



Agreement on the Conservation of Albatrosses and Petrels

Second Meeting of Advisory Committee

Brasilia, Brazil, 5 – 8 June 2006

Incidental Mortality in Fisheries

**Opportunities for ACAP in making progress in the
conservation of albatrosses and petrels through
Regional Fisheries Management Organisations**

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**Prepared for Second Meeting of the ACAP Advisory Committee
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1. Overview

Regional Fisheries Management Organisations (RFMOs¹) have a central role to play in the conservation of albatross and petrel species, managing a number of the fisheries that are known - or likely - to result in the killing of substantial numbers of albatrosses and petrels each year.

Of the top five RFMOs in terms of the overlap between their areas and albatross and petrel distribution, the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) has demonstrated the scale of achievement that is possible through RFMOs, having reduced incidental mortality (bycatch) of albatrosses and petrels in its regulated fisheries by over 90%. The Commission for the Conservation of Southern Bluefin Tuna (CCSBT) requires vessels to use a streamer (tori) line south of 30°S, but has collected few data on the compliance with, or effectiveness of, this measure. The Western and Central Pacific Fisheries Commission (WCPFC), International Commission for the Conservation of Atlantic Tunas (ICCAT) and Indian Ocean Tuna Commission (IOTC) have no mandatory requirements for seabird bycatch mitigation measures or collection of bycatch data, although all have recently made some progress in addressing bycatch issues.

This paper presents a summary of recent developments in the key RFMOs, and suggests actions by which ACAP could encourage RFMOs to proactively and effectively address the issue of seabird bycatch in fisheries within their competence.

Key actions for consideration include:

- Include bycatch experts within delegations to meetings of the RFMO scientific committees and bycatch working groups
- Collect, and present to RFMOs, data on seabird bycatch, data on albatross and petrel distribution and overlap with fishing effort
- Develop outlines of what the RFMO seabird assessments, planned by ICCAT, IATTC and IOTC, should consist of, including, as appropriate, basing these frameworks on the FAO IPOA-Seabirds, and submit these to the RFMO meetings.
- Provide resources for implementation of these RFMO seabird assessments
- Develop/support proposals for strengthening RFMO observer programs to include mandatory collection of bycatch data and data on mitigation measures, standardised methodologies for collecting data, centralised collection of data by the RFMO Secretariats, and development of regional observer programs. The CCAMLR experience has demonstrated how essential independent regional programs are to achieving effective reductions in bycatch levels.
- Propose use of improved mitigation measures on longline vessels in areas of seabird bycatch
- Develop RFMO indicators and targets for observer data and seabird bycatch reduction
- Propose/support methods for monitoring compliance with bycatch mitigation measures
- In addition, while it is beyond the scope of this paper to discuss measures to reduce IUU fishing, measures proposed/supported by ACAP members to strengthen RFMO capacity in this regard are also likely to have benefits in reducing mortality of albatrosses and petrels

The ACAP Advisory Committee is invited to:

- **Consider the recommendations in this paper**
- **Identify priorities for action by ACAP and ACAP members**

¹ See appendix for a key to the acronyms used in the text

2. Background

2.1 Key RFMOs in relation to albatross and petrel distribution

BirdLife International has coordinated the establishment of the Global Procellariiform Tracking Database, which contains over 90% of the world's existing tracking data for albatrosses and petrels (BirdLife International, 2004).

Analysis of albatross breeding data across RFMO areas (Table 1) has identified the following top five RFMOs in terms of the overlap between the areas under their jurisdiction and albatross distribution: CCSBT, WCPFC, IOTC, ICCAT and CCAMLR. For the petrels in the database (giant petrels, Westland Petrel and White-chinned Petrel), important RFMOs include ICCAT, CCAMLR and CCSBT.

Other RFMOs whose areas are important for particular albatross species include the South-east Atlantic Fisheries Organisation (SEAFO), the Inter-American Tropical Tuna Commission (IATTC), the new RFMO planned under the Southern Indian Ocean Fisheries Agreement (SIOFA), and the new RFMO proposed for the South Pacific. Fisheries managed by these RFMOs may have considerable local and regional significance for albatross and petrel populations (Small, 2005).

Table 1. Distribution of breeding albatrosses and petrels within RFMOs: top five RFMOs

RFMO	Ocean	Global distribution of breeding albatrosses & petrels (%)	ACAP parties, Signatories and cooperating non-members which are members of the RFMO
CCSBT	Between 30-50°S, all oceans	67 %	Australia, New Zealand
WCPFC	Western and Central Pacific	46 %	Australia, France, New Zealand, Spain and UK as part of EC (also USA is signatory to WCPFC)
IOTC	Indian	21 %	Australia, France, South Africa, Spain (as part of EC), UK
ICCAT	Atlantic	17 %	Brazil, France, Namibia, Norway, South Africa, Spain (as part of EC), UK, USA
CCAMLR	Southern	16 %	Argentina, Australia, Brazil, Chile, France, Namibia, New Zealand, Norway, South Africa, Spain, UK, USA (also Peru is signatory to CCAMLR)

2.2. Actions taken by RFMOs to reduce seabird bycatch

Table 2 provides a summary of the performance of six key RFMOs in relation to five important factors.

Currently, only CCAMLR has implemented a comprehensive set of measures to reduce seabird bycatch within its fisheries. In 1997, CCSBT established a requirement for vessels to use a streamer (tori) line south of 30°S but the overall effectiveness of, and compliance with, this measure is unknown or has not been made public. IOTC, ICCAT and WCPFC do not yet have requirements for seabird bycatch mitigation measures, although WCPFC only became active in December 2004.

In addition, while WCPFC has made a commitment to establishing a regional observer program with independent observers, CCSBT, ICCAT and IOTC currently have no such requirements. CCAMLR's experience has demonstrated the importance of data being collected by observers who are independent of fishing operations, in order for these data to be credible.

However, there have been positive developments in recent years, presenting opportunities for action by ACAP and ACAP members (RFMO membership listed in Table 3).

Table 2. Summary of RFMO performance for five essential elements for bycatch reduction

	CCSBT	WCPFC	IOTC	ICCAT	CCAMLR	IATTC
1. Commitment to minimising bycatch	Convention includes role of collecting data on non-target species. On its website, CCSBT also states that one of its functions is to foster activities towards conservation of Ecologically Related Species (ERS)	Convention includes commitment to conserve associated/non-target/dependent species	No mention in convention, but role of Bycatch WG includes recommending measures to reduce bycatch. Member States have also instructed Secretariat to collate bycatch data.	Has interpreted convention to include collecting data on sharks and other fish caught within ICCAT fisheries. ICCAT has encouraged members to minimise bycatch including seabirds. Role of the new Ecosystem Working Group includes research on impact of ICCAT fisheries on seabirds	The convention covers all living marine species (excluding seals south of 60°S and whales, which are covered by other conventions). The conservation of non-target species is a central part of CCAMLR's convention	The Antigua Convention (not yet in force) includes a commitment to avoiding/minimising catch of non-target species. In addition, most IATTC members are members of AIDCP, which includes a commitment to reducing bycatch. IATTC has an annual Bycatch Resolution.
2. Bycatch Working Group (WG)	ERSWG meets every 2 years (4 days), although in 2006 it agreed to meet annually to facilitate action. Seabird bycatch is one of the main topics under discussion. However, in 2005, the CCSBT Commission meeting expressed concerns about the effectiveness of ERSWG.	Ecosystem and Bycatch Working Group will meet annually. First met in 2005 (1 day). Technical & Compliance Committee also addresses seabird bycatch issues.	Bycatch Working Group held first meeting July 2005 (1 day). Second meeting July 2006 (2 days)	In 2005, ICCAT Sub-Committees on Bycatch and Environment were combined to form Ecosystem Working Group. Will meet annually.	Working Group on Incidental Mortality Associated with Fishing (IMAF) meets every year (8 days)	International Dolphin Conservation Program (IDCP) meets every year. Bycatch WG meets every 2 years. Stock Assessment Group also addresses bycatch issues.
3. Onboard observer program	Requests 10% coverage by national programs. Has observer program standards but collection of seabird bycatch data is voluntary, and data not collected by all members/cooperating non-members. Bycatch data not yet centralised (members submit national reports).	Plans regional independent program (% coverage not yet established. Currently low coverage by observer programs in area)	Has encouraged members to conduct observer programs and collect discard data, but programs are not mandatory. Draft observer standards suggest national, not regional, programs. In 1998, Members agreed to collect data on non-target species, but this was not formalised in a Resolution.	Has encouraged members to conduct observer programs, and to collect data on seabird, turtle and shark bycatch, but programs are not mandatory. Has not yet set observer program standards.	Mandatory regional observer program using independent observers. Data collected centrally. Bycatch data given similar high priority to fish data.	Regional observer program for large purse seine vessels. 50% observers are independent. Cetacean and turtle data a priority. No program yet for longline vessels (c. 10% catch) or small purse seines.
4. Seabird bycatch mitigation measures	Requires a single streamer line south of 30°S. CCSBT members have conducted seabird bycatch research.	Parties required to implement IPOA-Seabirds where possible.	No mandatory measures. Parties encouraged to implement IPOA-Seabirds	No mandatory measures. Parties encouraged to implement IPOA-Seabirds.	Comprehensive set of mandatory measures. Reduced seabird bycatch in legal fisheries by > 90%	No mandatory measures. Parties encouraged to implement IPOA-Seabirds.
5. Education & outreach	Part of role of ERSWG. Has produced pamphlets on seabirds & sharks in four languages.	None	None	None	Has produced brochures on seabird bycatch and seabird ID in four languages.	Training program for captains on avoiding bycatch and minimising mortality of dolphins and turtles.

Table 3. ACAP Parties, Signatories and cooperating non-signatories, and their membership in RFMOs

State	ACAP	CCAMLR	CCSBT	WCPFC	IOTC	ICCAT	SEAFO	IATTC
Australia	R	M	M	M	M			
Ecuador	R							M
France	R	M		M	M	M ²		M
New Zealand	R	M	M	M				
Peru	R	S						M
South Africa	R	M			C	M	S	
Spain	R	M						M
UK	R	M		? ³	M	M ⁴	S ⁵	
Argentina	S	M						
Brazil	S	M				M		
Chile	S	M						
Namibia	C	M				M	M	
Norway	C	M				M	M	
USA	C	M		C		M	S	M
EC		M		M	M	M	M	C

Key: R = ratified/acceded/approved, S = signatory, M = member, C = cooperating non-member.

CCAMLR: Commission for the Conservation of Antarctic Marine Living Resources

CCSBT: Commission for the Conservation of Southern Bluefin Tuna

WCPFC: Western and Central Pacific Fisheries Commission

IOTC: Indian Ocean Tuna Commission

ICCAT: International Commission for the Conservation of Atlantic Tunas

SEAFO: South East Atlantic Fishery Organisations

IATTC: Inter-American Tropical Tuna Commission

² On behalf of St Pierre & Miquelon

³ The UK participated in the Multilateral High-Level Conference on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific on behalf of Pitcairn, Henderson, Ducie and Oeno Islands

⁴ On behalf of UK Overseas Territories

⁵ On behalf of St. Helena and its dependencies, Tristan da Cunha and Ascension Island

3. Key needs, actions and opportunities for consideration by ACAP

3.1. ICCAT

Background

ICCAT is one of the top five RFMOs in terms of albatross distribution and is particularly important for Atlantic Yellow-nosed, Black-browed, Tristan and Grey-headed Albatross, and Spectacled Petrel. Some of the most severe declines in albatross populations are found within the South Atlantic. Longline fishing effort has averaged around 400 million hooks per year in the last 5 years, comprising around 30% of total ICCAT catch. Fishing effort south of 30°S has been 30-40 million hooks (rising to 50 million hooks if the areas up to 20°S are included offshore from Brazil and South Africa). The majority of the fishing effort below 30°S is conducted by Taiwan and Japan, and extends as far south as 45°S. ICCAT passed a Seabird Resolution in 2002 which requests its Scientific Committee to conduct an assessment of the impact of ICCAT fisheries on seabird populations, when feasible and appropriate. ICCAT currently has no requirements for use of mitigation measures in its fisheries.

ACAP Parties, Signatories and cooperating non-signatories

Brazil, France, Namibia, Norway, South Africa, Spain (as part of EC), UK, USA.

Recent developments in ICCAT

- The Sub-committees on Environment and Bycatch have been merged to form the 'Ecosystem Working Group'.
- Dr Jerry Scott (USA) has taken over as Chair of the Scientific Committee (former Chair of the ICCAT Bycatch Sub-Committee in 2004, 2005). The USA is also currently Chair of the ICCAT Commission (Dr Bill Hogarth).
- The USA is leading on sections on seabirds and turtles within the ICCAT field manual
- BirdLife International attended the meeting of the Bycatch Working Group and Scientific Committee (SCRS) in 2005 and presented a paper on the overlap between albatross and petrel distribution and ICCAT longline fishing effort
- In 2005, the Bycatch Sub-Committee repeated its recommendations of 2003 and 2004 that ICCAT hire a Bycatch Coordinator, that Members include seabird experts in delegations, that observer programs should be enhanced. The Bycatch Sub-Committee also added a new recommendation that Members use mitigation measures which have been demonstrated to reduce bycatch of sharks, turtles and seabirds, and that they conduct further research into such measures. The SCRS endorsed these recommendations. The meeting report included "Collaborative work between ICCAT scientists familiar with the tuna fisheries and seabird experts will likely be the most efficient means to address these priority issues."

Key short-term actions for consideration by ACAP members

- ACAP members to include seabird experts within national delegations to scientific meetings (Bycatch Sub-Committee has recommended this in 2003, 2004, 2005).
- ACAP member(s) to propose an outline/format for the ICCAT assessment of impact of fisheries on seabird populations (ICCAT Seabird Resolution 2002)
- ACAP members to support the implementation of this seabird assessment, including establishing a timetable for progress, and providing resources for the analysis needed to produce the assessment
- Support the request from the ICCAT Scientific Committee that the ICCAT Commission establish a Bycatch Coordinator post in the ICCAT Secretariat (Bycatch Sub-Committee recommended this in 2003, 2004, 2005)

- Propose/support work to establish requirements and standards for observer program data collection, including mandatory collection of data on bycatch rates and mitigation measures, and centralised collection of these data by ICCAT, and targets for % coverage of observer programs, with progress towards a regional observer program.
- Propose/support recommendations from the Ecosystem Working Group and Scientific Committee to the ICCAT Commission on the use of seabird bycatch mitigation measures
- Revise ICCAT seabird resolution. For example, this revision could be based on the WCPFC seabird resolution in 2005 (the WCPFC resolution requires – rather than encourages - members to implement an NPOA-Seabirds. Also includes commitment to review mitigation measures in 2006, including ones used within CCAMLR).
- Establish targets (indicators) for seabird bycatch reduction
- ACAP members in the EC (UK, France and Spain): consider (and coordinate on) options for seeking EC support for ACAP objectives (input at EC coordination meetings)
- ACAP members to collect seabird bycatch data in their ICCAT fisheries (using standardised methodology if possible) and to collate these data (e.g. informing ACAP as well as ICCAT)

Long term goals

- Update ICCAT's convention to bring it into line with UN Fish Stocks Agreement, including expansion of mandate to include the conservation of non-target, associated and dependent species
- Establish a regional observer program which uses independent observers, and includes mandatory collection of data on bycatch of non-target species, including seabirds.
- Implement requirements for seabird bycatch mitigation measures as/where necessary, establish indicators and targets for seabird bycatch reduction, and establish systems to monitor compliance with and effectiveness of the mitigation measures.

Upcoming meetings

- Working Groups (including Ecosystem WG), 25 –29 September 2006, Madrid
- Scientific Committee (SCRS) meeting, 2-6 October 2006, Madrid
- Commission meeting, 20-26 November 2006, Dubrovnik, Croatia

3.2. IOTC

Background

The Southwest Indian Ocean is an important area for albatrosses and petrels, including those from the French Territories of Iles Crozet and Iles Kerguelen, and from the Prince Edward Islands (South Africa), as well as for non-breeding distributions including Black-browed, Grey-headed, Wandering and Shy Albatross. Longline fishing effort has averaged around 400 million hooks per year in recent years, comprising around 25% of total IOTC catch. Fishing effort south of 30°S is around 80-100 million hooks. The main IOTC fishing effort in the areas overlapping with albatrosses is conducted by Taiwan and Japan, and extends as far south as 50°S. Seabird bycatch data are collected by South Africa within the South African EEZ, but there are currently few other observer programs in the region, and few data on seabird bycatch. IOTC passed a seabird resolution in 2005 which requests its Scientific Committee to conduct an assessment of the impact of IOTC fisheries on seabird populations, when feasible and appropriate. The IOTC currently has no requirements for use of mitigation measures in its fisheries.

ACAP Parties, Signatories and cooperating non-signatories

Australia, France, South Africa, Spain (as part of EC), UK

Recent developments in IOTC

- Bycatch Working Group is now active
- In 2005, Tom Nishida (Japan) developed draft guidelines for IOTC observer programs. These recommend that programs are national, not regional.
- Korea, China and Taiwan have all recently started observer programs (IOTC Scientific Committee report 2005), though level of coverage is still low.
- BirdLife attended the first meeting of the IOTC Bycatch Working Group and presented a paper on the overlap between albatross and petrel distribution and IOTC longline fishing effort. South Africa and BirdLife South Africa presented data on seabird bycatch from the South African observer program

Key short term actions for consideration by ACAP members

- Participation by ACAP members in the new IOTC Bycatch Working Group
- Members to include seabird experts within national delegations to scientific meetings (Bycatch Working Group recommended this in 2005).
- Recommend that the Bycatch Working Group continues to meet annually.
- ACAP member(s) to propose an outline/format for the IOTC assessment of impact of fisheries on seabird populations (seabird assessment proposed in IOTC Seabird Resolution 2005)
- ACAP members to support the implementation of this seabird assessment, including establishing a timetable for progress, and providing resources for the analysis needed to produce the assessment
- Propose/support amendment of Japan's draft observer standards, including strengthened requirements for recording bycatch and centralised collection of these bycatch data by IOTC, and a regional (not national) observer program
- Propose/support the development of recommendations by the Bycatch Working Group and Scientific Committee to the Commission on effective measures for reducing seabird incidental mortality.
- Establish targets (indicators) for seabird bycatch reduction
- ACAP members in the EC (UK, France and Spain): consider (and coordinate on) options for seeking EC support for ACAP objectives (input at EC coordination meetings)
- ACAP members to collect data on seabird bycatch and mitigation measures in their IOTC fisheries (using standardised methodology if possible) and to collate these data (e.g. informing ACAP as well as IOTC)
- When appropriate, propose/support revision of IOTC seabird resolution. For example, this revision could be based on the WCPFC seabird resolution in 2005 (the WCPFC resolution requires – rather than encourages - members to implement an NPOA-Seabirds, rather than encourages. The WCPFC resolution also includes a commitment to reviewing mitigation measures in 2006, including ones used within CCAMLR).

Long term goals

- Update IOTC's Convention to bring it in to line with UN Fish Stocks Agreement, including expansion of mandate to include the conservation of non-target, associated and dependent species
- Establish a regional observer program which uses independent observers, collects data centrally, and which includes mandatory collection of data on bycatch of non-target species, including seabirds. Pending establishment of a regional program, set requirements for % coverage of national observer programs

- Implement requirements for seabird bycatch mitigation measures as/where necessary, establish indicators and targets for seabird bycatch reduction, and establish systems to monitor compliance with and effectiveness of the mitigation measures.

Upcoming meetings

- Second meeting of the IOTC Bycatch Working Party 29 July-1 August, Seychelles
- IOTC Scientific Committee meeting 2006 (date and venue to be advised)

3.3. CCSBT

Background

Of the RFMOs, CCSBT's longline fishing effort has the highest degree of overlap with albatross and petrel distribution. The CCSBT area is defined by those areas in which Southern Bluefin Tuna (SBT) are caught. Longline fishing effort has amounted to around 110 million hooks per year in recent years (1999-2003), concentrated between 30-50°S in the Southern Indian Ocean, below South Africa and off South East Australia. The principal longline fleets fishing are from Japan and Taiwan. Since 1997, CCSBT has required vessels to use streamer (tori) lines south of 30°S, but CCSBT has not implemented monitoring of the effectiveness of, or compliance with, this measure, although this role was envisaged in CCSBT's first recommendation on seabird bycatch in 1997 (Third CCSBT Commission meeting, part 2).

ACAP Parties, Signatories and cooperating non-signatories

Australia, New Zealand

Recent developments in CCSBT

- The CCSBT Commission meeting in 2005 expressed concern over the effectiveness of the Ecologically Related Species Working Group (ERSWG) and noted that if management advice was not forthcoming from the ERSWG, then consideration would need to be given to whether it would be better to discuss ERS issues as part of annual meetings of the extended Commission.
- ACAP attended the sixth meeting of the ERSWG in February 2006 as an observer
- BirdLife submitted a paper to the meeting of the ERSWG 6, highlighting the overlap between albatross and petrel distribution and CCSBT longline fishing effort.
- The meeting failed to adopt three draft recommendations, concerning seabird bycatch, conservation of sharks and data collection that had been tabled by two Members. The Working Group agreed to reconvene in a year's time in order to finalise the recommendations. It appears unlikely that this will be achieved unless there is a substantial change of policy by some Parties.
- An issue that will also need to be resolved is whether CCSBT can adopt binding resolutions on ecologically related species. One Member (Japan) believes that the Working Group cannot do this, and the matter will need to be resolved by the extended Commission when it next meets.
- CCSBT has committed itself to making significant cuts in SBT quota in 2007. This could lead to reduced interactions with seabirds through reduced effort, although effort may be directed by Members to other tuna species
- CCSBT has approached CCAMLR regarding fishing for SBT within the CCAMLR Convention Area.

Key short term actions for consideration by ACAP members

- ACAP and ACAP members to propose/support assessment of the scale of overall seabird mortality within CCSBT fisheries, and the effectiveness of current measures (as envisaged in the recommendation from CCSBT Third Commission meeting part 2). This could also use a risk assessment approach. The assessment could be undertaken through collaboration between ACAP and BirdLife International, making use of information from the Global Procellariiform Tracking Database
- ACAP to express support for strengthening CCSBT observer program requirements, to include mandatory collection of data on bycatch and mitigation measures, central collation and analysis of these data by the CCSBT Secretariat, and use of independent observers (Requests to strengthen CCSBT observer program have been made by Australia and New Zealand). So far, national observer data has not been effective in leading to reduced bycatch levels in CCSBT.
- ACAP to encourage Members attending the next ERSWG meeting (likely early in 2007) to finalise a seabird recommendation that establishes a bycatch reduction target which could be used to measure progress in reducing incidental seabird mortality.

Long term goals

- Assess compliance with and effectiveness of CCSBT's current requirement for the use of a streamer (tori) line, and consider extending this requirement into more northerly waters if warranted.
- Standardise (or, at minimum, require reporting on) methodology for collecting seabird bycatch data
- Progress to a regional observer program
- More effective operation of ERSWG including making recommendations to CCSBT Commission on bycatch mitigation measures (as requested by CCSBT Commission meeting Nov 2005)
- Supplement, as necessary, the requirement for a single streamer line with requirements for implementation of additional mitigation measures e.g. paired streamer lines, snood weighting, dyed baits, etc.
- When appropriate, ensure that seabird bycatch mitigation measures are part of a strengthened program for Monitoring, Control and Surveillance.

Upcoming meetings

- CCSBT Special Commission meeting 18-19 July 2006, Canberra, Australia
- CCSBT Scientific Committee 12-15 September 2006, Tokyo, Japan
- CCSBT Compliance Committee 8-9 October 2006, Miyazaki, Japan
- CCSBT Commission meeting 10-13 October 2006, Miyazaki, Japan
- CCSBT Ecologically Related Species Working Group (ERSWG) 2007

3.4. WCPFC

Background

The WCPFC became active in December 2004. The WCPFC area is highly important for albatross species breeding in Australia and New Zealand (including very high proportions of the distributions of Antipodean, Buller's, Campbell, Chatham and Northern and Southern Royal albatrosses). The area is also important for the non-ACAP species of Short-tailed, Laysan and Black-footed albatross in the North Pacific. Longline fishing effort amounts to around 700-800 million hooks per year. Of this, around 35 million hooks per year are set south of 30°S, and 65 million hooks per year north of 20°N.

The Convention incorporates many of the principles of the new fisheries instruments, including commitments to an ecosystem approach to management, to minimising bycatch, and to a regional observer program.

ACAP Parties, Signatories and cooperating non-signatories

Australia, France, New Zealand, Spain and UK as part of EC, USA

Recent developments within WCPFC

- The first meeting of the Ecosystem and Bycatch Working Group took place in August 2005
- The Technical and Compliance Committee has taken on a role of addressing seabird bycatch issues
- The second Commission meeting passed a seabird resolution which requires members to pass seabird interaction data to the Commission and to implement the IPOA-Seabirds. It also resolved that the Scientific Committee will estimate seabird mortality within WCPFC fisheries, and that the Commission (in consultation with the Technical & Compliance Committee) will consider seabird bycatch mitigation measures (including those used by CCAMLR) at its meeting in 2006.

Key short term actions for consideration by ACAP members

- Participation by ACAP and ACAP members in the annual meetings of the Ecosystem and Bycatch Working Group and Technical and Compliance Committee
- Inclusion of seabird tracking data-holders and bycatch experts in delegations to the Ecosystem and Bycatch Working Group and Technical and Compliance Committee
- ACAP and/or ACAP members to coordinate on preparing information on pelagic seabird bycatch mitigation measures for the Technical and Compliance Committee meeting in September 2006, which will consider mitigation measures for seabird bycatch
- ACAP members to support the Scientific Committee in conducting its estimates of seabird bycatch mortality, as requested by the WCPFC Seabird Resolution 2005.
- ACAP members to develop indicators and targets for seabird bycatch reduction
- ACAP members to collect seabird bycatch data in their WCPFC longline fisheries
- ACAP and ACAP members to provide input to the development of standards for WCPFC regional observer program, including recommendations on standardised methods for recording data on seabird bycatch rates and mitigation measures.

Long term goals

- WCPFC's planned regional observer program to include independent observers, mandatory collection of data on bycatch of non-target species, including seabirds, and development of standardised methods for recording bycatch data.
- Implement requirements for seabird bycatch mitigation measures as/where necessary, establish indicators and targets, and establish systems to monitor compliance with and effectiveness of these measures.

Upcoming meetings

- Second meeting of the WCPFC Scientific Committee 7-18 August 2006, Manila, Philippines
- Second meeting of the WCPFC Technical and Compliance Committee, 28 September-3 October 2006, Brisbane, Australia
- Third meeting of the WCPFC Commission, 11-15 December 2006, Apia, Samoa

3.5. IATTC

Background

The IATTC area is important for the breeding distribution of Waved Albatross, and overlaps with part of the areas used by breeding Black-footed and Laysan Albatross, and Black-browed Albatross from Chile. The area is also a primary wintering ground for albatrosses and petrels (including Chatham, Salvin's and Buller's Albatross, Parkinson's and Black Petrel and, to a lesser extent, White-chinned Petrel and Westland Petrel). IATTC scored relatively highly in the BirdLife RFMO review (Small, 2005), having undertaken a range of measures to reduce and monitor the bycatch of dolphins and, more recently turtles, in its purse-seine fisheries. However, it currently has few catch and effort data or bycatch data for its longline fisheries (approx 10% of total IATTC catch) The IATTC has re-drafted its Convention to be more in line with the UNFSA, although the revised Convention is not yet in force. It passed a seabird resolution in 2005 and will address seabird bycatch issues at meetings in 2006.

ACAP Parties, Signatories and cooperating non-signatories

Ecuador, France, Peru, Spain (also UK as part of EC), USA

Recent developments in IATTC

- IATTC passed a Seabird Resolution at the 2005 Commission meeting (C-05-01). This is similar in content to the ICCAT and IOTC Resolutions.
- The IATTC Stock Assessment Group has the task of assessing seabird distribution and likely impact of IATTC fisheries on seabird populations. BirdLife will present data from the Global Procellariiform Tracking Database. Bycatch data are also being submitted from Peru and USA.
- IATTC is developing a model to assess the impact of bycatch on Black-footed Albatross populations
- The agenda for the IATTC Bycatch WG meeting (1 day) includes review of data on seabird interactions and consideration of seabird bycatch mitigation measures

Key short term actions for consideration by ACAP members

- Participation by ACAP members at IATTC Stock Assessment Group meetings
- Participation by ACAP members at IATTC Bycatch Group meetings and submission of information on mitigation measures
- Advocacy by Member States for IATTC observer program on longline fisheries
- ACAP member(s) to propose an outline/format for the IATTC seabird assessment which will be produced by the Stock Assessment Group (IATTC Seabird Resolution 2005)
- Collation of data on at-sea distribution of albatrosses and petrels in the East Pacific

Long term goals

- IATTC to establish observer program on longline fishery as recommended by IATTC Bycatch Working Group (the longline fisheries account for about 10% IATTC catch)
- Implement requirements for seabird bycatch mitigation measures where necessary, establish indicators and targets, and systems to monitor compliance with, and effectiveness of, these measures.

Upcoming meetings

- IATTC Stock Assessment Group meeting 15-19 May 2006, La Jolla, USA
- IATTC Bycatch Working Group, 24 June 2006, Busan, Korea
- IATTC Commission meeting 26-30 June 2006, Busan, Korea

3.6 CCAMLR

CCAMLR has undertaken a comprehensive set of measures to reduce seabird bycatch in its regulated fisheries. Longline fishing effort in the CCAMLR Convention Area amounts to 100-120 million hooks per year.

Actions for consideration by ACAP members

- Invite CCAMLR to share its experience with other RFMOs on (i) best practices for regional observer programs (ii) standard methodology for recording seabird bycatch.
- Invite CCAMLR to share its experience with other RFMOs on seabird bycatch mitigation measures which are effective in pelagic fisheries
- Promote the use of mitigation measures that are effective in the CCAMLR area in non-CCAMLR fisheries where these would be particularly appropriate, especially in areas where CCAMLR Convention Area seabird species are being killed. In particular, support enhanced use of integrated weight longlines and modifications to the Spanish system of longlining to allow more efficient and effective mitigation for seabirds.

3.7 Other RFMOs

SEAFO

The Southeast Atlantic Fisheries Organisation (which became active in 2003) has been established in line with the provisions of the United Nations Fish Stocks Agreement, though the inclusion of discrete high seas stocks takes the SEAFO Convention beyond the scope of the UNFSA. SEAFO manages high seas areas only, and does not manage the highly migratory species which are covered by ICCAT. Some of the principal fishery resources managed by SEAFO are alfonso, orange roughy, toothfish and deep-water hake. The SEAFO Convention includes a commitment to a regional observer program, with observers onboard all vessels, and a centralised VMS scheme. Angola, EC, Namibia and Norway are members. The SEAFO area is particularly important for the breeding distribution of Tristan, Atlantic Yellow-nosed and Sooty Albatross breeding on the Tristan de Cunha Islands, and Spectacled Petrel from Inaccessible Island, as well as the distribution of non-breeding albatrosses and petrels such as Black-browed Albatross from South Georgia. SEAFO is planning to establish a formal relationship with the Benguela Current Large Marine Ecosystem program (BCLME).

SIOFA

The South Indian Ocean Fisheries Agreement is expected to be opened for signature in July 2006. SIOFA manages high seas areas only, and does not manage the highly migratory species which are covered by IOTC. Its Convention is largely based on the UN Fish Stocks Agreement. The Agreement provides for legally binding conservation and management measures to be adopted by Parties, including measures to address the environmental impacts of fishing. The Agreement includes strong provisions to protect biodiversity, which would include seabirds. The SIOFA area is important for the distribution of many albatross and petrel species, including Wandering, Grey-headed, Shy, Indian Yellow-nosed and Sooty Albatross, and White-chinned Petrel

The Galapagos Agreement

If ratified, the Galapagos Agreement will establish a new RFMO covering high seas areas of the Southeast Pacific. Part of the Agreement area overlaps with IATTC's area and, if precedent is adhered to, CPPS will not be managing tuna stocks within the overlap. Chile and Ecuador have ratified the agreement, and Colombia and Peru have signed but not yet ratified. Both Peru and Chile also have

longline fisheries for swordfish, and artisanal longlining takes place for sharks and rays (Van Waerebeek et al., 1997, cited in Brothers et al., 1999). Chile also has demersal longline fisheries for hake, kingclip and toothfish (Brothers et al., 1999). The Southeast Pacific is used by breeding Waved Albatross and Chilean Black-browed and Grey-headed albatrosses, and is also important for populations of albatrosses from New Zealand during non-breeding periods, including Chatham, Buller's, Salvin and Northern Royal albatrosses. The Galapagos Agreement contains many of the principles established by the Code of Conduct and UN Fish Stocks Agreement, but follows the texts less closely than other new RFMOs (e.g. WCPFC and SEAFO), and several elements are missing, including establishment of an observer programme, and participation by NGOs.

South Pacific RFMO

The proposed South Pacific RFMO is expected to fill a gap in the management of high seas areas in the South Pacific Ocean. The first meeting on the establishment of the new RFMO was held in New Zealand from 14-17 February 2006. Participants agreed to consider at the next meeting (Australia, 6-10 November 2006) the adoption of interim measures to apply prior to the entry into force of the instrument establishing the new RFMO. It is envisaged that such measures will seek to address immediate fisheries and conservation issues and could include measures to address seabird bycatch. Once established, it is envisaged that the RFMO will have the competence to regulate the impacts of fishing on marine ecosystems, including seabirds, in its area of competency. A combination of information compiled in the report by Robertson *et al* 2003 and Ministry of Fisheries' data (unpublished) show that that the area of the South Pacific RFMO overlaps with the range of the all the ACAP species and all are known to have interactions with fisheries within this area with the exception of Black Petrel.

Actions for consideration by ACAP members

- Encourage the new RFMOs to establish mechanisms to address the issue of seabird bycatch in fisheries within their competence, including interim measures while RFMOs are being established.
- Support the development of regional observer programs within these RFMOs and the development of standardised recording of data on seabird bycatch and mitigation measures within these programs.
- Propose/support the development of recommendations on the use of effective seabird bycatch mitigation measures where needed, and the establishment of indicators and targets for seabird bycatch.

4. Summary

RFMOs have a key role to play in the reduction of bycatch of albatrosses and petrels, and a duty to do so under the international legal framework for the oceans. CCAMLR has demonstrated the potential of RFMOs to reduce seabird bycatch to negligible levels. For other RFMOs, key actions for consideration by ACAP and ACAP members include:

- Encourage RFMOs to proactively and effectively address the issue of seabird bycatch in fisheries within their competence
- Include bycatch experts within delegations to meetings of the RFMO scientific committees and bycatch working groups

- Present data on seabird bycatch and overlap between albatrosses and petrels and longline fishing effort
- Produce/support frameworks for the RFMO seabird assessments that are planned by ICCAT, IOTC and IATTC (and the mortality estimates planned by WCPFC)
- Provide resources for implementation of these seabird assessments within RFMOs
- Proposals for strengthening RFMO observer programs to include mandatory collection of bycatch data and data on mitigation measures, standardised methodologies for collecting data, centralised collection of data by the RFMO Secretariats, and development of regional (not national) observer programs. The CCAMLR experience shows how essential independent regional programs to achieving effective reductions in bycatch levels. National observer data has not been effective in leading to reduced bycatch levels in CCSBT so far.
- Propose use of improved mitigation measures on longline vessels in areas where there is seabird bycatch
- Develop targets for observer data and seabird bycatch reduction (indicators)
- Propose/support methods for monitoring compliance with bycatch mitigation measures

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Appendix. Key to acronyms used in the text

ACAP	Agreement on the Conservation of Albatrosses and Petrels
CCAMLR	Commission for the Conservation of Antarctic Marine Living Resources
CCSBT	Commission for the Conservation of Southern Bluefin Tuna
ERS	Ecologically Related Species
FAO	Food and Agriculture Organisation of the United Nations
IATTC	Inter-American Tropical Tuna Commission
ICCAT	International Commission for the Conservation of Atlantic Tunas
IOTC	Indian Ocean Tuna Commission
IPOA	International Plan of Action for Reducing Incidental Catch of Seabirds in Longline Fisheries
IUU Fishing	Illegal, Unreported and Unregulated Fishing
RFMO	Regional Fisheries Management Organisation
SBT	Southern Bluefin Tuna
SEAFO	South East Atlantic Fisheries Organisation
SIOFA	Southern Indian Ocean Fisheries Agreement
UNFSA	United Nations Fish Stocks Agreement (1995)
WCPFC	Western and Central Pacific Fisheries Commission