



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

**Report of the Third Meeting
of the Advisory Committee**

VALDIVIA, CHILE

19 - 22 JUNE 2007

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LIST OF ACRONYMS

AC	Advisory Committee
ACAP	Agreement on the Conservation of Albatrosses and Petrels
BSWG	Breeding Sites Working Group
CBD	Convention on Biodiversity
CCAMLR	Convention on the Conservation of Marine Living Resources
CCSBT	Convention on the Conservation on Southern Bluefin Tuna
CMS	Convention on Migratory Species
COFI	Committee on Fisheries, Food and Agriculture Organization
EEZ	Exclusive Economic Zone
ERS	Ecologically Related Species
FAO	Food and Agriculture Organization of the United Nations
GEB	SCAR Group of Experts on Birds
GLOBAL	Global Bycatch Assessment of Long-Lived Species
HQA	Headquarters Agreement
IATTC	Inter-American Tropical Tuna Commission
IBAMA	Brazilian Institute of the Environment and Renewable Natural Resources
ICCAT	International Commission for the Conservation of Atlantic Tunas
IMAF	Incidental Mortality Associated with Fishing
IOTC	Indian Ocean Tuna Commission
IPOA- Seabirds	International Plan of Action-Seabirds
IUCN	International Union for the Conservation of Nature and Natural Resources
IUU	Illegal, Unregulated and Unreported
MoP	Meeting of the Parties
MPA	Marine Protected Area
NGO	Non-governmental Organisation
NPOA	National Plan of Action
RFMO	Regional Fisheries Management Organisation
SBWG	Seabird Bycatch Working Group
SCAR	Scientific Committee on Antarctic Research
SEAFO	South East Atlantic Fisheries Organization
SPRFMO	Southwest Pacific Regional Fisheries Management Organisation
STWG	Status and Trends Working Group
TOR	Terms of Reference
UK	United Kingdom
UN	United Nations
USA	United States of America
WCPFC	Western and Central Pacific Fisheries Commission
WG	Working Group
WHOI	Woods Hole Oceanographic Institution
WWF	World Wildlife Fund

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1. OPENING REMARKS

- 1.1 The Third Meeting of the Advisory Committee to the Agreement on the Conservation of Albatrosses and Petrels (ACAP) was held in Valdivia, Chile, from 19 - 22 June 2007, with Mark Tasker as Chair and John Cooper as Vice-chair.
- 1.2 Seven Parties were represented: Argentina, Australia, Chile, New Zealand, Peru, South Africa and the United Kingdom (UK). Apologies were received from Ecuador and France. Spain and Norway did not attend.
- 1.3 In addition one Signatory State: Brazil; and two Range States: the United States of America (USA) and Uruguay, were represented. Namibia offered its apologies as a Range State.
- 1.4 Mr Ken Morgan of Canada attended at the invitation of the Secretariat.
- 1.5 Antarctic and Southern Ocean Coalition, Aves Argentina, Aves y Conservacion, BirdLife International, Humane Society International, Pro Delphinus the attended the meeting as Observers. Apologies were received from the Scientific Committee on Antarctic Research (SCAR).
- 1.6 The list of participants is provided at Annex 1. The lists of meeting documents and information papers are provided at Annexes 12 and 13, respectively.
- 1.7 Professor Carlos Moreno, on behalf of the Chilean Government read a letter from the Undersecretary of Fisheries that highlighted the importance of this meeting and hoped that it would help move forward the development of ACAP. The Undersecretary also thanked the Universidad Austral for hosting the meeting. Professor Moreno then invited the Rector (President) of the Austral University to address the meeting.
- 1.8 Dr. Víctor Cubillos, welcomed delegates to the meeting in Chile, noting the wide breadth of studies undertaken in the Universidad Austral de Chile (UACH) and was pleased to see the practical application of these studies to the conservation of albatross and petrels.
- 1.9 Dr. Ernesto Zumelzu, Director of Scientific Research also welcomed the delegates and read a poem by Pablo Neruda, and referred to another in which an albatross is born in New Zealand and dies on the shores of the Chile. The poem highlights the importance of studies and actions for the conservation of these beautiful seabirds.
- 1.10 The Chair thanked the authorities of the Austral University for opening the meeting. Carlos Moreno was thanked for his extensive efforts in the coordination of the meeting.

2. ADOPTION OF THE AGENDA

- 2.1 The provisional agenda was adopted by the meeting with minor amendment (AC3 Doc.1 Rev.2). Argentina noted that Item 19, Illegal, Unregulated and Unreported Fishing, was potentially a large issue and that the Committee should only consider those aspects relevant to the conservation of

albatrosses and petrels. The Committee agreed to an amendment to the title of Agenda item 19 to "IUU Fishing and its Relevance for Seabird Conservation".

3. REPORT OF THE INTERIM SECRETARIAT

3.1 Activities Undertaken in 2006-2007

- 3.1.1 Significant progress had been made on the Secretariat's work programme since the last meeting of the Advisory Committee and in furthering implementation of the Agreement's Action Plan. The Secretariat supported the operation of the Second Meeting of the Parties, the Waved Albatross Workshop, held in Lima, Peru and the current meeting of the Advisory Committee. The Secretariat also represented the Agreement at international meetings of relevance to the Agreement, including the Scientific Committee and Commission meetings of the Western and Central Pacific Fisheries Commission (WCPFC), the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), the Food and Agriculture Organization, Committee on Fisheries (COFI), the Meeting of Fisheries Secretariats, and the Joint Meeting of Tuna Regional Fisheries Management Organizations (RFMOs).
- 3.1.2 Argentina expressed concern on the late submission of documents which limited the ability of all Parties to undertake their domestic consultation processes. As a contribution for the preparation of future documents, Argentina suggested the inclusion of background information about the proposed actions and the inclusion of legal references, where appropriate. Argentina also considered that further development of the website was desirable. The Executive Secretary advised that the website was being reviewed (and later gave a demonstration of the draft version). The new site should improve access to documents in the three languages of the Agreement.
- 3.1.3 Other key activities of the Secretariat included the development of two memoranda of understanding, one with the Government of Tasmania, the second with the WCPFC, and providing assistance to the Advisory Committee's Working Groups during the intersessional period.
- 3.1.4 The Secretariat presented the Committee with an early draft MoU with the WCPFC (AC3 Doc 29), which was initiated at the request of the WCPFC Scientific Committee (Article 22 - WCPFC Convention, Article XI - ACAP Agreement). The Executive Secretaries of the two organisations had prepared the draft in the margins of the Regional Fishery Body Secretariats Network (RNN-1) in Rome, 12-13 March 2007. Various members noted that this could be an encouraging and positive development. The MoU will be forwarded intersessionally to Parties for their consideration and advice.
- 3.1.5 The Committee noted with pleasure the contributions of many Parties in supporting the work of the Secretariat and the Agreement, particularly the Governments of New Zealand and Chile who hosted and supported the Second Meeting of the Parties (MoP2) and the Third Meeting of the Advisory Committee (AC3), respectively. The generosity of the United States Government and the Chilean Government in seconding staff to the

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Secretariat was also welcomed. The Committee also expressed its gratitude to the Governments of Australia, and Tasmania in particular for their support in hosting the Secretariat Headquarters and providing administrative support to the Secretariat.

- 3.1.6 The Executive Secretary presented the Directory of Authorities, Research Centres, Scientists and Non-Governmental Organisations Relevant to ACAP (AC3 Doc 20), noting that the Advisory Committee is required to provide this information to the Meeting of the Parties (MoP) in accordance with Section 5.1 k) of the Action Plan. The Committee noted that this task could be resource intensive; it agreed to seek the advice of MoP on the necessity and priority of providing this information.
- 3.1.7 The Secretariat reported on progress it had made with the development of a database of relevant scientific literature. The Committee noted that the database could be further developed with bibliographic information from libraries, scientists and ACAP Parties and Range States. It urged all people involved with ACAP to submit database entries to the Secretariat.
- 3.1.8 The Committee thanked the Secretariat for its report (AC3 Doc 6) and noted its contents.
- 3.1.9 The Executive Secretary thanked the Vice Chair, John Cooper for his help in producing news items for the ACAP web site over the last year. The Advisory Committee agreed to create the honorary position of ACAP Information Officer within the Secretariat and appointed John Cooper to the position. It is expected this appointment will help improve the newsworthiness of the web site, as well as produce other types of information materials, such as posters. The Vice Chair was thanked for designing and producing ACAP's first information poster, illustrating the Tristan albatross, copies of which were distributed to the meeting's participants.

3.2 Financial Report and Agreement Budget 2007 - 2009

- 3.2.1 The Executive Secretary presented the financial report (AC3 Doc 9) for the Agreement Budget, which included a summary of the current status of commitments for the Advisory Committee Work Programme.
- 3.2.2 The Agreement Budget for 2007 – 2009 approved by MoP2 (AC3 Doc 25) was also tabled. It was noted that MoP2 had not allocated specific funding for the Advisory Committee Work Programme during this period, but had decided that initial funding for this programme would come from voluntary contributions and from contributions received from any new Parties to the Agreement. The Committee agreed that, if necessary, funding for delegates expenses for AC4 could be funded from funds remaining from the AC3 allocation.
- 3.2.3 New Zealand noted that the quarterly financial reports provided to Parties by the Secretariat were informative and proposed that they be supplemented with short progress summaries of proposed future activities and work being undertaken by the Advisory Committee. This proposal was supported by the Committee.

- 3.2.4 Australia proposed that the quarterly reports also be circulated to the Convenors and Vice-Convenors of the Working Groups, who should also be asked to contribute relevant information to these reports.
- 3.2.5 New Zealand advised the Committee that it would be making a voluntary contribution of NZ\$15,000 to the Advisory Committee's work programme to support capacity building. The Committee thanked New Zealand for this additional contribution.

4. REPORT OF THE DEPOSITORY

4.1 Depository Status List

- 4.1.1 Australia, as Depository for the Agreement, tabled its report (AC3 Doc 7) noting in particular that the Agreement entered into force for Norway on 1 June 2007. The Committee welcomed this development. The Depository also received a note from the UK concerning the ratification of the Agreement in relation to the Falkland Islands (Islas Malvinas)¹, South Georgia and the South Sandwich Islands (Islas Georgias del Sur e Islas Sandwich del Sur) and the British Antarctic Territory on 12 February 2007.
- 4.1.2 Argentina rejected the UK extension of ACAP to those disputed territories and reaffirmed its sovereignty over the Falkland Islands (Islas Malvinas), South Georgia and the South Sandwich Islands (Islas Georgias del Sur e Islas Sandwich del Sur), the surrounding maritime areas and its sovereignty rights over the Sector Antartico Argentino and made a statement included in Attachment 1.
- 4.1.3 The United Kingdom presented a statement on sovereignty in respect of certain disputed territories (Attachment 2).
- 4.1.4 Australia advised that it had notified the Depository of its reservation to the entry into force of the Amendment to Annex 1 of ACAP on 14 February 2007. The Committee noted that this was due to the time needed to ratify the new Annex and that Australia had supported the changes to the species listed in Annex 1 at MoP2.

4.2 Report on Implementation of Headquarters Agreement

- 4.2.1 Australia reported on progress with implementation of the Headquarters Agreement (AC3 Doc 8). It was noted that the treaty-making process in Australia requires formal parliamentary and regulatory approvals prior to Australia being able to sign the Headquarters Agreement. It is expected that this process will be completed by late 2007. Australia will keep Parties informed of progress.

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

5. REPORTS FROM ACAP OBSERVERS AT OTHER INTERNATIONAL MEETINGS

5.1 Reports from ACAP Observers

- 5.1.1 Fourteen reports were presented, either to the meeting or to the Seabird Bycatch Working Group, by ACAP representatives and/or observers at other international meetings.
- 5.1.2 The Committee noted that ACAP has achieved a high level of representation at international meetings relevant to the Agreement and that some encouraging seabird conservation outcomes have been achieved (AC3 Doc 15 Rev1). The Committee agreed to consider this matter further under agenda item 12.7 when discussing ACAP's future interactions with RFMOs.
- 5.1.3 The Chair thanked participants for their efforts in progressing the work of the Agreement at these meetings and for providing their reports.

6. REPORT FROM ACAP PARTIES ON IMPLEMENTATION OF THE AGREEMENT

6.1 Reports from Parties, Signatories and Organisations

- 6.1.1 The Chair noted that reports from Parties on their progress in implementing the Agreement would be submitted prior to the next meeting in order that a consolidated report could be provided to MoP3 in 2009.
- 6.1.2 Brazil, the USA and BirdLife International provided the meeting with reports on their activities relevant to furthering the aims of the Agreement (AC3 Inf 9, AC3 Inf 33 and AC3 Inf 20).
- 6.1.3 With respect to the Fisher's Forum held in Brazil (AC3 Inf 12), Argentina advised that it sent a note to the organisers of the meeting rejecting the invitation to an NGO situated in the Falkland Islands (Islas Malvinas)² and referred to the terms of the statement included in Attachment 1.
- 6.1.4 Brazil emphasized that the South American Fishers Forum held in Guaruja, Brazil last year was organised by Projeto Albatroz, a non-governmental organisation, and that the Brazilian Government was not directly involved with the meeting's organisation.
- 6.1.5 It was noted that MoP2 had agreed to adopt the revised reporting template recommended by AC2, subject to any amendments proposed by Parties. The United Kingdom provided an overview of their proposed amendments (AC3 Doc 27) and Argentina proposed further amendments. The meeting agreed to adopt these amendments. The approved reporting template is provided at Annex 8.

² *"A dispute exists between the Governments of Argentina and the United Kingdom of Great Britain and Northern Ireland concerning sovereignty over the Falkland Islands (Islas Malvinas)", "South Georgia and the South Sandwich Islands (Islas Georgias del Sur e Islas Sandwich del Sur) and the surrounding maritime areas"*

6.2 Report from the Waved Albatross Workshop

- 6.2.1 The Chair provided a presentation on the Waved Albatross Workshop (AC3 Doc 28) held in Lima, Peru on 5-6 June 2007 to develop an action plan to address the decline in the population of this species. The support of the Peruvian and Ecuadorian Governments in holding this workshop was noted with appreciation and in particular the contributions of Minister Doris Sotomayor, Liliana Gomez and Bruno Iriarte who were responsible for the excellent support provided for the workshop, and to Elisa Goya who chaired the workshop.
- 6.2.2 Draft action plans were prepared by Sandra Loor Vela and Gabriela Montoya on behalf of the Ecuadorian Government and by Jaime Jahncke on behalf of ACAP to aid discussions at the workshop.
- 6.2.3 Elisa Goya and Sandra Loor Vela welcomed ACAP's support in developing the Action Plan and staging the workshop and looked forward to the further development of the action plans, taking account of the outcomes of the workshop. Revised plans incorporating these outcomes would be completed by the end of August 2007, at which time they will be circulated to workshop participants as a final draft.
- 6.2.4 It was noted that there is a significant lack of information available on seabird bycatch in the Ecuadorian fisheries and a need to conduct a workshop in Ecuador to address this and other issues. It was estimated that an amount of \$20,000 would be required for this workshop. This request was considered under agenda item 14.2. The Committee agreed to allocate funds for this purpose (Annex 7). Draft terms of reference and an agenda for the workshop will be produced by the Secretariat in consultation with the Government of Ecuador and circulated as appropriate.

7. RULES OF PROCEDURE

- 7.1 The meeting considered a proposal to appoint Vice-Convenors to working groups in order to provide additional assistance to the Convenors and an alternate to the Convenor in cases where the Convenor resigned or became unavailable. It was agreed to amend Rule 20.1 to allow the appointment of Vice-Convenors. The revised rules of procedure for the Advisory Committee are provided at Annex 11.
- 7.2 The Chair advised that Committee Members had decided not to accept AC3 Doc 22, AC3 Inf 16 and AC3 Inf 32 due to their late submission.
- 7.3 BirdLife expressed a strong concern at this ruling in respect of its paper (AC3 Inf 16) and provided a statement in this regard (Attachment 3).
- 7.4 Noting that not all Parties were represented at AC3, the Committee noted its preference that proposals for changes to rules of procedure be submitted in writing in advance of the meeting so that all Parties have the opportunity to consider them.

8. ACAP SECRETARIAT

8.1 Work Programme 2007 - 2009

8.1.1 The Executive Secretary reported on the work programme for the Secretariat approved by MoP2, noting that this may require amendment if further work was identified for the Secretariat by this meeting of the Advisory Committee. The Executive Secretary also sought advice from the Committee on what priorities they might allocate for this work and invited its direction on specific tasks within the Secretariat's work programme, such as seeking the engagement of relevant countries in the work of the Agreement.

8.1.2 South Africa recommended that engagement with Namibia and Angola be allocated a priority and offered to assist the Secretariat with this. The Committee thanked South Africa for this offer. The Committee also recognised that engagement with Range States in the Asian region was a priority and requested that both the Secretariat and Parties actively seek their engagement in the work of the Agreement.

8.1.3 The Secretariat provided the meeting with a demonstration of the new Agreement website, which is currently under construction, and sought comments on any design features that should be included. The Committee welcomed the inclusion of a Parties only area noting that access to data was an important issue and requested the Secretariat to conduct a review of how access to data may be satisfactorily managed. The Committee also endorsed a proposal that the Secretariat establish in the secure section of the website a system of electronic ACAP circulars as a means of facilitating intersessional advice and decision making by Committee Members and Parties.

8.2 Performance Indicators

8.2.1 The Chair noted that MoP2 had adopted terms of reference for a review of the Secretariat's performance using indicators that had been adopted at MoP2. As the Secretariat has not yet been established, because the Headquarters Agreement has not been signed, it was decided that it would not be possible to undertake the review at this stage. It was agreed to reconsider this issue at AC4.

8.3 Recruitment of Executive Secretary

8.3.1 The Chair noted that MoP2 had agreed on a process for the recruitment of the Executive Secretary (Annex A to the Staff Regulations) but that it had not established a process for determining the composition of the selection panel. The Committee agreed that selection of members for the panel should be undertaken on a regional basis.

8.3.2 The regions of Australasia/Africa, Europe and South America were asked to nominate a representative to participate on the selection panel to the Chair of the Advisory Committee, who would forward their recommendations intersessionally to the Parties for their consideration.

9. REVIEW OF THE STATUS AND TRENDS OF ALBATROSSES AND PETRELS

9.1 Report of the Status and Trends Working Group Meeting

- 9.1.1 The Convenor of the Status and Trends Working Group (STWG), Dr. Rosemary Gales, introduced the Group's report (AC3 Doc 11) and thanked other members of the STWG and observers who attended the Working Group meeting for their contributions. The Report documented the discussions of the second meeting of STWG that was held in Valdivia, Chile on 16 June 2007. Members from six Parties and as well as 19 individual observers and representatives of the Interim Secretariat attended the STWG.
- 9.1.2 The Convenor summarised progress with the ACAP Species Assessments. The Species Assessment proposal was supported by Parties (MoP2) (Report of AC2; Sections 8.1.6 to 8.1.8). It was noted that a detailed proposal and budget were provided by the AC to MoP 2 for further consideration and decision.
- 9.1.3 At MoP 2 a paper was presented (MoP2, Inf 2) outlining the proposal to develop comprehensive and contemporary species assessments, and gave indicative financial implications. In order to illustrate the scope, structure and content of these ACAP Species Assessments, an example Species Assessment for the Shy albatross *Thalassarche cauta* was produced for consideration by MoP 2. The MoP endorsed the development of species assessments as part of the Advisory Committees work programme 2007-2009 (MoP 2 report paras 3.7.2 and 6.1.22). Since MoP2 three more species assessments have been drafted; these are for the Amsterdam albatross *Diomedea amsterdamensis*, Indian yellow-nosed albatross *Thalassarche carteri* and the Chatham albatross *Thalassarche eremita*. These draft Species Assessments were tabled at AC3. BirdLife International and photographers who had provided illustrations were thanked for their assistance in producing these assessments.
- 9.1.4 The Committee noted that the STWG had discussed the content and scope of the draft Species Assessments. The STWG recommended the inclusion of additional information on foraging distribution and ecology, as well an increased focus on interactions between ACAP species and fisheries operating within Exclusive Economic Zones (EEZs). The Committee endorsed this recommendation.
- 9.1.5 The Committee reflected that for some populations the information that has been submitted remains incomplete. Discussion at the AC resulted in agreement that, where the relevant Party agrees, data may be requested from data holders who are not members of the STWG (eg academic scientists, private expeditions). The need to supplement and update the data currently held in the ACAP status and trends database was seen as a priority, and this will be progressed through Parties over the next 12 months.
- 9.1.6 The Advisory Committee considered the request from the STWG that there was a need for a user-friendly, relational database to enable curation, updating and reporting of all data compiled by the ACAP working groups. The Committee agreed to fund the recruitment by the Secretariat of a contractor to develop an ACAP database. Australia offered to assist the Secretariat to

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develop a database specification for use in such a contract; the Committee welcomed this offer.

9.1.7 The Committee considered the proposal by the STWG that priority should be given to the completion of all Species Assessments in order to address the objectives stated within Articles III, V and VI of the ACAP Agreement. It was agreed that a contractor would be required to be engaged by the Secretariat in order to coordinate the development of the Species Assessments within a 12 – 18 month period. This contractor would draft some Species Assessments and also coordinate the Assessments that may be drafted by Parties or other experts. The Committee also agreed that it was appropriate to convene a Species Assessment coordinating group to guide and support the contractor and provide an initial review of the draft Assessments. The Committee agreed that the coordinating group would include the Convenors of the four Working Groups, the Executive Secretary, and a STWG member from Parties with endemic ACAP listed species plus a Spanish-speaking representative.

9.1.8 The Committee agreed that, in order to minimise costs and to ensure ease of updating, the Assessments would be web-based and in a printer-friendly format. The Assessments would be produced in all three ACAP official languages. The Committee agreed that the assessments would be developed in English and then translated into Spanish first, and then French. The Committee welcomed an offer from Chile and Argentina to assist in translating the Assessments into Spanish.

9.1.9 The Committee congratulated the STWG on its excellent progress and thanked the Convenor and STWG members for the progress since AC2. The Advisory Committee reiterated that progressing the work of the STWG is essential to assist the Parties in prioritising their actions and measuring progress in meeting the objective of the Agreement.

9.2 Future Work Programme

9.2.1 In relation to progressing the work of the STWG, the Committee:

- a) endorsed the recommendation that the Secretariat develop and implement a data storage and management system for data acquired by the Working Group;
- b) endorsed the recommendation that the Secretariat engage a contractor to assist in the development of the full suite of the Species Assessments (\$AUD 53 000 budget);
- c) endorsed the establishment of a Species Assessment Coordinating Group to guide and support the contractor referred to in point b) above;
- d) noted the STWG report (Annex 4) and endorsed the revised Work Program for the STWG (para 9.2.2).

9.2.2 The Committee endorsed the Status and Trends Working Group's future work plan (Section 2 of the Advisory Committee's work plan, see Agenda Item 14).

10. TAXONOMY OF ALBATROSSES AND PETRELS

10.1 Report of the Taxonomy Working Group

10.1.1 The Convenor of the Taxonomy Working Group (TWG), Michael Double, introduced the TWG report (AC3 Doc.12). The Taxonomy Working Group (AC3 Doc 12; Attachment 1) applied their decision-making guidelines to six pairs of taxa currently listed under Annex 1 (AC3 Doc 12; Attachment 2) of ACAP:

1. Buller's and Pacific albatrosses (*Thalassarche bulleri/platei*)
2. Northern royal and southern royal albatrosses (*Diomedea sanfordi/epomophora*)
3. Atlantic and Indian yellow-nosed albatrosses (*Thalassarche chlororhynchos/carteri*)
4. Chatham and Salvin's albatrosses (*Thalassarche eremita/salvini*)
5. Northern and southern giant-petrels (*Macronectes halli/giganteus*)
6. White-chinned and spectacled petrels (*Procellaria aequinoctialis/conspicillata*)

10.1.2 The TWG concluded that available data for these taxa do not call for an amendment to the species currently listed under Annex 1 of the Agreement. However, it was recognised that data pertinent to this taxonomic process are sometimes meagre and new data may be highly influential. The following taxa are considered to be particularly data-poor and any decisions described here will need to be revisited upon publication of new data:

Buller's and Pacific albatrosses
Northern royal and Southern royal albatrosses
Atlantic and Indian yellow-nosed albatrosses

10.1.3 BirdLife International reported that, in its role as the competent authority for the Birds section of the IUCN Red List of Threatened Species, it had reviewed the recommendation of the ACAP TWG, adopted by MoP2, concerning the recognition of *Thalassarche steadi* as distinct from *Thalassarche cauta* at the species level. BirdLife's Taxonomic Working Group endorsed this decision, reassessed the conservation status of both taxa and incorporated this information into the latest version of the IUCN Red List. BirdLife informed the meeting that future recommendations from the TWG would be considered on a case by case basis.

10.1.4 The Committee thanked the TWG for its work, noting that this is undertaken voluntarily and often is additional to the normal work of TWG members.

10.2 Future Work Programme

10.2.1 The Committee endorsed the Taxonomic Working Group's work plan (Section 1 of the Advisory Committee's work plan, see Agenda Item 14) and noted that no funds had been requested.

11. BREEDING SITES

11.1 Report of the Breeding Sites Working Group

- 11.1.1 The Vice-Chair introduced the report (AC3 Doc 13 Rev. 1) on behalf of the former Convenor of the Breeding Sites Working Group (BSWG), Susan Waugh, who had resigned from this position. The Committee thanked Susan Waugh for the excellent work she had done as Convenor and ask the Secretariat to convey its appreciation to her. As all breeding Range States are now Parties to the Agreement there is now complete coverage of all breeding sites of the species listed under Annex 1 of ACAP.
- 11.1.2 It was noted that progress had been made in all items listed in the BSWG work programme approved at MoP2. The BSWG report contained 11 recommendations for consideration by the Advisory Committee. The report also presented draft analyses that could be undertaken using data submitted to the BSWG database. In addition, the report provided a list of indicators for determining the status of ACAP species using data from the BSWG database.
- 11.1.3 The Committee agreed that there was a need for further consideration of how to define threats and threat levels, and of public access to data from the BSWG database. It agreed to request the BSWG to reconsider the definition of threats with a view to seeing if the World Conservation Union (IUCN) criteria, that are already widely accepted, were suitable. The Committee also requested the BSWG to give consideration to how best to manage access to data, and whether the methods used by CCAMLR, were suitable.
- 11.1.4 The Committee noted the request from the Committee for Environmental Protection (CEP) of the Antarctic Treaty for advice from ACAP on current conservation management measures for southern giant-petrels and for assistance with the review of the population status and trends of this species.
- 11.1.5 It was agreed that ACAP would nominate a person to participate in the proposed review and that the CEP Secretariat should be informed accordingly. Parties to ACAP were encouraged to contribute relevant information to the review via the Secretariat.

11.2 Future Work Programme

- 11.2.1 The Committee endorsed the Breeding Sites Working Group's work plan (Section 3 of the Advisory Committee's work plan, see Agenda Item 14).
- 11.2.2 The Committee requested the BSWG to review its Terms of Reference (ToR) during the intersessional period for consideration at AC4.
- 11.2.3 Australia reported on the recent allocation of funds to undertake the eradication of rabbits and rodents (black rats and house mice) from the Macquarie Island Nature Reserve and World Heritage Area. Seven ACAP-listed species breed on the island and rabbits and rodents are negatively impacting on these species, as well as on other natural values of the island. A total of \$AUD 24.6 million has been committed jointly by the Tasmanian and Australian Governments in order to undertake the eradication. It is anticipated that the broadcast of anticoagulant bait by helicopter will eradicate the rodents and remove over 95% of the rabbits. This baiting will be followed

by several years of removal of any remaining rabbits, using a combination of trained dogs, shooting and trapping. A summary of the eradication plan can be found at:

http://www.parks.tas.gov.au/publications/tech/mi_pest_eradication/MIPestEradicationPlan.pdf. The Committee welcomed this advice and noted its potential to improve the breeding habitat of ACAP listed species.

- 11.2.4 The Vice-Chair noted that an eradication plan for the removal of black rats and house mice from Tristan da Cunha was in the process of being completed.

11.3 Application of Criteria for Identifying Internationally Important Breeding Sites

- 11.3.1 The Secretariat introduced AC3 Doc 19 prepared by Robert Hall on criteria that may be used to identify internationally important breeding sites for ACAP listed species.
- 11.3.2 BirdLife International introduced AC3 Inf 27, AC3 Inf 28 and AC3 Inf 29 and advised that it should be able to provide a comprehensive list of Important Bird Areas (IBAs) for ACAP species in time for consideration at AC4.
- 11.3.3 It was agreed that Parties should give further consideration to the criteria for ranking the importance of breeding sites, prior to this issue being considered further at AC4.
- 11.3.4 In relation to Important Bird Areas at sea, the Advisory Committee noted that this is a very complex issue and currently that it does not have sufficient information to make a considered decision on this issue. The Committee agreed to defer further consideration of this issue until AC4.
- 11.3.5 South Africa announced that its sub-Antarctic Prince Edward Islands, a breeding site for nine ACAP listed species, had recently been declared a Wetland of International Importance under the Ramsar Convention (AC3 Inf 34). The Convention has made a call for its Contracting Parties with southern territories to follow South Africa's example and propose their own sub-Antarctic Ramsar sites.

12. SEABIRD BYCATCH WORKING GROUP

12.1 Report of Bycatch Working Group

- 12.1.1 The Convenor of the Seabird Bycatch Working Group (SBWG) presented the report of the First Meeting of the SBWG to the Committee (AC3 Doc 14). The SBWG Strategy, which had received broad endorsement at MoP2, was adopted by the SBWG.
- 12.1.2 The SBWG undertook an update of mitigation research for pelagic long-line fisheries which had been commenced at a workshop held in Hobart, Australia in October 2006 and convened by the University of Washington (USA). The review included the consideration of: a new fishing technique called the mixed, or Chilean system; streamer lines for pelagic systems; underwater bait setting capsules; bait pods; safe lead weights; use of natural oils; blue-dyed

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bait; and smart hooks, as well as reviewing mitigation developments in Argentina, Brazil and Uruguay.

- 12.1.3 Building on the progress of the workshop, the SBWG subsequently developed a framework for a five-year mitigation research plan for pelagic long-line fisheries. Mitigation techniques identified as having the highest priority for further research were streamer lines, bait setting capsule and side setting. Other high priorities for further research were weighted branch lines, bait pods, smart hooks and circle hooks. Blue-dyed squid was a moderate priority for research. The underwater setting chute, night setting, the line shooter, thawed bait, strategic offal discharge, blue-dyed fish, fish oil and bait casting machines were identified as low priorities for ACAP further research, either because adequate research had already been carried out or was underway, or the techniques were considered not worth further investigation.
- 12.1.4 The SBWG assessment of the suitability of pelagic mitigation technologies for future research is summarised in Table 1, Appendix 4 of AC3 Doc 14. A review of pelagic longline mitigation measures was also carried out to identify knowledge gaps. The review, based on published literature and expert opinion, showed that a few measures currently prescribed by some RFMOs to minimize seabird mortality would benefit from further development and testing (Table 2, Appendix 4 of AC3 Doc 14). The Advisory Committee endorsed these tables (Tables 1 and 2, Appendix 4) as representing the current best scientific advice of ACAP's Seabird Bycatch Working Group, and encouraged Parties to use these materials to guide the development of policy and practice within the fisheries under their jurisdiction.
- 12.1.5 The SBWG determined research priorities at two levels – Parties' and Range States' domestic pelagic fisheries and RFMO fisheries. Parties had different views on the priorities for the development and testing of mitigation measures at the domestic or Exclusive Economic Zone (EEZ) level. The SBWG agreed that seabird mitigation research should be carried out in locations where seabird interactions with pelagic gear are most intense. Two specific research projects were identified – the further development of a bait-setting capsule by Australia and the development of a streamer-line system for pelagic long-line fisheries by the United States.
- 12.1.6 At the RFMO level, new initiatives by two RFMOs (WCPFC and IATTC) to improve the implementation of mitigation measures for seabirds were welcomed. The approach requires fishers to select two measures, to be used in combination, from a 'menu' of seabird mitigation measures. The SBWG ranked those mitigation technologies on specific criteria, including a review of their individual effectiveness and also in combination with other mitigation techniques/technologies (Table 2). The Committee agreed that the advice of the SBWG on current best-practice mitigation, including the application of combinations of measures, be provided to all relevant RFMOs. It was agreed that this advice needed to be provided to both the Secretariat for dissemination by ACAP at RFMO meetings and to ACAP Parties for use within national delegations.
- 12.1.7 BirdLife International provided an update on the development of FAO best-practice guidelines to strengthen the delivery of the International Plan of Action (IPOA)–Seabirds. At the 27th Meeting of the FAO Committee on Fisheries support was provided for FAO to hold an expert consultation to develop 'best practice' guidelines. A contribution from ACAP of AUD 13,000

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was sought to assist in holding the consultation. This request was considered under agenda item 14.2. The Committee agreed to allocate funds for this purpose (Annex 7). The United States indicated that it was committed to partly fund the workshop and encouraged others to do the same.

12.1.8 Jeffrey Mangel provided the Committee with a powerpoint presentation on seabird bycatch in the Peruvian artisanal fishery and the action being taken by Pro Delphinus to address this. The Committee thanked him for providing this informative presentation.

12.1.9 Peru underscored the urgency to have an onboard observer programme with a national agency as its coordinator. This will translate into an effective allocation of the limited funds available for this issue. This observer programme should have standardized protocols for by-catch assessment and a sampling coverage which is representative of the fleet.

12.2 Future Work Programme

12.2.1 The Committee endorsed the Seabird Bycatch Working Group's work plan (Section 4 of the Advisory Committee's work plan, see Agenda Item 14).

12.3 Foraging Ranges and Overlap with Fisheries

12.3.1 Refer to agenda item 12.2 for outcomes on this item.

12.4 Standards for Bycatch Data Collection

12.4.1 Refer to agenda item 12.2 above for outcomes on this item.

12.5 Estimation of Bycatch

12.5.1 Refer to agenda item 12.2 above for outcomes on this item.

12.6 Bycatch Mitigation

12.6.1 The Committee noted the excellent work undertaken at the meeting of the Seabird Bycatch Working Group on bycatch mitigation and agreed to the inclusion of relevant recommendations from that meeting in the Advisory Committee's Work Programme.

12.7 Engagement with RFMOs

12.7.1 The Committee reviewed the Schedule of RFMO Meetings (AC3 Doc 15) and identified possible representatives and/or observers for meetings at which ACAP representation was considered necessary (Annex 3).

12.7.2 The Committee noted that several ACAP Parties are involved in continuing negotiations for the development of a new international agreement and RFMO for the South Pacific. Several Parties, noting the potential spatial overlap between ACAP listed species and the likely area of application of the new agreement, expressed a strong desire that the new agreement include provisions which would ensure that the conservation of ACAP listed species was an integral consideration in managing fishing.

- 12.7.3 The Committee invited relevant ACAP Parties and Range States to take all appropriate steps to promote consideration of the objectives of ACAP and the ACAP Action Plan, and to indicate ACAP's desire to develop a constructive working relationship between ACAP and the new South Pacific RFMO.

13. CAPACITY BUILDING

- 13.1.1 The Secretariat introduced AC3 Doc 16 and described intersessional work it had undertaken to help the Advisory Committee in identifying opportunities for capacity building. This had involved sending a questionnaire to Parties asking them to define what capacity building meant to them, to identify useful capacity-building initiatives, and to identify how they could assist other Parties in capacity building. Five Parties responded to this questionnaire. Their responses are summarised in Table 1 of AC3 Doc 16 (Annex 10). One other Party responded late and their response was not included in the paper.
- 13.1.2 Several Parties expressed their interest in Table 1 being completed more fully, and in identifying further examples of capacity-building projects, such as the BirdLife International Albatross Task Force, which provides skilled capacity to work with fishermen on the uptake of mitigation measures in several South American and southern African countries that are critical to the conservation objectives of ACAP (AC3 Inf 9) and Southern Seabird Solutions (AC3 Inf 22) and in sourcing external funds to support capacity building and other activities.
- 13.1.3 New Zealand thanked the Secretariat for its paper and noted that AC3 Inf 20 was a source of additional information. New Zealand offered to assist in the completion of Table 1.
- 13.1.4 Peru expressed its support for continuing to work intersessionally on this issue, noting that the exercise might prove useful as Peru works to complete its NPOA-Seabirds.
- 13.1.5 Australia proposed that Parties could submit short 1-2 page annual reports to each Advisory Committee meeting briefly summarising their past and future work with a view to improving the exchange of technical information. The Committee agreed to this proposal.
- 13.1.6 Ecuador apologised for having not contributed to this intersessional work and undertook to participate in future work on this issue. Australia and Chile apologised for the late submission of their input.
- 13.1.7 Regarding a reference to the development of marine protected areas in the document, the Committee recognised that it was a complex issue which was under consideration in U.N.G.A.

14. ADVISORY COMMITTEE WORK PROGRAMME

14.1 Review Work Programme 2007-2009

- 14.1.1 The Committee developed a work programme for the period 2007/2009 (Annex 6) taking into consideration the outcomes of this meeting and the preceding workshops.

14.2 Funding of 2007-2009 Work Programme

- 14.2.1 The Chair reviewed the funding priorities brought forward by the Working Groups in their reports and through the work of this Committee. Taking into consideration outstanding commitments from previous years and the desire of the Committee to retain some funding for future years the Committee approved a budget for the Advisory Committee's Work Programme for 2007, with indications for future year's expenditure (Annex 7).
- 14.2.2 Australia requested the development by the Secretariat of a consistent and transparent procedure for identifying and prioritising each working group's requests to the Committee for funding and recording the Committee's decisions. Australia suggested that the Committee request the Convenor of each working group to present a written summary of their funding proposals – including a description of the work proposed to be undertaken, the funding sought and its relative priority — to each meeting of the Committee. These requests would then be consolidated into a work programme and budget for the Committee, which would then decide on which proposals would be funded and what would be priorities for further funding intersessionally, should funding become available.
- 14.2.3 The Committee noted that provision of funding for those activities in the period AC4 to MoP3 (Annex 7) is contingent upon the Committee's consideration of these, and any other funding proposals in accordance with the above process, that may be tabled at AC4.
- 14.2.4 The Committee endorsed Australia's proposal and asked the Secretariat to develop such a standard process for use at AC4; this process would also offer guidelines to the working group convenors as to how to administer their budget. It also agreed to follow this process to the extent practical for the current requests for funding from the working groups.

14.3 Development of Conservation Guidelines

- 14.3.1 The Chair noted that the Action Plan requires the development of conservation guidelines. Discussion followed on approaches that could be taken to develop such guidelines. The Committee noted that Parties are required to report on actions they have taken to conserve breeding sites and that this information could be included in the relational database being developed by the Secretariat. The Advisory Committee could then access this information to refine conservation guidelines. The Secretariat undertook to include the capacity to collect this information in the design of the database.

15. DEVELOPING INDICATORS TO MEASURE THE SUCCESS OF ACAP

- 15.1 Following up from papers tabled at AC1 and AC2 (AC1 Doc 17, AC2 Doc 20), New Zealand gave an update on progress in the development of indicators to measure the success of ACAP in achieving favourable conservation status for albatrosses and petrels. Indicators were discussed at the recent STWG and SBWG meetings and had also been considered intersessionally by the BSWG. New Zealand noted that all three groups were now more aware of, and engaged in, the process of developing indicators.

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- 15.2 The SBWG acknowledged that indicators relating to pressure from bycatch and responses to this pressure were complex and agreed to a more substantive discussion at their next meeting. The STWG acknowledged that products arising from their work would intrinsically be appropriate indicators, and agreed to maintain good communication with the work on indicators. Finally, the BSWG, in their written report to the Advisory Committee (AC3 Doc 13), made several recommendations including co-ordinating the development of work on indicators across all of the working groups.
- 15.3 The development of indicators will continue to be progressed by New Zealand, South Africa and Birdlife International, primarily through collaboration with the various Advisory Committee Working Groups. New Zealand welcomed the engagement of other Parties with an interest in this work.

16. LISTING OF NEW SPECIES

- 16.1 The Vice-Chair introduced paper (AC3 Doc 18), proposing an objective procedure for selecting candidate species for inclusion in Annex 1 of the Agreement. This paper is a revision of the paper presented at AC2 (AC2 Doc 21). At AC2 it was noted that some of the criteria were not exclusive of each other and that this could result in some double counting of some values. This issue is addressed in the revised paper as well as giving greater weight to 'at sea' threats.
- 16.2 Using the proposed methodology two groups of birds appeared as strong candidates for inclusion in Annex 1; the three North Pacific albatrosses *Phoebastria* spp. and three Mediterranean shearwaters of the genera *Calonectris* and *Puffinus*. Four southern hemisphere-breeding shearwaters *Puffinus* spp. scored relatively highly, and so might also be considered as candidate species for listing in the future. All ACAP species scored highly, giving credence to the scoring system.
- 16.3 As a first priority, the Committee discussed the merit of listing the three northern species of albatrosses and the process to be followed. The Committee agreed that the addition of the three North Pacific albatrosses *Phoebastria* spp. to Annex 1 of the Agreement should be progressed by the Secretariat preparing a discussion paper intersessionally, for the next meeting of the Advisory Committee. If support was then forthcoming, the Advisory Committee would seek a Party or Parties to submit a proposal to the Third Session of the Meeting of Parties in 2009 to list the three albatrosses on Annex 1. On this occasion, the supporting document should include three species assessments, following the format developed by the Status and Trends Working Group, although the Committee noted that species assessments were not a pre-requisite to such proposals. Available species action and recovery plans and other relevant documentation of the conservation status for the three North Pacific albatrosses should be appended to these assessments.
- 16.4 Several Parties, including South Africa and the United Kingdom, offered to help the Secretariat with this task, as did the Convenor of the STWG. The United States also offered to contribute to the process, e.g. by making

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species plans and other relevant documentation available to the Secretariat, as needed. Mr Ken Morgan offered to help with similar Canadian plans.

- 16.5 As a related activity, it was agreed that the Secretariat should approach the breeding Range States for the three North Pacific albatrosses, to inform them of the desire of the ACAP Advisory Committee to consider a proposal for the new species' listings at its next meeting in 2008 and to invite their comments.
- 16.6 For further consideration, Chile noted that the Pink-footed shearwater *Puffinus creatopus* has been listed on Appendix 1 of the CMS and that domestic legislation had been enacted to protect this species.
- 16.7 Peru noted that the Peruvian diving petrel *Pelecanoides garnotii* had a declining population trend and that it had been categorised as Endangered by IUCN. It had only two breeding sites in Peru, which were located very close to each other.
- 16.8 Given its current capacity and focus, the Committee recommended prioritising the listing of the three North Pacific albatrosses at this stage
- 16.9 The Committee agreed to further consider the process for listing new species at its next meeting.

17. FUTURE MEETINGS OF THE ADVISORY COMMITTEE

17.1 Timing and Location for AC 4

- 17.1.1 South Africa offered to host the next meeting of the Advisory Committee. The Committee gratefully accepted this offer.
- 17.1.2 The Committee noted that the 4th Conference on the Biology and Conservation of Albatrosses and Petrels would be held in Cape Town on 11 – 15 August 2008. The Working Groups and AC4 meetings would follow the conference, with adequate time for preparation and consideration of the reports of the working groups, and would be completed by 26 August 2008.

18. ELECTION OF OFFICERS

18.1 Election of Chair of the Advisory Committee

- 18.1.1 The Chair, Mark Tasker, advised the Committee that he was not able to continue in the position of Chair of the Committee. Parties were asked to nominate members and/or alternate members for this position.
- 18.1.2 Marco Favero from Argentina was elected as the new Chair of the Advisory Committee by consensus. In accordance with the Committee's rules of procedure this appointment would commence from the close of the current meeting.
- 18.1.3 The Committee expressed its gratitude and thanks to Mark Tasker for guiding the development of the Advisory Committee from its inception at the first meeting in Hobart and for his commitment and energy in progressing its work over this period.

18.2 Election of Vice-Chair of the Advisory Committee

- 18.2.1 As the term of the current Vice-Chair had come to an end, Parties were asked to nominate members and/or alternate members for this position.
- 18.2.2 The UK nominated Mark Tasker, who was elected unopposed.
- 18.2.3 The Committee expressed its gratitude to John Cooper who had been instrumental in guiding the development of the Advisory Committee during its inaugural period.

18.3 Appointment of Convenor for Breeding Sites Working Group

- 18.3.1 The Committee agreed on the appointment of Richard Phillips to the position of Convenor of the Breeding Sites Working Group.

18.4 Appointment of Vice-Convenors for Working Groups

- 18.4.1 In accordance with the change to the rules of procedure noted at agenda item 7 the Committee agreed on the following appointment to the position of Vice-Convenors of the Working Groups:

Seabird Bycatch Working Group – Carlos Moreno

- 18.4.2 The appointment of the remaining Vice-Convenors would be undertaken by the Working Groups and through Working Group Members, Parties intersessionally.
- 18.4.3 Australia noted that there had been insufficient time to seek candidates for all of these positions and requested that in future advice of vacancies be provided in a more timely manner and that appointments should be made with a view to encouraging Vice-Convenors that could take the place of the Convenors if/when they resign.

19. IUU FISHING AND ITS RELEVANCE TO SEABIRD CONSERVATION

- 19.1 Argentina advised that IUU fishing was a large issue dealt with in other international fora, especially in FAO, and suggested that ACAP should only consider those aspects relevant to the conservation of albatrosses and petrels. The Committee supported this approach.
- 19.2 Australia gave a presentation on the relevance of current global IUU fishing to the objectives of ACAP. Key points included:
- that it is not yet possible to accurately estimate the level and spatial distribution of global IUU fishing, although better information is likely to be available in the future and the impact of IUU fishing on the conservation of ACAP listed species should be kept under periodic review;
 - that, notwithstanding the current scarcity of information, global IUU catch comprises a very significant proportion of total global catch, including in tuna and shark fisheries. In other words, data on catch and effort in legal fisheries levels are a significant understatement of total catch and effort; and

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- that IUU fishers are unlikely to use mitigation measures to minimise seabird bycatch and the adverse impact of global IUU fishing on ACAP listed seabirds is likely to be very significant, potentially hundreds of thousands of seabirds killed per annum.
- 19.3 Australia noted that ACAP is not able to take actions to directly combat IUU fishing on the high seas and within EEZs. However, Australia noted that ACAP could, as part of its regular interactions with regional and global organisations and States, including those party to ACAP:
- highlight the likely severity of threats posed by IUU fishing to the conservation of ACAP listed species;
 - urge the preparation of regular estimates, by those organisations and States, of the level and nature, including distribution, of IUU fishing and its impact on seabirds; and
 - request that such estimates be provided promptly to the ACAP Secretariat for use by ACAP in its work.
- 19.4 Chile welcomed Australia's presentation and noted that IUU fishing was an evolving activity that included changes in fishing techniques and the registering of IUU vessels with different States. This meant that the impacts of IUU fishing on seabirds would also be changing and agreed that this should be monitored by ACAP.
- 19.5 During discussions, the Chair of the Advisory Committee mentioned several information papers as worthy of the consideration of ACAP Parties and Range States; these included:
- the final report of the High Seas Taskforce on IUU fishing <http://www.high-seas.org/>. The Spanish versions of these reports are available from the documents section of this site; and
 - the FAO Guidelines on Developing IUU NPOAs http://www.fao.org/fi/website/FIRetrieveAction.do?dom=org&xml=ipoa_IUU.xml.
- 19.6 Many Members requested that ACAP should highlight the likely high impact of global IUU fishing, both on the high seas and within EEZs, on ACAP listed species during its interactions with regional and global organisations, and coastal States, including those party to ACAP. They also considered the possibility of urging the preparation of regular estimates, by those organisations and States, of the level and nature, including distribution, of IUU fishing and its impact on seabirds and requesting that such estimates be provided promptly to the ACAP Secretariat for use by ACAP in its work.
- 19.7 On a related matter the USA noted that it will soon seek public comment on its recently amended Magnuson-Stevens Act to allow for increased domestic actions to combat IUU fishing and protect marine species taken as fisheries bycatch.

20. OTHER BUSINESS

20.1 Review of AC3 Operations

- 20.1.1 The Committee reviewed the operation of AC3 with a view to identifying improvements that may increase its efficiency.
- 20.1.2 It was noted that the late submission of papers created significant difficulties, particularly for those Members who required sufficient time to consult domestically with regional levels of Government. It was agreed that in future the dates for submission of meeting documents would be adhered to, with the exception of the reports of Working Group meetings, where these are held immediately prior to Advisory Committee meetings.
- 20.1.3 The decision taken by MoP2 that delegates should bring their own copies of meeting papers to the meeting had not caused any significant difficulties and had reduced the workload for the Secretariat at the meeting. It was agreed that the Secretariat should investigate means of improving delegates' access to electronic documents at future meetings, with a view to further reducing the need for paper copies of documents.
- 20.1.4 Some members spoke in favour of reviewing the Final Report of the meeting with the aid of a data projector, to enable delegates to view changes as they were made. It was noted by some delegates that this could extend the time required for adoption of the Final Report.

21. DRAFT AGENDA FOR AC 4

- 21.1 A draft agenda for AC4 was adopted by the Committee (Annex 9).

22. CLOSING REMARKS

- 22.1 The Chair concluded by noting that the Committee had successfully addressed a complex and difficult agenda and extended his thanks to the Vice-Chair and to the Secretariat for assisting in keeping the meeting focused.
- 22.2 The meeting was very successful and achieved a number of milestones.
- 22.3 The Chair will report to the MoP on the many significant issues addressed by this Committee and expressed appreciation to all participants in the achievement of these outcomes.
- 22.4 Thanks were extended to the Government of Chile for hosting the meeting and to the other organisations in Chile who contributed to its success. The interpreters, technical staff and university staff were thanked for their excellent support. The Secretariat was thanked for working efficiently over long hours to help achieve a successful outcome.

23. ADOPTION OF THE REPORT

- 23.1 The meeting adopted the final report of AC3.

**PARTICIPANT LIST –
THIRD MEETING OF THE ADVISORY COMMITTEE**

Delegation	Name	Position	Organisation
Committee	Mark Tasker	Chair	Joint Nature Conservation Committee UK
	John Cooper	Vice-chair	University of Cape Town
	Warren Papworth	Secretary	ACAP Secretariat
	Barry Baker	Secretariat	ACAP Secretariat
	Diane Erceg	Secretariat	ACAP Secretariat
	Jorge Ruiz	Secretariat	UACH
	Rodrigo Vega	Secretariat	UACH
Argentina	Carolina Dones	Member	Ministerio de Relaciones Exteriores, Int'al y Culto
	María Laura Tombesi	Alternate Representative	Secretaría de Ambiente y Desarrollo Sustentable
	Marco Favero	Delegate	
Australia	Ian Hay	Member	Australian Antarctic Div'n
	Graham Robertson	Alternate Representative	Australian Antarctic Div'n
	Rosemary Gales	Alternate Representative	Nature Conservation, Tasmanian Government
	Michael Double	Alternate Representative	Australian National University
Brazil	Tatiana Neves	Observer	
Canada	Ken Morgan	Observer	Canadian Wildlife Service
Chile	Marcelo Garcia	Member	Subpesca
	Karin Mundnich	Alternate Representative	Undersecretariat for Fisheries
	Carlos Moreno	Delegate	UACH
	Jorge Azocar	Advisor	IFOP
	Roberto Schlatter	Advisor	UACH
	Ronnie Reyes	Advisor	UACH
	Shariff Tala	Advisor	CONAMA
	Rodolfo Medina	Advisor	SAG
Ecuador	Sandra Loor Vela	Delegate	Aves y Conservacion
New Zealand	Simon Banks	Member	Dept of Conservation
	Spencer Clubb	Alternate	Ministry of Fisheries

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Delegation	Name	Position	Organisation
		Representative	
	Johanna Pierre	Alternate Representative	Dept of Conservation
Peru	Elisa Goya	Member	IMARPE
	Bruno Iriarte	Alternate Representative	Ministerio de Relaciones Exteriores
Republic of South Africa	Robert Crawford	Member	Dept. Environmental Affairs & Tourism
	John Cooper	Alternate Representative	University of Cape Town
United Kingdom	Andrew Williams	Member	Defra
	Richard Phillips	Alternate Representative	British Antarctic Survey
	Helen Otley	Delegate	Defra
USA	Nicole LeBoeuf	Observer	NOAA Fisheries
	Edward Melvin	Observer	University of Washington
	Maura Naughton	Observer	US Fish and Wildlife Service
	Jessica Hardesty	Observer	American Bird Conservancy
Uruguay	Marcel Calvar	Observer	MGAP
	Andres Domingo	Observer	DINARA
ASOC/HSI	Rodolfo Werner	Observer	ASOC/HSI
Aves Argentinas	Fabián Rabuffetti	Observer	Aves Argentinas
BirdLife International	John Croxall	Observer	BirdLife International
	Ben Sullivan	Observer	BirdLife International
	Esteban Frere	Observer	BirdLife International
Pro-delphinus	Jeffrey Mangel	Observer	Pro-delphinus

FINAL AGENDA - AC3

Agenda item
1. Opening Remarks
2. Adoption of the Agenda
3. Report from Interim Secretariat 3.1 Activities undertaken in 2006 3.2 Financial Report and Agreement Budget 2007 - 2009
4. Report of Depository 4.1 Depository Status List 4.2 Report on Implementation of Headquarters Agreement
5. Reports from ACAP Observers At Other International Meetings
6. Reports on Implementation of the Action Plan 6.1 Reports from Parties, Signatories and Organizations 6.2 Report from Waved Albatross Workshop
7. Rules of Procedure
8. ACAP Secretariat 8.1 Work Programme 2007 - 2009 8.2 Performance Indicators 8.3 Recruitment of Executive Secretary
9. Review of the Status and Trends of Albatrosses and Petrels 9.1 Report of Working Group Meeting 9.2 Future Work Programme
10. Taxonomy of Albatrosses and Petrels 10.1 Report of Working Group 10.2 Future Work Programme
11. Breeding Sites 11.1 Report of Working Group 11.2 Future Work Programme 11.3 Application of Criteria for Identifying Internationally Important Breeding Sites
12. Seabird Bycatch Working Group 12.1 Report of Working Group Meeting 12.2 Future Work Programme 12.3 Foraging Ranges and Overlap with Fisheries 12.4 Standards for Bycatch Data Collection 12.5 Estimation of Bycatch 12.6 Bycatch Mitigation 12.7 Engagement with RFMOs
13. Capacity Building

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14. Advisory Committee Work Programme
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14.1 Review Work Programme 2007-2009

14.2 Funding of 2007-2008 Work Programme
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14.3 Development of Conservation Guidelines

15. Developing Indicators to Measure the Success of ACAP

16. Listing of New Species

17. Fourth Meeting of the Advisory Committee

18. Election of Officers

19. IUU Fishing and its Relevance to Seabird Conservation
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20. Other Business

21. Draft Agenda for AC4

22. Closing Remarks

23. Adoption of Report

Future Meetings of Other International Organisations and ACAP Observer Participation

The following schedule identifies meetings that may require the attendance of ACAP in an observer capacity.

Date	Event	Location	Representative
Jun 24 Jun 27-29	IATTC - 1 st IATTC-WCPFC consultative meeting 75 th Meeting of the IATTC		USA, BLI
Jul 3-6	CCSBT - 7th Meeting of the Ecologically Related Species Working Group	Tokyo	Secretariat
Jul 2-6 Jul 9-13	CBD - 12th Meeting of CBD Scientific and Technical Body Working Group Meeting on Implementation of CBD	Paris	No representative
Jul 11-13	IOTC - Working party on ecosystems and bycatch	Seychelles	Secretariat
Jul 16-18 Jul 19-21	ICCAT - Working Group on Capacity Working Group on Integrated Monitoring Measures	USA	No representative
Jul 22-23	Meeting of Joint Tuna RFMO Technical Working Group	North Carolina, USA	
Aug 13-24	WCPFC – 3rd Regular Session of the Scientific Committee Ecological Risk Assessment Workshop	Honolulu	Secretariat
Aug 25-29	CMS/RAMSAR – Capacity-Building in Latin America	Panama City	No representative
Sept 4-8 Sept 10-14	CCSBT - 8th Meeting of the Stock Assessment Group 12th Meeting of the Scientific Committee	Hobart	Secretariat
Sept 4-7 Sept 10-14	SPRFMO – 4 th International Meeting Data meeting Negotiations		
Sept 11-13	WCPFC – 3 rd Regular Session of the Northern Committee	Tokyo	TBD
Sept 11-14	SPREP - 18th Meeting of Officials	Apia (Samoa)	No representative
Sept 24-28	ICCAT – Species Group meetings	Madrid	No representative
Sept 27 – Oct 2	WCPFC – Technical and Compliance Committee 3 rd Regular Session	Pohnpei	TBD
Oct 1-5	ICCAT - 2007 Meeting of the Standing Committee on Research and Statistics (SCRS)	Madrid	UK
Oct 1-12	SEAFO - Annual Commission Meeting	Namibia	South Africa
Oct 22-Nov 12	CCAMLR - 26 th Scientific Committee and Commission Meetings	Hobart	Secretariat
Oct 14-15 Oct 16-19	CCSBT - 2nd Meeting of the Compliance Committee 14th Annual Meeting of the Commission (incorporating the Extended Commission)	Canberra	TBD
Nov 9-10 Nov 12-18	ICCAT - Meeting of the Compliance Committee 20th Regular Meeting of the Commission	Istanbul	TBD
Dec 3-7	WCPFC - 4 th Regular Session	Pohnpei	TBD
2009			
May 19-30	CBD - 9th Meeting of Conference of Parties	Bonn	No representative

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Date	Event	Location	Representative
Oct 28-Nov 4	Ramsar - 10th Meeting of Conference of Parties	Korea	No Representative
Nov 9-21	CMS - 9th Meeting of the Conference of Parties	Rome	Secretariat

REVIEW OF PELAGIC MITIGATION TECHNIQUES

Table 1. Assessment of the suitability of pelagic mitigation technologies for future research and application. Rankings have been assigned on a 5 point scale, where 5 is the highest ranking. See below for details of the criteria used for assessment.

Mitigation	Effective surface feeding birds	Effective diving birds	Practical	Safe	Cost Capital	Cost Ops	DWF/ Dom	Compliance	Future Research Priority
Primary									
Streamer lines	4	3	4	4	5	5	5/5	1	5
Weighted branchlines	4	3	5	1	4	4	5/5	5	4
Underwater Setting									
Chute	2	1	2	3	2	5	1/5	1	1
Bait setting capsule	5	4*	4	4	2	5	5/5	3	5
Bait Pod / Smart hooks	5	4*	3	4*	4	4	5/5	1	4
Night Setting	4	3	5	4	5	3*	5/5	3	1
Secondary									
Circle Hooks	?	?	5	5	5	5	5/5	5	4
Bait placement/casting	2*	2*	5	3	4	4	5/5	1	1
Line shooter?	2	2	5	4	4	4	5/5	1	1
Thawed bait	2	2	3	5	5	5	5/5	1	1
Strategic offal discharge	2	2	3	5	5	5	5/5	1	1
Other									
Side Setting	2*	2*	3	4	4	5	5/5	5	5
Blue Dyed Squid	3	3	3	5	5	4	5/5	1	3

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Mitigation	Effective surface feeding birds	Effective diving birds	Practical	Safe	Cost Capital	Cost Ops	DWF/ Dom	Compliance	Future Research Priority
Blue Dyed Fish	1	1	3	5	5	4	5/5	1	1
Fish Oil	1	4	2	4	4	3	5/5	1	2

Each mitigation method was grouped as primary, secondary, or other. Primary measures were those considered likely to be effective without other mitigation measures, and secondary measures were those considered useful for deployment with other measures, but may not significantly reducing bycatch if used in isolation. Side setting, blue-dyed fish and squid bait, and fish oil were regarded as possible candidates for primary mitigation but were considered separately due to their early stage of development and/or limited research results to date. Acoustic alarms, water jets, time-area closures, and artificial lures/bait were not considered. Each was assigned a priority ranking for future research based on the scientific literature and individual experience using the following criteria:

- Effectiveness on surface foraging seabirds
- Effectiveness on diving seabirds
- Practical use on the vessel
- Safe use on the vessel
- Capital Cost – costs for purchase of a specific technology
- Operational Cost – costs related to vessel operations (lost fishing time)
- Applicability to distant water fleets and domestic fleets
- Compliance – the ability to monitor use and performance

Each method was ranked for each criterion on a relative scale of 1 to 5, with 1 being the lowest ranking and 5 being the highest. Considering the ranking for each criterion, each mitigation method was ranked in a similar way resulting in a prioritized list of mitigation methods to focus future research.

REVIEW OF SEABIRD BYCATCH MITIGATION MEASURES

Table 2. Review of seabird bycatch mitigation measures for Pelagic Longline Fishing and identification of knowledge gaps

Mitigation measure	Scientific evidence for effectiveness in pelagic fisheries	Caveats /Notes	Need for combination	Research needs	Minimum standards
Night setting	Duckworth 1995; Brothers et al. 1999; Gales et al 1998; Klaer & Polacheck 1998; Brothers et al. 1999; McNamara et al. 1999; Gilman et al. 2005; Baker & Wise 2005.	Less effective during full moon, under intensive deck lighting or in high latitude fisheries in summer. Less effective on nocturnal foragers e.g. White-chinned Petrels (Brothers et al. 1999; Cherel et al. 1996).	Recommend combination with bird scaring lines and/or weighted branch lines	Data on current time of sets by WCPFC fisheries. Effect of night sets on target catch for different fisheries.	Night defined as nautical dark to nautical dawn
Side setting	Brothers & Gilman 2006; Yokota & Kiyota 2006.	Only effective if hooks are sufficiently below the surface by the time they reach the stern of the vessel. In Hawaii, side-setting trials were conducted with bird curtain and 45-60g weighted swivels placed within 0.5m of hooks. Japanese research concludes must be used with other measures (Yokota & Kiyota 2006).	Must be combined with other measures. Successful Hawaii trials use bird curtain plus weighted branch lines. In Southern Hemisphere, strongly recommend use with bird scaring lines until side-setting is tested in the region.	Currently untested in the Southern Ocean against seabird assemblages of diving seabirds and albatrosses - urgent need for research. In Japan, NRIFSF will continue testing in 2007.	In Hawaii, side setting is used in conjunction with a bird curtain and 45 weighted swivel within 1m of the baited hook. Clear definition of side setting is required. Hawaiian definition is a minimum of 1 m forward of the stern.

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Mitigation measure	Scientific evidence for effectiveness in pelagic fisheries	Caveats /Notes	Need for combination	Research needs	Minimum standards
Single bird scaring line	Imber 1994; Uozumi & Takeuchi 1998; Brothers et al. 1999; Klaer & Polacheck 1998; McNamara et al. 1999; Boggs 2001; CCAMLR 2002; Minami & Kiyota 2004. Melvin 2003.	Effective only when streamers are positioned over sinking baits. In pelagic fisheries, baited hooks are unlikely to sink beyond the diving depths of diving seabirds within the 150 m zone of the bird scaring line, unless combined with other measures such as line weighting or underwater setting. Entanglement with fishing gear can lead to poor compliance by fishers and design issues need to be addressed. In crosswinds, bird scaring line must be deployed from the windward side to be effective.	Effectiveness increased when combined with other measures e.g. weighted branch lines and/or night setting	Optimal design for pelagic fisheries under development: refine to minimise tangling, optimise aerial extent and positioning, and ease hauling/retrieval. Two studies in progress developing optimal bird scaring lines for pelagic fisheries including Washington Sea Grant and Global Guardian Trust in Japan. Controlled studies demonstrating their effectiveness in pelagic fisheries remain very limited.	Current minimum standards for pelagic fisheries are based on CCAMLR Conservation Measure 25-02
Paired bird scaring lines	Two streamer lines best in crosswinds to maximise protection of baited hooks (Melvin et al. 2004).	Potentially increased likelihood of entanglement - see above. Development of a towed device that keeps gear from crossing surface gear essential to improve adoption and compliance.	Effectiveness will be increased when combined with other measures. Recommend use with weighted branch lines and/or night setting	Development and trialling of paired bird scaring line systems for pelagic fisheries.	Current minimum standards for pelagic fisheries are based on CCAMLR Conservation Measure 25-02

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Mitigation measure	Scientific evidence for effectiveness in pelagic fisheries	Caveats /Notes	Need for combination	Research needs	Minimum standards
Weighted branch lines	Brothers 1991; Boggs 2001; Sakai et al. 2001; Brothers et al. 2001; Anderson & McArdle 2002; Gilman et al. 2003a; Robertson 2003; Lokkeborg & Robertson 2002, Hu et al. 2005.	Supplementary measure. Weights will shorten but not eliminate the zone behind the vessel in which birds can be caught. Even in demersal fisheries where weights are much heavier, weights must be combined with other mitigation measures (e.g. CCAMLR Conservation Measure 25-02).	Must be combined with other measures e.g. bird scaring lines and/or night setting	Mass and position of weight both affect sink rate. Further research on weighting regimes needed. Testing of safe-leads in progress. Where possible, effect on target catch as well as seabird bycatch should be evaluated. Research on use of integrated-weight branch lines (wire trace) in pelagic fisheries also needs further exploration.	Global minimum standards not yet established. Requirements now vary by fishery and vessel. Hawaii minimum requirements are 45g less than 1 m from hook. Australia requires 60 or 100g located 3.5 or 4 m from the hook, respectively.
Blue dyed bait	Boggs 2001; Brothers 1991; Gilman et al. 2003a; Minami & Kiyota 2001; Minami & Kiyota 2004; Lydon & Starr 2005. Cocking et al. 2007.	New data suggests only effective with squid bait (Double & Cocking). Onboard dyeing requires labour and is difficult under stormy conditions. Results inconsistent across studies.	Must be combined with bird scaring lines or night setting	Need for tests in Southern Ocean.	Mix to standardized colour placard or specify (e.g. use 'Brilliant Blue' food dye (Colour Index 42090, also known as Food Additive number E133) mixed at 0.5% for a minimum of 20 minutes)

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Mitigation measure	Scientific evidence for effectiveness in pelagic fisheries	Caveats /Notes	Need for combination	Research needs	Minimum standards
Line shooter	Reduced bycatch of Northern Fulmar in trials of mitigation measures in North Sea, Lokkeborg & Robertson 2002; Lokkeborg 2003. Increased seabird bycatch in Alaska (Melvin et al. 2001).	Supplementary measure. No published data for pelagic fisheries. May enhance hook sink rates in some situations but unlikely to eliminate the zone behind the vessel in which birds can be caught. More data needed. Found ineffective in trials in North Pacific demersal longline fishery (Melvin et al. 2001).	Must be combined with other measures such as night setting and/or bird scaring lines or weighted branch lines	Data needed on effects on hook sink rates in pelagic fisheries.	Not established
Bait caster	Duckworth 1995; Klaer & Polacheck 1998.	Not a mitigation measure unless casting machines are available with the capability to control the distance at which baits are cast. This is necessary to allow accurate delivery of baits under a bird scaring line. Needs more development. Few commercially-available machines have this capability.	Not recommended as a mitigation measure.		
Underwater setting chute	Brothers 1991; Boggs 2001; Gilman et al. 2003a; Gilman et al. 2003b; Sakai et al. 2004; Lawrence et al. 2006.	For pelagic fisheries, existing equipment not yet sturdy enough for large vessels in rough seas. Problems with malfunctions and performance inconsistent (e.g. Gilman et al. 2003a and Australian trials cited in Baker & Wise	Not recommended for general application	Design problems to overcome	Not yet established

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Mitigation measure	Scientific evidence for effectiveness in pelagic fisheries	Caveats /Notes	Need for combination	Research needs	Minimum standards
		2005)			
Management of offal discharge	McNamara et al. 1999; Cherel et al. 1996.	Supplementary measure. Definition essential. Offal attracts birds to vessels and where practical should be eliminated or restricted to discharge when not setting or hauling. Strategic discharge during line setting can increase interactions and should be discouraged. Offal retention and/or incineration may be impractical on small vessels.	Must be combined with other measures.	Further information needed on opportunities and constraints in pelagic fisheries (long and short term).	Not yet established for pelagic fisheries. In CCAMLR demersal fisheries, discharge of offal is prohibited during line setting. During line hauling, storage of waste is encouraged, and if discharged must be discharged on the opposite side of the vessel to the hauling bay.
Thawing bait	Brothers 1991; Duckworth 1995; Klaer & Polacheck; Brothers et al 1999.	Supplementary measure. Must be combined with other measures. If lines are set early morning, full thawing of all bait may create practical difficulties.		Evaluate sink rate of partially thawed bait.	

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ADVISORY COMMITTEE WORK PROGRAMME

	Topic/Task	Responsible group	Timeframe	Detail (where relevant, an indicative cost in Australian dollars is given)
1.	Taxonomy and Annex 1 review			
1.1	Review the evidence supporting the specific status of the following taxa: <ul style="list-style-type: none"> • Black Petrels and Westland Petrels • Tristan and Wandering Albatross • Amsterdam and Wandering Albatross • Campbell and Black-browed Albatross 	TWG led by convenor	AC4	
1.2	Migrate the WG's web site to ACAP Secretariat	TWG led by convenor	AC4	Liaise with Secretariat
1.3	Assess the utility of the subspecies rank for ACAP purposes and if appropriate develop guidelines for the recognition of subspecific status	TWG convenor	AC4	
1.4	Construct a morphological and plumage database, then canvas for, collate, archive and summarise available data	TWG led by convenor	AC4	Liaise with other WG Convenors on construction of database and data sharing agreements (see 7.1)
1.5	Maintain the WG's bibliographic database of published scientific papers relevant to the taxonomic status of ACAP listed taxa	TWG led by convenor	AC4	Liaise with Secretariat and Convenor of Bycatch WG (see 7.2)
1.6	Develop and provide advice to AC on the construction and maintenance of species lists as appropriate	TWG led by convenor	ongoing	
1.7	Provide annual reports to AC on WG activities	TWG led by convenor	AC4	
1.8	Draft resolutions (when necessary) for amendments to the species list in Annex 1 of the Agreement	Party with assistance from TWG convenor		
2.	Status and Trends			
2.1	Continue population data collection	Parties and Range States with breeding populations	2007 and ongoing	Parties to provide outstanding and new population information.

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	Topic/Task	Responsible group	Timeframe	Detail (where relevant, an indicative cost in Australian dollars is given)
2.2	Progress development of an ACAP database to be held within, and managed by, the Secretariat	Australia assisting Secretariat and WG Convenors	July 2007	Develop relational database curate and centralise data from ACAP WGs. Central to progressing development of Species Assessments (see 7.1)
2.3	Progress IT framework for web-based Species Assessments	Australia	July 2007	Develop framework to enable web based printer friendly species Assessments (\$AUD 11,200)
2.4	Establish Species Assessments Coordination Group	Secretariat and STWG Convenor	July 2007	Establish coordination group with representation from the 4 ACAP WG Convenors and representatives from France, NZ, UK and South America.
2.5	Engage contracted employee for development of Species Assessments	Secretariat and STWG Convenor	July-August 2007	Identify and contract person coordination of Species Assessments (\$36,800)
2.6	Seek information from the Secretariat on the progression of the ACAP database	STWG Convenor	December 2007	Liaise with Secretariat
2.7	Progress translations of Species Assessments	Secretariat, STWG Convenor, Assessment Contractor and Parties	December 2008 and ongoing	Progress voluntary translations (where possible) of Species Assessments, priority given to English to Spanish translations
2.8	Complete draft Species Assessments – publication on CD ROM and as pdf files on ACAP web site	STWG / Parties / Assessment Contractor	AC4 August 2008	Endeavour to complete Species Assessments of currently listed ACAP species (\$AUD 5000)
2.9	Provide and consider annual reports to AC on STWG activities	STWG	AC4, AC5	Undertake STWG meetings and report to AC
2.10	Maintenance of database and updating Species Assessments	STWG, Secretariat and AC	December 2008 and ongoing	Populate database with newly collected information and update Species Assessments as required.
3 Protection of Breeding Sites and Status of Non-Native Species				
3.1	Identify national coordinators	BSWG Convenor	Ongoing	Parties to notify/confirm identity of national coordinators/BSWG members to interim Secretariat
3.2	Revise the database lists and structures following the recommendations made at AC3	BSWG	By Dec. 2007	Revise list of threats and definitions of threat levels
3.3	Complete, review and update data submission from Parties	BSWG	By Dec. 2007 and ongoing	Request outstanding breeding site data from Parties. Review and update existing submissions in light of revised definitions of threats and threat levels
3.4	Develop analyses of threats to breeding sites	BSWG	By AC4 and ongoing	Determine key threats to breeding sites. Identify sites that require management actions

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	Topic/Task	Responsible group	Timeframe	Detail (where relevant, an indicative cost in Australian dollars is given)
3.5	Review analyses and identify data gaps	BSWG and AC	By AC4 and ongoing	
3.6	Work with other ACAP WGs to report on analyses of threats	BSWG	By AC4 and ongoing	Contribute to ACAP species assessments
3.7	Transfer breeding sites database to Secretariat and link with population status and trends data	BSWG and Secretariat	By AC4	Develop integrated breeding site and population database (see 7.1)
3.8	Develop or review best-practice guidelines to mitigate selected threats to breeding sites	BSWG and AC	AC4	Review existing guidelines for eradication of introduced mammals from breeding sites. Consider which further guidelines are necessary.
3.9	Consider criteria for prioritisation of important bird areas	BSWG	AC4	BirdLife to document listing IBAs for all ACAP species with suggestions on potential approaches to prioritization.
3.10	Provide and consider annual reports to AC on BSWG activities	BSWG and AC	AC4	
4. Seabird Bycatch				
4.1, old 4.2	To consolidate Seabird Bycatch Working Group	Parties with assistance of Convenor of SBWG and Secretariat	End of August 2007	France, Spain, Peru, Ecuador and Norway and further interested Range States to nominate working group members
4.2, old 4.3	Develop a strategy for ACAP and Parties to engage and assist RFMOs and other relevant international and national bodies to assess and minimise bycatch of albatrosses and petrels	SBWG	MoP2, AC3	Completed

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	Topic/Task	Responsible group	Timeframe	Detail (where relevant, an indicative cost in Australian dollars is given)
4.3, new	Develop a interaction plan for ACAP and relevant Parties to engage and assist RFMOs and other relevant international bodies to assess and minimise bycatch of albatrosses and petrels	SBWG	1) End Sept 2007 2) End Nov 2007 3) End Jan 2008 4)Final product for AC4	1) Convenor of SBWG/Secretariat with any necessary support to develop draft interaction plan for consideration of SBWG; 2) Comments by SBWG and National Contact points; 3) Revision complete Plan to include who responsible for lead on each RFMO/international body (including Secretariat), which Parties and Range States need consultation (see Table x in meeting report), record keeping, analysis of needs of each RFMO and identification of products
4.4, old 4.1	Analysing existing remote tracking data and complete initial reports on overlaps with fisheries	BirdLife under contract to ACAP	AC4	Analyse the distribution data for all ACAP species within areas managed by key RFMOs (AU\$ 25,000)
4.5, old 4.4	Review and utilise available information on foraging distribution and seabird bycatch to assess the risk of fishing operations on ACAP species in fishing regions (e.g. RFMO areas of competence, national EEZs)	SBWG	AC4 to review progress	Note overlap with 4.4, use output from BirdLife contract. Note recent progress with three RFMOs on risk assessment
4.6	Develop generic products to assist RFMOs and other relevant international and national bodies in reducing seabird bycatch	SBWG Convenor /Secretariat, with other SBWG consultation to review needs	Discuss at AC4	Observer programme designs including protocols for the collection of seabird bycatch data, analytical methods for assessing seabird bycatch to be examined first (AU\$ 20, 000). Note that this needs to consider more than just data collection, e.g. training, operational issues.
4.7, old 4.8	Develop specific materials and guidelines to assist ACAP representatives attending RFMO and other relevant meetings to maximise effective participation and consideration of issues relevant to ACAP	SBWG and others as defined	after AC4	These materials would be defined in the RFMO implementation plan (See 4.3) and be tailored for each RFMO above and beyond those outlined above (AU\$ 40,000). Priority decided inside the RFMO interaction plan.

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	Topic/Task	Responsible group	Timeframe	Detail (where relevant, an indicative cost in Australian dollars is given)
4.8, old 4.5	Review information on mitigation measures for fishing methods known to impact albatrosses and petrels	SBWG (New Zealand/UK lead for trawl; Chile/UK/Argentina lead for demersal longline)	AC4 initial review, final product MoP3	Initial work focused on pelagic longline methods (completed AC3); focus should next be on trawl interactions and demersal longline. Initial material for work within meetings to establish the SPRFMO would be helpful in the near future.
4.9, old 4.7	Assist in the preparation, adoption and implementation of FAO NPOA-Seabirds or equivalent	SBWG and Parties/Range States	Review progress by AC4	Participate in development of FAO Best Practice Guidelines (AU\$ 13,000). Once developed, provide capacity building in accordance with the needs identified by interested parties in order to encourage implementation, in particular in Argentina, Peru, Ecuador, South Africa, (Mozambique, Madagascar), Tristan da Cunha, France, and EC external fisheries.
4.10, old 4.9	Provide and consider annual reports to AC on WG activities	SBWG and AC	AC4, AC5	
4.11	Points from pelagic longline research strategy			
4.12	Points from waved albatross action plan			Likely social influencing programme needing to be planned
5. Capacity building				
5.1	Develop strategy for capacity building	AC	AC3	
5.1	Identify needs for capacity building	AC	AC3	Seek advice from Parties and Range States on obstacles preventing implementation of ACAP.
5.2	Identify sources of funding for capacity building	AC	2006/09	
5.3	Support applications for funding from e.g. GEF	AC	2006/09	

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	Topic/Task	Responsible group	Timeframe	Detail (where relevant, an indicative cost in Australian dollars is given)
5.4	Technical Cooperation	AC	2006/09	Identify opportunities for assisting Parties and Range States through exchange of skills, knowledge, training, and other resources.
5.5	Waved Albatross Workshop - Ecuador		2007 - 2008	
5.6	Secondment to Secretariat from Brazil			
6. Indicators				
6.1	Develop a system of indicators for the success of the ACAP Agreement	BirdLife, South Africa and New Zealand	AC4, AC5	Develop a system of indicators to measure the collective success of the Parties to the Agreement
7. Collation of information on research, legislation and organisations/individuals concerned with albatrosses and petrels				
7.1	Develop relational database to centralise and curate data from ACAP WGs	Secretariat and WG Convenors	AC4	Engage contractor to develop appropriate database (\$AUD 40 000)
7.2	Develop a database of relevant scientific literature	AC with Parties, [volunteer]	AC3, AC4	Once developed, this would be passed to Secretariat for maintenance. There are many existing individual initiatives. (AUD 2000)
7.3	Develop a directory of relevant legislation	AC with Parties, [volunteer]	AC5	This will help Parties/AC in reducing their reporting needs and could potentially also be useful to any Party wishing to develop further legislation. Once assembled, this would be passed to Secretariat for maintenance. (AUD 500)
7.4	Develop a list of authorities, research centres, scientists and non-government organisations relevant to ACAP	AC with Parties, [volunteer]	AC3, AC4, AC5	This will help Parties/AC in reducing their reporting needs. Once assembled, this would be passed to Secretariat for maintenance. (AUD 500)
8. Secretariat oversight				
8.1	Budget matters	AC	Ongoing	Process matters that arise as a result of the Financial Regulations and consider a report on these matters prepared by the Executive Secretary

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	Topic/Task	Responsible group	Timeframe	Detail (where relevant, an indicative cost in Australian dollars is given)
8.2	Staff matters	AC	Ongoing	Process matters that arise as a result of the Staff Regulations and consider a report on these matters prepared by the Executive Secretary

** overall database development cost \$AU40,000

**FINANCIAL SUMMARY OF ADVISORY COMMITTEE'S
WORK PROGRAMME**

	AC3 to AC4	AC4 to MoP3 indicative only
Funds carried forward	\$ 263,000.00	
Committed funds carried forward	\$ 153,000.00	
Balance carried forward	\$ 110,000.00	\$ 63,000.00
New Zealand voluntary contribution	\$ 13,000.00	
Norway contribution	\$ 39,000.00	\$ 68,200.00
Balance available	\$ 162,000.00	\$ 131,200.00

Summary of funds committed and considered

	Funding approved for the period AC3 to AC4	Funding considered for the period AC4 to MoP3
Compilation of text and data for remaining ACAP listed species	\$ 36,800.00	
Type-setting and graphic design	\$ 2,500.00	
Publication on CD ROM of Species Assessments	\$ 2,500.00	
Design and implementation of web site for Species Assessments	\$ 11,200.00	
Updating species assessments		ca \$ 5,000.00
Translation costs of species assessments to French (note offer of help in kind from Argentina and Chile for Spanish version)		?
Waved albatross workshop in Ecuador	\$ 20,000.00	
Information system/database development costs (Secretariat budget)	\$ 40,000.00	?
Breeding sites WG needs	\$ -	
Best practice conservation guidelines	\$ -	
Best practice guidelines for NPOA-Fisheries	\$ 13,000.00	
Generic products for RFMO interactions	\$ -	ca \$ 20,000.00
Specific products for RFMO interactions	\$ -	ca \$ 20,000.00
Directory of relevant legislation (Secretariat budget)	\$ 500.00	
	Funding approved for the period AC3 to AC4	Funding considered for the period AC4 to MoP3

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Database of relevant scientific literature (Secretariat budget)	\$	2,000.00
List of authorities etc (secretariat budget)	\$	500.00
Support for secondment from Brazil	\$	13,000.00
Total funds agreed from Advisory Committee funds	\$	99,000.00
Total Advisory Committee funds not committed and carried forward	\$	63,000.00
Total funds agreed from Secretariat funds	\$	43,000.00

Revised Reporting Template

Format for Reports on Implementation of the Agreement

1. Species Conservation

Outline of planned actions for national implementation over the next three years	Action Plan Reference	AC Work Programme Reference	Agreement Reference
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Briefly list major planned actions for carrying out the Agreement over the next three years. Specifically highlight particular themes, focuses, gaps, and challenges to completing fully such actions.

Measures to eliminate, control or prevent introduction of non-native species to breeding sites	Action Plan Reference		AC Work Programme Reference	Agreement Reference
	1.4	3	III (1) b)	

Briefly describe efforts to eliminate, control, or prevent the introduction of non-native species to the breeding sites of Annex I species, with specific reference to how the success or failure of such efforts would impact the long-term survival of one or more Annex I species. Mention any obstacles to tackling this threat.

Report on any exemptions to prohibitions on the taking or harming of albatrosses and petrels	Action Plan Reference		AC Work Programme Reference	Agreement Reference
	1.1.2		III (3)	

Provide a brief list of exemptions granted for the taking or harming of Annex I species in your country (as appropriate). Estimate the impact of such exemptions on the species and indicate how such exemptions are consistent with efforts to protect such species under the species conservation provisions of the Agreement.

Use and trade	Action Plan Reference	AC Work Programme Reference	Agreement Reference
	1.1.1, 1.1.2	III (3)	

Provide a brief list of activities related to the use and trade of Annex I species in your country (as appropriate). Estimate the impact of such use and trade, or the restriction of such use and trade, indicating how such activities are consistent with efforts to protect Annex 1 species under the species conservation provisions of the Agreement.

Single or multi-species conservation strategies / action plans	Action Plan Reference		AC Work Programme Reference	Agreement Reference
	1.1.3			

Provide a brief description of single or multi-species conservation strategies or action plans focusing on Annex 1 species. Are such strategies and plans effective at conserving seabird species? What have the significant results been? What are the lessons learned from the implementation of such strategies and action plans?

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Emergency Measures	Action Plan Reference	AC Work Programme Reference	Agreement Reference
	1.2	VIII (11) e)	

Have any emergency measures been authorised? If so, what steps were taken? Has anything been learnt from the experience?

Re-establishment schemes	Action Plan Reference	AC Work Programme Reference	Agreement Reference
	1.3		

Have you conducted any re-establishment schemes? For which species? What were the most important results of such schemes? Has an obvious benefit to at least one Annex 1-listed species been detected? What were the lessons learned?

Any other conservation projects for ACAP species	Action Plan Reference	AC Work Programme Reference	Agreement Reference

Briefly provide information on any other activities that you carried out for benefit or that have benefited Annex 1 species. What are the most substantial and transferable results of these activities?

2. Habitat Conservation

Measures (legal and policy instruments and actions) to implement protection and management of breeding sites including habitat restoration	Action Plan Reference	AC Work Programme Reference	Agreement Reference
	2.1	3	III (1) a)

Provide a list including brief descriptions of the main elements of national legislation or other legal measures in your country (if applicable) that directly pertain to or could be applied to the habitat conservation provisions of the Agreement. Include information on how these measures are being specifically used in or could potentially contribute to the protection of breeding sites of Annex I species. Are existing measures adequate and/or effective for fulfilment of the Agreement? How so or how not?

Sustainable management of marine living resources which provide food for albatrosses and petrels	Action Plan Reference	AC Work Programme Reference	Agreement Reference
	2.3.1 a)		

Provide a summary of whether the management of living marine resources under your authority (as appropriate) was carried out in such a way that provides sufficient food for Annex 1 species. How so? Were direct or indirect benefits achieved?

Management and protection of important marine areas for albatrosses and petrels	Action Plan Reference	AC Work Programme Reference	Agreement Reference
	2.3.2, 2.3.3	4	

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Provide a brief description of the management and protection of important marine areas for or resulting in the benefit of Annex 1 species. Were these actions successful? In what ways? What were the most significant benefits?

3. Management of Human Activities

Report on environmental impact statements related to albatrosses and petrels	Action Plan Reference	AC Work Programme Reference	Agreement Reference
	3.1		

Provide a description of environmental impact assessments or equivalents conducted that directly pertain to Annex 1 species, their habitats, or significant food sources. Were any mitigation measures employed?

Measures to reduce or eliminate incidental mortality in fisheries	Action Plan Reference	AC Work Programme Reference	Agreement Reference
	3.2	6	

Describe activities related directly to reducing or eliminating the incidental mortality of Annex I species in fisheries. What are the greatest challenges or obstacles to the full realization of the potential for these actions?

Measures to combat illegal, unregulated, and unreported (IUU) fishing	Action Plan Reference	AC Work Programme Reference	Agreement Reference
	3.2 4	6	

Describe efforts and obstacles faced tackling illegal, unreported and unregulated (IUU) fishing that have direct consequences for protecting Annex 1 species from either direct or indirect harm from such fishing activities.

Measures to minimise discharge of pollutants and marine debris (with reference to the International Convention for the Prevention of Pollution from Ships (MARPOL)	Action Plan Reference	AC Work Programme Reference	Agreement Reference
	2.3.1 b), 3.3		

Describe activities related directly to the minimisation of pollutants and marine (including fisheries-derived) debris in or around important areas for Annex 1 species. How are such activities contributing to the conservation of Annex I species?

Measures to minimise disturbance in marine and terrestrial habitats	Action Plan Reference	AC Work Programme Reference	Agreement Reference
	3.4		

Describe measures conducted to minimise disturbance in marine and terrestrial habitats as they directly apply to Annex 1 species. Provide any noteworthy details of the execution of such measures.

4. Research and Monitoring

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Ongoing research programmes relating to the conservation of albatrosses and petrels	Action Plan Reference	AC Work Programme Reference	Agreement Reference
	4.1		

Provide a summary of more notable research activities and findings that may be noteworthy or of particular interest to other Agreement Parties, Range States, or participants. This may include substantial results, identification of major information gaps, or noteworthy results regarding shared species.

Observer programmes to monitor fisheries bycatch of albatrosses and petrels	Action Plan Reference	AC Work Programme Reference	Agreement Reference
	4.2	5.1	

Describe actions taken to monitor fisheries bycatch of seabird species, specifically detailing techniques, technologies, or other aspects of such monitoring that may be of interest and/or use to other Parties, Range States, or participants.

5. Education and Public Awareness

Dissemination of information / training for 'user audiences' e.g. scientists, fishermen, conservation bodies, and decision-makers	Action Plan Reference	AC Work Programme Reference	Agreement Reference
	6.1		

Briefly describe actions taken in the dissemination of information/training for "user audiences". Have such materials been shown to be effective at furthering the goals of the Agreement?

Dissemination of information to the general public	Action Plan Reference	AC Work Programme Reference	Agreement Reference
	6.2		

Provide a brief description of activities undertaken to disseminate information to the general public regarding seabirds and seabird conservation. Have these activities increased public awareness of such issues and how has this contributed to your overall seabird conservation efforts?

6. Implementation

Summarise progress to implement decisions of previous Meetings of the Parties	Action Plan Reference	AC Work Programme Reference	Agreement Reference

Provide a summary of progress made to implement specific decisions made at previous Meetings of the Parties, in addition to those outlined generally in the Action Plan. How have these actions been integrated into larger seabird conservation efforts?

**DRAFT AGENDA
FOURTH MEETING OF ADVISORY COMMITTEE**

1. Opening Remarks
2. Adoption of the Agenda
3. Rules of Procedure
4. Report from Interim Secretariat 4.1 Activities undertaken in 2007/8 intersessional period 4.2 Financial Report and Agreement Budget
5. Report of Depository 5.1 Depository Status List 5.2 Headquarters Agreement
6. Reports from ACAP Observers at non fishery-related International Meetings
7. Parties' Reports on Implementation of the Action Plan 7.1 Collation of reports from Parties, Signatories and Organisations 7.2 Report from Waved Albatross Workshop - Ecuador
8. Advisory Committee Report to the Meeting of Parties
9. ACAP Secretariat 9.1 Secretariat Work Programme 2007 - 2009 9.2 Performance Indicators 9.3 Recruitment of Executive Secretary
10. Status and Trends of Albatrosses and Petrels 10.1 Report of Working Group 10.2 Future Work Programme
11. Taxonomy of Albatrosses and Petrels 11.1 Report of Working Group 11.2 Future Work Programme
12. Breeding Sites 12.1 Report of Working Group 12.2 Future Work Programme 12.3 Identifying Internationally Important Breeding Sites
13. Seabird Bycatch 13.1 Report of Working Group 13.2 Future Work Programme 13.3 Foraging Ranges and Overlap with Fisheries 13.4 Standards for Bycatch Data Collection 13.5 Estimation of Bycatch 13.6 Bycatch mitigation 13.7 Engagement with RFMOs and other relevant international bodies 13.8 National Plans of Action and other National Initiatives
14. Capacity Building

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15. Advisory Committee Work Programme 15.1 Review Work Programme 2007 - 2009 15.2 Funding of 2009 Work Programme 15.3 Development of Conservation Guidelines
16. Developing Indicators to Measure the Success of ACAP
17. Listing of New Species
18. Third Meeting of Parties 18.1 Timing and Venue 18.2 Agenda
19. Fifth Meeting of the Advisory Committee 19.1 Timing and Venue 19.2 Agenda
20. Election and appointment of Officers
21. Illegal, Unregulated and Unreported Fishing and its Relevance to the Conservation of Seabirds
22. Other Business
23. Closing remarks
24. Adoption of report

CAPACITY BUILDING

Party	a) Areas Requiring Assistance/Attention	b) Potential Areas of Assistance
Argentina	<ul style="list-style-type: none"> • Funding for education & training, in particular: <ol style="list-style-type: none"> a) intragovernmental workshops, b) training of observers; inspectors and crew, c) informing and training industry; d) seabird monitoring programs; e) training tour guides; f) equipment purchase; and g) postgraduate specialization in taxonomy. 	<ul style="list-style-type: none"> • Scientific expertise in: <ol style="list-style-type: none"> a) longline mitigation; b) banding of albatrosses and petrels. • Education and training
New Zealand	<ul style="list-style-type: none"> • Monitoring of effectiveness of bycatch mitigation. • Population studies of ACAP species. • Research on foraging and distribution of ACAP species. • Establishment of classification scheme through exchange of molecular systematists. • Managing issues where significant funding resources are required (e.g. predator removal on remote offshore islands). 	<ul style="list-style-type: none"> • Training, raising awareness & technical advice for the fishing industry. • Approaches to developing partnerships with key stakeholders, for example Southern Seabird Solutions. • Expertise in procedures, regulations and policies for management of protected species bycatch for example expertise in bycatch mitigation measures for demersal longline and trawl. • Experience in management of offshore breeding sites, in particular approaches to pest management and eradication. • Approaches to working with the fishing industry. • Development of marine protected areas and networks of protected areas. • Technical assistance in training onboard observers. • Approaches to translocation and associated research. • Funding (if available);

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Party	a) Areas Requiring Assistance/Attention	b) Potential Areas of Assistance
Peru	<ul style="list-style-type: none"> • Technical support for development and implementation of NPOA; • Workshops on advocacy of NPOA; • Technical assistance to train onboard observers to assess bycatch; • Advice for raising awareness of government, industry and non-government stakeholders; 	<ul style="list-style-type: none"> • Knowledge/expertise/resources in fisheries, oceanography and conservation via Peruvian Marine Research Institute (IMARPE).
Republic of South Africa	<ul style="list-style-type: none"> • Development of young scientists; • Funding to support participation of ACAP official and scientists for South Africa's planned survey of seabird and seal populations at its Prince Edward Islands (3-23 December 2007). 	<ul style="list-style-type: none"> • Four berths on its Prince Edward Island survey including food and accommodation on the island.
United Kingdom	<ul style="list-style-type: none"> • Training to undertake basic monitoring of breeding sites and data management; • Monitoring by-catch mitigation; • Development of Marine Protected Areas; • Direct advocacy. 	<ul style="list-style-type: none"> • Experience/advice on preparing NPOA; • At-Sea Monitoring; • Scientific Expertise.

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

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

Rule 2: Delegates

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

Rule 3: Observers

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

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

Rule 4: Secretariat

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

PART II

OFFICERS

Rule 5: Chair

1. The Committee shall elect a Chair and a Vice-chair from among the Committee Members or their Alternate Committee Members in accordance with Rule 12.
2. After election, the Chair and Vice-chair of the Committee shall hold office until the end of the first Meeting of the Committee following the next session of the Meeting of Parties.
3. The Chair and Vice-chair may be nominated for re-election at the end of a term of office. The Chair and Vice-chair shall not normally hold office for more than three consecutive terms.

Rule 6: Presiding officer

1. The Chair shall preside at all Meetings of the Committee.

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

PART III

RULES OF ORDER AND DEBATE

Rule 7: Powers of presiding officer

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

Rule 8: Seating, Quorum

1. No Committee meetings shall take place in the absence of a quorum. A quorum for Committee meetings shall consist of four Committee Members or one-half of the Committee Members present at the meeting, whichever is the greater.

Rule 9: Right to speak

1. The Presiding Officer shall call upon speakers in the order in which they signify their desire to speak, with precedence given to the Committee Members.
2. A Committee Member, advisor or observer may speak only if called upon by the Presiding Officer, who may call a speaker to order if the remarks are not relevant to the subject under discussion.

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3. A speaker shall not be interrupted, except on a point of order. The speaker may, however, with the permission of the Presiding Officer, give way during his speech to allow any participant or observer to request elucidation on a particular point in that speech.

Rule 10: Procedural motions

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

Rule 11: Arrangements for debate

1. The Meeting may, on a proposal by the Presiding Officer or by a Committee Member, limit the time to be allowed to each speaker and the number of times anyone may speak on any question. When the debate is subject to such limits, and a speaker has spoken for the allotted time, the Presiding Officer shall call the speaker to order without delay.
2. During the course of a debate the Presiding Officer may announce the list of speakers, and, with the consent of the Committee, declare the list closed. The Presiding Officer may, however, accord the right of reply to any individual if a speech delivered after the list has been declared closed makes this desirable.
3. During the discussion of any matter, a Committee Member may move the adjournment of the debate on the particular subject or question under discussion. In addition to the proposer of the motion, a Committee Member may speak in favour of, and a Committee Member of each of two Parties may speak against the motion, after which the motion shall immediately be put to the vote. The Presiding Officer may limit the time to be allowed to speakers under this Rule.
4. A Committee Member may at any time move the closure of the debate on the particular subject or question under discussion, whether or not any other individual has signified the wish to speak. Permission to speak on the motion for closure of the debate shall be accorded only to a Committee Member from each of two Parties wishing to speak against the motion, after which the motion shall immediately be put to the vote. The Presiding Officer may limit the time to be allowed to speakers under this Rule.
5. During the discussion of any matter a Committee Member may move the suspension or the adjournment of the Meeting. Such motions shall not be

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debated but shall immediately be put to the vote. The Presiding Officer may limit the time allowed to the speaker moving the suspension or adjournment of the Meeting.

Rule 12: Taking of Decisions

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

PART IV

VOTING

Rule 13: Voting

1. Without prejudice to the provisions of Rule 2, Paragraph 2, each Committee Member shall have one vote.
2. Parties which are one year behind in paying their budget contributions on the date of the first day of the Committee meeting shall not be eligible to vote unless the Meeting of Parties have agreed to allow those Parties to exercise their vote in accordance with Rule 20 (paragraph 2) of the Rules of Procedure for the Meeting of Parties.
3. The Committee shall normally vote by show of hands at a meeting, but any Committee Member may request a roll-call vote. In the event of a vote between Meetings, there will be a postal or email ballot. Voting by email or postal voting shall be coordinated by the Secretariat.
4. At the election of officers, any Committee Member may request a secret ballot. If seconded, the question of whether a secret ballot should be held shall immediately be voted upon. The motion for a secret ballot may not be conducted by secret ballot.
5. Voting by roll-call or by secret ballot shall be expressed by "Yes", "No" or "Abstain". Only affirmative and negative votes shall be counted in calculating the number of votes cast by Committee Members present and voting.
6. If, during the course of a person being elected to a position, no candidate obtains the support of more than half of the Parties present and voting in the first ballot, a second ballot shall be taken between the two candidates obtaining the largest number of votes. If in the second ballot the votes are equally divided, the Presiding Officer shall decide between the candidates by drawing lots.
7. The Presiding Officer shall be responsible for the counting of the votes and shall announce the result. The Presiding Officer may be assisted by the Secretariat. Voting by email or postal ballot shall be co-ordinated by the Secretariat.
8. After the Presiding Officer has announced the beginning of the vote, it shall not be interrupted except by a Committee Member on a point of order in connection with the actual conduct of the voting. The Presiding Officer may permit Committee Members to explain their votes either before or after the

voting, and may limit the time to be allowed for such explanations.

Rule 14: Majority and voting procedures on motions and amendments

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

PART V

LANGUAGES AND RECORDS

Rule 15: Working languages

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

Rule 16: Other languages

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

Rule 17: Documents

1. The documents for each meeting of the Committee shall be distributed to the Parties in the working languages by the Secretariat at least 30 days before the opening of the Meeting. If documents are to be translated by the Secretariat, they shall be sent to the Secretariat by those submitting them at least 60 days in advance of the Meeting. Information papers will not normally be translated.

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

Rule 18: Record of the Meeting

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

PART VI

OPENNESS OF DEBATES

Rule 19: Committee meetings

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

PART VII

WORKING GROUPS

Rule 20: Establishment of working groups

1. The Committee may establish such working groups as may be necessary to enable it to carry out its functions. It shall appoint a Convenor and Vice-Convenor of each working group and define its terms of reference. The Committee shall reconsider appointments at the first Meeting of the Committee following each session of the Meeting of Parties. It may also define the composition of each working group. The Convenor may co-opt members to the working group.
2. As a general rule, meetings of working groups shall be limited to the Committee Members, Alternate Committee Members, their advisors,

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members appointed by the Committee and to members co-opted by the Convenor of the working group.

Rule 21: Procedure

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

LIST OF MEETING DOCUMENTS

Paper	Title	Agenda Item	Author
AC3 Doc 1 Rev2	Agenda	2	Secretariat
AC3 Doc 2	Annotated Agenda	2	Secretariat
AC3 Doc 3	Schedule	2	Secretariat
AC3 Doc 4 Rev 1	Participant List		Secretariat
AC3 Doc 5	List of Papers		Secretariat
AC3 Doc 6	Interim Secretariat Report	3.1	Secretariat
AC3 Doc 7	Depository Report	4	Australia
AC3 Doc 8	Implementation of Headquarters Agreement	4	Australia
AC3 Doc 9 Rev 1	Financial Report	3.2	Secretariat
AC3 Doc 10	Rules of Procedure	7	Secretariat
AC3 Doc 11 Rev 1	Report of Status and Trends Working Group	9.1	Convenor, Status & Trends WG
AC3 Doc 12	Report of Taxonomy Working Group	10.1	Convenor, Taxonomy WG
AC 3 Doc 13	Report of Breeding Sites Working Group	11.1	Convenor Breeding Sites WG
AC3 Doc 14 Rev 5	Report of Seabird Bycatch Working Group	12.1	Convenor, Seabird Bycatch WG
AC3 Doc 15 Rev 1	Schedule of RFMO meetings	9.5	Secretariat
AC3 Doc 16	Capacity Building	10	Secretariat
AC3 Doc 17	Advisory Committee Work Programme	11.1	Chair Advisory Committee
AC3 Doc 18	Listing of New Species	13	South Africa
AC3 Doc 19 Rev 2	Important Breeding Areas	8.3	Australia
AC3 Doc 20	Directory of Authorities, Research Centres, Scientists and NGO Organisations Relevant to ACAP	3.1	Secretariat
AC3 Doc 21	Database of Relevant Scientific Literature	3.1	Secretariat
AC3 Doc 22	REMOVED	19	Australia
AC3 Doc 23	Analysis of Remote Tracking Data	12.3	BirdLife International
AC3 Doc 24	Secretariat Work Programme 2007-2009	8.1	Secretariat
AC3 Doc 25	Agreement Budget 2007-2009	3.2	Secretariat
AC3 Doc 26	CEP Request for Advice from the Advisory Committee	5, 11	Secretariat
AC3 Doc 27	Country Report Template	6.1	Secretariat
AC3 Doc 28	Report of the Waved Albatross Workshop	6.2	Secretariat
AC3 Doc 29	MoU between ACAP and WCPFC		Secretariat

LIST OF INFORMATION PAPERS

Document No.	Title	Agenda No.	Author
AC3 Inf 1	Observer Report – WCPFC - SC	5	Secretariat
AC3 Inf 2	Observer Report – IATTC Bycatch	5	USA/BirdLife International
AC3 Inf 3	Observer Report - CCAMLR	5	USA
AC3 Inf 4	Observer Report - IOTC	5	
AC3 Inf 5	Observer Report - CCSBT	5	Australia
AC3 Inf 6	Observer Report - WCPFC	5	Secretariat
AC3 Inf 7 (Es)	Observer Report - ICCAT	5	UK
AC3 Inf 8	Observer Report - SEAFO	5	South Africa
AC3 Inf 9 Rev 1	Observer Report - BirdLife	5	BirdLife International
AC3 Inf 10	Observer Report - SPRFMO	5	Chile
AC3 Inf 11	Observer Report – Joint Tuna Meeting	5	Secretariat
AC3 Inf 12	Observer Report – 1 st South American Fishers Forum	5	Brazil
AC3 Inf 13	Observer Report – FAO COFI	5	Secretariat
AC3 Inf 14	Observer Report – Regional Fishery Bodies Secretariat Network Meeting	5	Secretariat
AC3 Inf 15	Observer Report - ATCM	5	Australia
AC3 Inf 16	REMOVED		
AC3 Inf 17	Best Practices for the Collection of Longline Data to Facilitate Research...Workshop Report - International Fisheries Observer Conference	12.4	USA
AC3 Inf 18	Summary Report: Seabird Bycatch Mitigation in Pelagic Longline Fisheries Workshop	12.6	USA
AC3 Inf 19	Proportion of Shy and White-Capped Albatrosses Caught	12.5	Australia
AC3 Inf 20	USA Report 2006 - 2007	6.1	USA
AC3 Inf 21	SSS Capacity Building Report	13	SSS
AC3 Inf 22	AC4 Announcement	17	South Africa
AC3 Inf 23	Draft IUCN-CMP threat magnitude methodology		IUCN/CMP
AC3 Inf 24	Unified Direct Threats Classification		IUCN/CMP
AC3 Inf 25	Expert Consult - IPOA Seabirds	6.1	BirdLife International
AC3 Inf 26	Potential of Blue-dyed bait		Australia
AC3 Inf 27	Africa IBA Methodology	11.3	BirdLife International
AC3 Inf 28	UK OT IBAs Tristan de Cunha	11.3	BirdLife International
AC3 Inf 29	Africa IBAs French south territories	11.3	BirdLife International

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Document No.	Title	Agenda No.	Author
AC3 Inf 30 Rev 1	ACAP Development of the Agreement and Way Forward		South Africa
AC3 Inf 31	ACAP Species List	11.3	BirdLife International
AC3 Inf 32	REMOVED		
AC3 Inf 33	Brazil Country Report		Brazil
AC3 Inf 34	RAMSAR Listing of Prince Edward Islands	11.3	South Africa

STATEMENT – LA REPUBLICA ARGENTINA

“La REPUBLICA ARGENTINA reafirma su soberanía sobre las Islas Malvinas, Georgias del Sur y Sandwich del Sur y los espacios marítimos circundantes que son parte integrante de su territorio nacional y recuerda que la Asamblea General de la Naciones Unidas ha adoptado las Resoluciones 2065 (XX), 3160 (XXVIII), 31/49, 37/9, 38/12, 39/6, 40/21, 41/40, 42/19 y 43/25, en las que reconoce la existencia de la disputa de soberanía y se insta a los Gobiernos de la REPUBLICA ARGENTINA y del REINO UNIDO DE GRAN BRETAÑA E IRLANDA DEL NORTE a que entablen negociaciones con miras a encontrar los medios de resolver pacífica y definitivamente los problemas pendientes entre los dos países incluidos todos los aspectos sobre el futuro de las Islas Malvinas de acuerdo con la Carta de Naciones Unidas”.

“La REPUBLICA ARGENTINA, sin perjuicio de lo dispuesto en el Artículo IV del Tratado Antártico, reafirma sus legítimos derechos de soberanía sobre el Sector Antártico Argentino, el cual es parte integrante de su territorio nacional”.

STATEMENT – UNITED KINGDOM

- The United Kingdom has no doubts about its sovereignty over the Falkland Islands, South Georgia and the South Sandwich Islands and the surrounding maritime areas.
- There can be no negotiations on the sovereignty of the Falkland Islands unless and until such time as the Falkland Islanders so wish.
- The principle of self-determination underlies our position on the sovereignty of the Falkland Islands.
- The United Kingdom frequently makes our position on the Falkland Islands known to the International Community. The last time we had an opportunity to do so was at the United Nations on 4 October 2006.
- The UK has no doubts over its sovereignty over the British Antarctic Territory. As the first signatory to the Antarctic Treaty, UK unreservedly endorses the terms of Article IV of the Treaty, under which all territorial claims in the Antarctic are held in abeyance while the Treaty remains in force.

STATEMENT – BIRDLIFE INTERNATIONAL

BirdLife expressed strong concern at the ruling in respect of its paper (AC3 Inf 16) that had been rejected due to late submission. As a properly accredited observer at ACAP, BirdLife submitted its paper in good faith and in good time, in full accord with the rules of procedure. That the attachment, by a third party, of an incorrect cover sheet, should be deemed sufficient to have the document withdrawn by Parties from consideration by the Advisory Committee and its Working Groups, seems to BirdLife to set a precedent entirely contrary to customary practice and natural justice. Indeed, as a published document in the public domain, protected by copyright, BirdLife cannot understand how it can be modified by others. BirdLife encourages Parties to reflect on their decision and to reconsider this before the next meetings of Advisory Committee and Parties. BirdLife was disappointed that Parties should find technical reasons for excluding from consideration a document containing numerous recommendations designed directly to improve the conservation status of albatrosses.