rechazada por la República Argentina, al igual que cualquier acto unilateral emanado de aquélla.

El Gobierno argentino también rechaza toda referencia a los mencionados archipiélagos, y los sitios geográficos en ellos contenidos, con una toponimia que la Argentina no reconoce.

La República Argentina, sin perjuicio de lo dispuesto en el Artículo IV del Tratado Antártico, rechaza igualmente la extensión del acuerdo al llamado "Territorio Antártico Británico".

La República Argentina reafirma sus derechos de soberanía sobre las Islas Malvinas, Georgias del Sur y Sandwich del Sur y los espacios marítimos circundantes, que son parte integrante del territorio nacional argentino y que, estando ilegítimamente ocupadas por el Reino Unido, las mismas son objeto de una disputa de soberanía entre ambos países, la cual ha sido reconocida por las Naciones Unidas. Asimismo, reafirma sus derechos de soberanía sobre el Sector Antártico Argentino, área comprendida entre los meridianos 25° y 74° de longitud Oeste y el paralelo 60° de latitud Sur y el Polo Sur.

La Delegación Argentina a la Octava Reunión del Comité Asesor del Acuerdo sobre la Conservación de Albatros y Petreles (ACAP) reitera a la Secretaría del Acuerdo las expresiones de su consideración más distinguida.

**ANNEX 9. UK RESPONSE TO NOTE FROM ARGENTINA CONCERNING DOCUMENT AC8 INF 14**

The UK Delegation to the eighth Meeting of the Advisory Committee for Agreement on the Conservation of Albatrosses and Petrels (ACAP) presents its compliments to the Agreement Secretariat. The United Kingdom has no doubt about its sovereignty over the Falkland Islands and South Georgia & the South Sandwich Islands and the surrounding maritime areas of both Territories.

The Republic of Argentina continues to extend the geographical area to which it seeks to raise a dispute to include South Georgia & the South Sandwich Islands (SGSSI). The United Nations has never issued any resolutions referencing a sovereignty dispute over SGSSI. The Government of the United Kingdom and Northern Ireland attaches great importance to the principle of self-determination as set out in Article 1.2 of the Charter of the United Nations and Article 1 of the International Covenant on Civil and Political Rights. That fundamental principle underlies our position on the Falkland Islands – it is a universal right for all peoples. There can be no negotiations on the sovereignty of the Falkland Islands unless and until such time as the Islanders so wish. The recent result of the Falkland Islands referendum on their political status has clearly expressed to the international community the wishes of the people who live there to maintain their relationship with the United Kingdom as a British Overseas Territory.

The democratically elected representatives of the Falkland Islands continue to express their own views at the United Nations, most recently immediately following the referendum result in March 2013. At a session of the UN Decolonisation Committee in June 2014 they asked the Committee to recognise that they, like any other people, were entitled to exercise the right of self-determination. They reiterated the historical facts that the Falkland Islands had no indigenous people, and that rather than representing an ‘illegal occupation’ no civilian population was removed prior to the decedents of the current population settling on the islands over nine generations ago. They confirmed that they are and have been the only people of the Falkland Islands and they did not wish for any change in their status.

Furthermore, the United Kingdom rejects any use or application of toponymy other than that applied to the Falkland Islands by the people and Government of the Falkland Islands, and to South Georgia & the South Sandwich Islands other than that applied by the Government of South Georgia & the South Sandwich Islands.

The United Kingdom reaffirms its commitment to the Antarctic Treaty. In that regard, the United Kingdom has no doubt about its sovereignty over the British Antarctic Territory and in this context draws attention to Article IV of the Antarctic Treaty to which both the United Kingdom and Argentina are Parties.