



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

**REPORT OF THE FIFTH SESSION OF
THE MEETING OF THE PARTIES**

*Santa Cruz de Tenerife, Spain
4 – 8 May 2015*

LIST OF ACRONYMS

AC	Advisory Committee (AC1, AC2 etc refer to the first, second, etc meetings of the Advisory Committee)
ACAP	Agreement on the Conservation of Albatrosses and Petrels
APEC	Asia Pacific Economic Cooperation forum
CCAMLR	Commission for the Conservation of Antarctic Marine Living Resources
CCSBT	Commission for the Conservation of Southern Bluefin Tuna
CMS	Convention on the Conservation of Migratory Species of Wild Animals
COI	Conflict of Interest
CONICET	Consejo Nacional de Investigaciones Científicas y Técnicas
COSEWIC	Committee on the Status of Endangered Wildlife in Canada
FAO	Food and Agriculture Organization of the United Nations
IAC	Inter-American Convention for the Protection and Conservation of Sea Turtles
IATTC	Inter-American Tropical Tuna Commission
ICCAT	International Commission for the Conservation of Atlantic Tunas
IEO	Instituto Español de Oceanografía
IUCN	International Union for the Conservation of Nature and Natural Resources
MoP	Meeting of the Parties (MoP1, MoP2 etc refer to the first, second etc Sessions of the Meeting of Parties)
MoU	Memorandum of Understanding
MPA	Marine Protected Area
NGO	Non-governmental Organisation
NPOA-S	National Plan of Action – Seabirds
OLDEPESCA	Organizacion Latinoamericana de Desarrollo Pesquero
PaCSWG	Population and Conservation Status Working Group
REIOs	Regional Economic Integration Organisations
RFMO	Regional Fisheries Management Organisation
RoP	Rules of Procedure
SBWG	Seabird Bycatch Working Group
SIOFA	Southern Indian Ocean Fisheries Commission
TWG	Taxonomy Working Group
UK	United Kingdom of Great Britain and Northern Ireland
UN	United Nations
UNEP	United Nations Environment Programme
USA	United States of America

CONTENTS

LIST OF ACRONYMS.....	i
1 OFFICIAL OPENING AND OPENING REMARKS	1
2 PROCEDURAL ISSUES.....	2
2.1 Adoption of Agenda.....	2
2.2 Proposed Amendments to the MoP Rules of Procedure	2
2.3 Establishment of Credentials Committee.....	3
2.4 List of Observers Attending MoP5	3
3 REPORTS	4
3.1 Report of Credentials Committee.....	4
3.2 Report of Depositary	4
3.3 Reports of Observers	4
4 OPERATION OF THE SECRETARIAT.....	5
4.1 Report of the Secretariat.....	5
4.2 Secretariat Work Programme 2016 - 2018	5
4.3 Review of Staff Regulations.....	5
4.4 Review of Financial Regulations.....	6
4.5 Report on Secretariat's Performance Indicators	7
4.6 Report on the Process for the Recruitment of the Executive Secretary	7
5 OPERATION OF THE MEETING OF THE PARTIES	7
5.1 Hosting of Meetings by non-Party Range States.....	7
6 OPERATION OF THE ADVISORY COMMITTEE.....	8
6.1 Report of the Advisory Committee	8
6.2 Advisory Committee Work Programme 2016 - 2018	9
7 OPERATION OF THE AGREEMENT	9
7.1 Report on Implementation of the Agreement.....	9
7.2 Report on Achievements in First 10 Years of the Agreement.....	11
7.3 Amendments to Reporting Format for the Report on the Implementation of the Agreement.....	11
7.4 Criteria for Listing and De-listing Species in Annex 1	12
7.5 Proposed Amendments to Annex 1 — Listing of New Species	13
7.6 Identification of Priority Conservation Actions.....	14
7.7 Proposed Indicators to Measure the Success of the Agreement.....	14
7.8 Capacity Building	15
7.9 Development of Arrangements with Other International Organisations	15
7.10 Financial and Auditor's Reports	16
7.11 Agreement Budget 2016 – 2018.....	16
7.12 Scale of Contributions.....	17
7.13 National Plans of Action.....	17

7.14	Accession of Non-Party Range States.....	17
7.15	Conflict of Interest and Bias	18
7.16	Lethal Experimentation	18
7.17	Agreement Sponsorship Policy.....	19
8	PROVISIONAL DATE AND VENUE OF THE SIXTH MEETING OF THE PARTIES.....	20
9	OTHER BUSINESS	20
9.1	Media Release	20
9.2	Participation at the 2nd World Seabird Conference.....	20
10.	CLOSING REMARKS.....	21
11.	ADOPTION OF MOP5 REPORT	21
12.	CLOSE OF MEETING	21
ANNEX 1:	RESOLUTION 5.1 - AMENDMENT TO ANNEX 1	22
ANNEX 2:	RESOLUTION 5.2 - SECRETARIAT WORK PROGRAMME 2016 - 2018.....	23
ANNEX 3:	RESOLUTION 5.3 - STAFF REGULATIONS FOR ACAP SECRETARIAT	31
ANNEX 4:	RESOLUTION 5.4 - ADVISORY COMMITTEE WORK PROGRAMME 2016 – 2018.....	43
ANNEX 5:	RESOLUTION 5.5 – TERMS OF REFERENCE FOR REVIEWING THE EFFECTIVENESS OF THE SECRETARIAT	51
ANNEX 6:	RESOLUTION 5.6 - AGREEMENT BUDGET 2016 - 2018	55
ANNEX 7:	RESOLUTION 5.7 - ARRANGEMENTS WITH INTERNATIONAL ORGANISATIONS	64
ANNEX 8:	RESOLUTION 5.8 – IMPLEMENTATION OF ARTICLE VIII.15	66
ANNEX 9:	LIST OF PARTICIPANTS.....	69
ANNEX 10:	AGENDA	74
ANNEX 11:	LIST OF MEETING DOCUMENTS	76
ANNEX 12:	STATEMENT FROM THE CONVENTION ON MIGRATORY SPECIES OF WILD ANIMALS (CMS)	78
ANNEX 13:	STATEMENT FROM BIRDLIFE INTERNATIONAL.....	81

1 OFFICIAL OPENING AND OPENING REMARKS

- 1.1 The Fifth Session of the Meeting of the Parties (MoP5) to the Agreement on the Conservation of Albatrosses and Petrels (ACAP) was held in Santa Cruz de Tenerife, from 4 – 8 May 2015. The meeting was officially opened by Dr Marco Favero as acting Chair of the session in accordance with Rule 12(2) of the Rules of Procedure.
- 1.2 All thirteen Parties to the Agreement were represented: Argentina, Australia, Brazil, Chile, Ecuador, France, New Zealand, Norway, Peru, South Africa, Spain, the United Kingdom of Great Britain and Northern Ireland (UK) and Uruguay.
- 1.3 Three non-Party Range States, Canada, Namibia and the United States of America (USA), attended the meeting in an observer capacity.
- 1.4 The Convention on Migratory Species and BirdLife International attended the meeting in an observer capacity.
- 1.5 The List of Participants is provided in **Annex 9**. The List of Documents is provided in **Annex 11**.
- 1.6 The Director General of Coastal and Marine Sustainability (Director General de Sostenibilidad de la Costa y del Mar), Mr Pablo Saavedra, and the Director of the Spanish Institute of Oceanography (Instituto Español de Oceanografía, IEO), Dr Eduardo Balguerías, formally welcomed delegates to the Fifth Session of the Meeting of Parties on behalf of the Government of Spain.
- 1.7 Director Pablo Saavedra noted that the protection of marine areas and adequate management is essential for reducing anthropogenic threats jeopardizing the conservation status of seabirds. He stressed that for Spain, the improvement of the knowledge available on bycatch of seabirds in their fleets and the effective reduction of the by-catch, in particular of a critically endangered species like the Balearic Shearwater, is a priority. The Director General recalled that, in order to achieve these objectives, it is essential to have adequate technical and scientific advice, such as is provided by ACAP's Advisory Committee and its Working Groups. Consequently, he thanked the work of the Agreement.
- 1.8 Dr Eduardo Balguerías recalled the early research on incidental seabird by-catch by fishing fleets operating in areas under CCAMLR's jurisdiction, and the way it triggered an alarm about the real magnitude of this conservation problem. He noted that since then there has been great progress in seabird conservation, especially in relation to the development of by-catch mitigation measures and the subsequent adoption of conservation and management measures by Regional Fisheries Management Organisations (RFMOs). Dr

Balguerías emphasized the important role that ACAP has played in this process.

- 1.9 Both Directors wished the participants a fruitful meeting and a pleasant stay in Tenerife.
- 1.10 The acting Chair called for nominations for the position of Chairperson of the meeting. Spain proposed the election of Mr. Ricardo Losa (Spain) as Chairperson (Chair) of the Fifth Session of the Meeting of the Parties. This was accepted by acclamation of the Meeting. The Chair of the Advisory Committee became the Vice-Chairperson (Vice-chair) of the Meeting of the Parties, in accordance with Rule 12(2) of the MoP Rules of Procedure.
- 1.11 The Chair, on behalf of all delegations, thanked Director Saavedra and Dr Balguerías for their welcoming remarks.

2 PROCEDURAL ISSUES

2.1 Adoption of Agenda

- 2.1.1 The provisional agenda, together with items proposed in the supplementary agenda, (**MoP5 Doc 01 Rev 1**) was adopted by the meeting and is provided in **Annex 10**.

2.2 Proposed Amendments to the MoP Rules of Procedure

- 2.2.1 The Chair of the Intersessional Committee established by Resolution 4.8 tabled the report of the Committee to the MoP ([MoP5 Doc 29](#)). The Chair expressed his appreciation for the engagement of Parties in the Committee's work during the intersessional period. The report summarises matters considered intersessionally and contains a proposal to amend Rule 4 of the MoP Rules of Procedure, to remove a potential ambiguity for some Parties concerning the wording of Rule 4(1) and, to include new sub-rules that would enable applications for participation by any member economy of the Asia Pacific Economic Co-operation Forum whose vessels fish within the range of albatrosses and petrels ('relevant APEC member economies') in sessions of the MoP and its subsidiary bodies, unless one-third of Parties objected. An intersessional vote on the proposal had occurred, but consensus was not achieved. Under the MoP Rules of Procedure, the matter was referred to MoP5 for consideration and decision.
- 2.2.2 Australia introduced [MoP5 Doc 06](#), which contained a proposal to amend Rule 4(1) of the MoP Rules of Procedure. The proposal would remove the potential ambiguity concerning participation by relevant APEC member economies in sessions, and clarifies that relevant APEC member economies may participate as observers at sessions of the MoP and its subsidiary bodies, pursuant to Article VIII(4) of the Agreement.

- 2.2.3 The MoP agreed to the importance of resolving outstanding issues concerning observership by relevant APEC member economies during the course of MoP5. Following in-margin consultations, the MoP agreed to consider the proposal outlined in **MoP5 Doc 29** first, with consideration of **MoP5 Doc 06** occurring only if a consensus concerning the first proposal was not forthcoming.
- 2.2.4 Australia, Brazil, Chile, Norway, South Africa, United Kingdom, and Uruguay expressed their support for the proposal set out in **MoP5 Doc 29**. Argentina advised that it was unable to accept the proposal in its current form. Argentina indicated however that it would be willing to accept the proposal if sub-rule 4(8) was amended to include an additional sentence: "The Secretariat shall not accept nor process any request made on behalf on a territory subject to a sovereignty dispute recognized by the Agreement."
- 2.2.5 South Africa proposed an addition to Argentina's amendment to sub-rule 4(8) which would make specific reference to Resolution 2.9. Argentina supported the proposal from South Africa. The United Kingdom advised that it was unable to accept either version of the proposed amendment to sub-rule 4(8).
- 2.2.6 In the absence of a consensus concerning the first proposal MoP5 moved to consider the proposal set out in **MoP5 Doc 06**. Argentina advised it was unable to accept the proposal.
- 2.2.7 The Chair of MoP5 requested that the Secretariat prepare a draft Resolution concerning further intersessional work on arrangements for observership by relevant APEC member economies. MoP5 adopted **Resolution 5.8** to establish an intersessional committee on this topic (**Annex 8**).
- 2.2.8 Australia expressed disappointment at the inability of the Meeting of the Parties to agree during the past triennium on procedures enabling relevant APEC member economies to participate in Meetings of the Parties and its subsidiary bodies.
- 2.2.9 Australia indicated that it would be pleased to develop, in collaboration with other interested Parties, arrangements for the participation of fishing entities in the work of the Agreement with a view to bringing forward formal proposals to MoP6.

2.3 Establishment of Credentials Committee

- 2.3.1 A Credentials Committee was established in accordance with Rule 5(3) of the Rules of Procedure, consisting of representatives from Argentina, France and New Zealand.

2.4 List of Observers Attending MoP5

- 2.4.1 The Vice-chair welcomed Canada, Namibia, the United States of America, the United Nations Environment Programme (UNEP)/ Convention on Migratory Species (CMS), and BirdLife International as observers to the meeting.

3 REPORTS

3.1 Report of Credentials Committee

- 3.1.1 The Credentials Committee reported that, by the deadline set out in Rule 5(2) of the MoP Rules of Procedure, the credentials of 12 Parties had been received. Of the credentials received, nine were in order, and three of the credentials received were copies.
- 3.1.2 To enable those Parties that had not provided the original credentials to participate in the session, the MoP accepted the proposal of the Credentials Committee that the relevant Parties provide assurances that their original credentials would be sent to the ACAP Secretariat within 28 days of the closure of the meeting. All three Parties provided this assurance.
- 3.1.3 MoP5 endorsed a proposal by Australia that the ACAP Secretariat prepare guidance to Parties about the options available for submitting credentials, as described under Rule 5(1) of the Rules of Procedure.
- 3.1.4 By the end of the meeting, the Party who was unable to provide their credentials by the deadline had provided a copy of the credentials and an assurance regarding the original in accordance with paragraph 3.1.2.
- 3.1.5 The Committee's report was accepted by MoP5.

3.2 Report of Depositary

- 3.2.1 Australia, in its role as Depositary, presented its report ([MoP5 Doc 07](#)). The report notes there had been no new accessions to the Agreement since the most recent Depositary report of 10 July 2014 to the 8th Meeting of the Advisory Committee (AC8), at Punta del Este, Uruguay, 15-19 September 2014 ([AC8 Doc 07](#)).

3.3 Reports of Observers

- 3.3.1 The Convention for Migratory Species presented a statement which is included in **Annex 12**.
- 3.3.2 BirdLife International presented a statement which is included in **Annex 13**.

- 3.3.3 The Chair, on behalf of the Meeting of the Parties, thanked observers for their reports and for their commitment to working with ACAP to achieve the objectives of the Agreement.
- 3.3.4 The Secretariat affirmed its willingness to work with CMS to support each other's operations as far as possible. It also acknowledged that the considerable progress achieved in the tuna RFMO work has only been possible with assistance from BirdLife International.

4 OPERATION OF THE SECRETARIAT

4.1 Report of the Secretariat

- 4.1.1 The Executive Secretary reported on the operation of the Secretariat since the last Meeting of the Parties ([MoP5 Doc 08](#)). The work of the Secretariat is currently performed by two full-time positions, with the support of Mr John Cooper as honorary Information Officer, consultants and contractors who perform fixed tasks on a needs basis e.g. translations and interpretation, maintenance of the Agreement's website and the provision of technical support. Further support is provided by secondments, interns and volunteers undertaking project-type activities.

4.2 Secretariat Work Programme 2016 - 2018

- 4.2.1 The Secretariat introduced **MoP5 Doc 17** detailing the proposed Work Programme for the Secretariat during the 2016 – 2018 triennium. It was noted that the Work Programme is based on the functions assigned to the Secretariat under the Agreement, and on specific tasks allocated to it by the MoP and the AC. A number of additional tasks resulting from discussions at MoP5 were incorporated in the Work Programme ([MoP5 Doc 17 Rev 1](#)).
- 4.2.2 MoP5 adopted **Resolution 5.2** on the Secretariat Work Programme (**Annex 2**) acknowledging that budgetary restrictions might prevent complete implementation of the Work Programme.

4.3 Review of Staff Regulations

- 4.3.1 The Executive Secretary noted that MoP4 made a number of amendments to Staff Regulation 5.1, which establishes the remuneration package for the Executive Secretary. One of the amendments tied the Executive Secretary's salary to the 2013 – 2015 Agreement Budget, and consequently this regulation will need to be revised to establish the position's salary for the coming triennium.
- 4.3.2 Discussions were held concerning the Executive Secretary's remuneration package in the ad hoc Budget and Scale of Contributions working group.

These discussions resulted in a number of further amendments to Regulation 5.1.

- 4.3.3 It was agreed that the Executive Secretary, Vice-chair of the AC and the Chair of the Recruitment Sub-Committee would examine Annex A of the Staff Regulations in light of the experience in recruiting the new Executive Secretary, and provide any recommendations for consideration of the MoP.
- 4.3.4 MoP5 adopted **Resolution 5.3** concerning the Staff Regulations which amends Regulation 5.1 (**Annex 3**).

4.4 Review of Financial Regulations

Private contributions

- 4.4.1 MoP5 considered an amendment proposed by the Secretariat to Financial Regulation 7.2 that would allow it to accept voluntary contributions from members of the public without first having to seek the approval of the Meeting of the Parties ([MoP5 Doc 23](#)). It was proposed that such contributions could be accepted, as long as they were consistent with the policies and objectives of the Agreement.
- 4.4.2 Although the meeting was supportive of this proposal, several delegations requested that the approval of the MoP be sought when voluntary contributions exceed an agreed minimum level. A number of delegations noted that such donations could also potentially lead to conflicts of interest. It was agreed that this latter issue should be addressed under agenda item 7.15.
- 4.4.3. Australia proposed that Financial Regulation 7.2 be reworded to align its content with Article VII(3). Australia provided a proposal to amend Regulation 7.2 in line with the above.
- 4.4.4 France and Argentina, with the support of Brazil, drafted a proposal regarding voluntary contributions by individuals.
- 4.4.5 As no agreement could be reached on amending Financial Regulation 7.2, MoP5 invited Parties to participate in an intersessional drafting group on the above topic and report back to MoP6.

Legal advice

- 4.4.6 MoP5 recognised that there are circumstances where the Secretariat may need to seek legal advice. MoP5 agreed to consider this matter more fully at MoP6, while recalling that the Secretariat may seek approval from the Meeting of the Parties concerning proposed expenditure of contingency funds at any time.

4.5 Report on Secretariat's Performance Indicators

- 4.5.1 The Executive Secretary presented a report on the operation of the Secretariat (**MoP5 Doc 08**) measured against the performance indicators adopted by MoP2 to measure the Secretariat's effectiveness and efficiency.
- 4.5.2 It was noted that the Secretariat had met, or had made substantial progress against all of the performance indicators. Resource limitations resulted in some of the indicators not being fully met.
- 4.5.3 MoP5 Doc 08 also provided draft terms of reference for the review of the effectiveness of the Secretariat, which is required to be undertaken at MoP6 in accordance with the requirements of Article VIII(14) of the Agreement.
- 4.5.4 Australia recalled that the MoP3 Final Report at Paragraph 4.3.3 identified that it would be beneficial 'to include an indicator of activities that the Secretariat had been unable to carry out due to limitations in resources'. Australia proposed that this indicator be included in developing the terms of reference for the review of the effectiveness of the Secretariat.
- 4.5.5 The Chair proposed that the terms of reference for the review body include seeking representation from each region.
- 4.5.6 MoP5 considered and approved **Resolution 5.5 (Annex 5)** concerning terms of reference for reviewing the effectiveness of the Secretariat.

4.6 Report on the Process for the Recruitment of the Executive Secretary

- 4.6.1 The chair of the recruitment subcommittee provided MoP5 with a brief summary of the process followed for the recruitment of the new Executive Secretary. He was pleased to advise that Dr Marco Favero was selected for this position, subject to a contract being signed.
- 4.6.2 Parties were unanimous in their support for this appointment and warmly welcomed Dr Favero to this important role within the Agreement.
- 4.6.3 The Parties were also unanimous in their appreciation of the excellent and professional work of the outgoing Executive Secretary, Mr Warren Papworth.

5 OPERATION OF THE MEETING OF THE PARTIES

5.1 Hosting of Meetings by non-Party Range States

- 5.1.1 The Executive Secretary advised the meeting that the AC had discussed the issue of non-Party Range States hosting ACAP meetings. AC requested guidance from MoP5 about this issue.
- 5.1.2 A number of Parties expressed the view that they did not consider it appropriate for a non-Party Range State to host sessions of the Meeting of the Parties, although they did not have any concerns with them hosting meetings of the Advisory Committee or of its Working Groups.
- 5.1.3 MoP5 agreed that it was appropriate for non-Party Range States to host meetings of the Advisory Committee and its Working Groups, but not sessions of the Meeting of the Parties.

6 OPERATION OF THE ADVISORY COMMITTEE

6.1 Report of the Advisory Committee

- 6.1.1 The Vice-chair introduced the Report of the Advisory Committee for the past triennium ([MoP5 Doc 09](#)).
- 6.1.2 The Advisory Committee and its working groups made excellent progress during the last triennium in providing expert advice to Parties, Range States and a range of organisations on actions to address threats to ACAP species. A substantial proportion of this information is readily accessible through the ACAP website.
- 6.1.3 The Vice-chair stressed that one of the most challenging difficulties for the Advisory Committee for the next triennium is the increased size and complexity of the Agreement's agenda and the asymmetry with the growth of capacity both in terms of human and financial resources.
- 6.1.4 Norway suggested that it would be helpful if in future, the AC Work Programme included a prioritisation of its tasks and actions to assist AC members and Parties in identifying the most relevant items in case resources were not sufficient. The Vice-chair noted that this request could be accommodated, while noting that the decisions taken by the AC in allocating funds were guided by the prioritisation framework now in place. The Vice-chair also noted that the AC Work Programme approved by the MoP is regularly updated, refined and enriched during the meetings of the Advisory Committee and its working groups.
- 6.1.5 MoP5 expressed its considerable appreciation for the ongoing efforts of the Advisory Committee and its working groups in implementing the previous AC Work Programme 2013 - 2015, and for the many achievements during the past triennium, and also for the considerable work that was undertaken to prepare the AC Work Programme 2016 - 2018.

- 6.1.6 The Vice-chair stressed that figures on financial resources provided in the AC Work Programme were indicative.
- 6.1.7 The UK noted that the AUD 0 figures indicated that no funds had been allocated from Appropriation 4, and that those tasks were implemented with the contribution of resources from Parties.
- 6.1.8 The Vice-chair (and Chair of the Advisory Committee) thanked the Advisory Committee, and especially the AC Vice-chair, and Working Group Convenors and Vice-convenors for their work and commitment during the triennium. He also emphasised the work of the Secretariat in assisting with, and contributing to, the work of the AC and the implementation of its Work Programme.

6.2 Advisory Committee Work Programme 2016 - 2018

- 6.2.1 The Vice-chair presented the Advisory Committee's Work Programme 2016 - 2018 (**MoP5 Doc 16**) for adoption by MoP5. The Work Programme was drafted by the Advisory Committee at its Eighth Meeting (AC8).
- 6.2.2 The AC Work Programme identifies the key actions and outputs required to implement the Agreement's Action Plan over the next triennium. The programme also provides indicative costs for each task to facilitate discussion on the allocation of funding in Appropriation 4 budget.
- 6.2.3 MoP5 noted the considerable workload of the Advisory Committee and the resources necessary for implementation of the AC Work Programme. MoP5 endorsed the AC Work Programme 2016 – 2018 and adopted **Resolution 5.4 (Annex 4)**.

7 OPERATION OF THE AGREEMENT

7.1 Report on Implementation of the Agreement

- 7.1.1 The Vice-chair presented the 2013 – 2015 Report on Progress with the Implementation of the Agreement ([MoP5 Doc 11](#)) compiled by the Advisory Committee with assistance from the Secretariat. The report provides Parties with an overview of progress made with implementation of the Agreement since MoP4, and recommends a set of actions that should be undertaken in the next triennium to further the Agreement's objective.
- 7.1.2 The report synthesised information provided by Parties, Range States and from ACAP's Advisory Committee and its subsidiary bodies. It included information on changes in the conservation status of ACAP species and a review of difficulties encountered in the implementation of the Agreement.

- 7.1.3 The Vice-chair highlighted the significant achievements in seabird conservation during the triennium, including the adoption and/or implementation of a number of NPOA-S, recovery plans, strategic documents, MPAs and feral pest eradication programmes.
- 7.1.4 Section 2 of the document reported on items in Section 5.1 of the Action Plan regarding the conservation status of ACAP species and changes that have occurred since MoP4, population sizes and trends, identification of important breeding sites, review of at-sea distribution, and the identification and assessment of known and suspected threats affecting albatrosses and petrels.
- 7.1.5 Since MoP4, there has been a change in the status of three ACAP species, reflecting reviews by BirdLife International, the listing authority for the IUCN. These species are the Black-browed and the Black-footed albatrosses downlisted to Near Threatened, and the Grey-headed albatross, uplisted to Endangered. The analysis of population sizes and trends showed that 12 ACAP species (40%) are currently showing overall declines. For two species the trend over the last 20 years is unknown, eight species appear to have been stable, whereas another eight are increasing. The analysis also showed gaps in population data for a number of breeding sites, despite recent monitoring efforts to address these gaps.
- 7.1.6 The analysis of threats affecting ACAP species at breeding sites showed that the vast majority of these relate to introduced mammals or disease, while a small proportion relate to natural disasters. Regarding at-sea threats, the review of the prioritisation framework identified 27 fisheries and 28 seabird populations as priority targets for action by the Agreement.
- 7.1.7 Regarding the identification of methods by which threats may be avoided or mitigated, the 'Guidelines for translocations of albatrosses and burrow-nesting petrels and shearwaters' was finalised during the triennium. Two other resources addressing land-based threats (the Eradication and Biosecurity Guidelines) have also been updated. The SBWG reviewed best practice guidelines for pelagic longline, demersal longline and trawl fisheries, and committed itself to the development of other advice for other fisheries and fishing gears. All this advice is available on the ACAP website.
- 7.1.8 In terms of identification of data gaps, the following were identified as part of the implementation exercise: (1) census data are unavailable for approximately a third of breeding sites and some counts are of low reliability or were collected a decade or more ago; (2) gaps remain in demographic data for a third of the species; (3) gaps in the tracking data for a number of ACAP species remain; (4) scarcity of (or poor resolution) data on seabird bycatch mortality in a large number of fisheries; and (5) poor understanding of the magnitude and dynamics of seabird mortality in artisanal fisheries.

- 7.1.9 Section 3 of the report refers to the next steps for the Agreement. Challenges during the past triennium and key outcomes for the next one include: (1) improving the quality of seabird bycatch data and fishing effort provided by the Parties; (2) implementing best practice mitigation measures in both domestic and high seas fisheries; and (3) filling gaps in data relating to population status and trends.
- 7.1.10 **MoP5 Doc 11** includes a series of recommendations for Parties. MoP5 endorsed these recommendations.
- 7.1.11 The report on implementation of the Agreement (**MoP5 Doc 11**), as it was originally presented to the Parties of MoP5, contained four annexes that have been removed following a UK request. Argentina explained it would rather have maintained these annexes, considering their scientific value.

7.2 Report on Achievements in First 10 Years of the Agreement

- 7.2.1 The Vice-chair reported on the progress in the drafting of a booklet prepared by the Secretariat to celebrate the 10th year's anniversary (2004 - 2014) of the Agreement. The booklet contains a Party by Party review of achievements in implementation of the Agreement and the challenges faced, as well as a timeline highlighting the most important milestones for the Agreement during the decade. The final version of the booklet will be available shortly after MoP5 and will be forwarded by the Secretariat to the Parties for their distribution.
- 7.2.2 MoP5 welcomed the preparation of this booklet that highlights this major milestone in the efforts of all Parties towards achieving the objective of the Agreement.

7.3 Amendments to Reporting Format for the Report on the Implementation of the Agreement

- 7.3.1 The Secretariat presented [MoP5 Doc 22](#) which sought clarification on the use of the term "decisions" in question 1.1 of the online implementation report: "Has action been taken to implement the decisions of previous MoPs?" A Party noted in the last round of reporting that an ambiguity existed as to whether this question referred only to Resolutions adopted by the MoP, or (also) referred to other decisions taken by the MoP.
- 7.3.2 A number of Parties noted that the issue of recommendations, decisions, measures and resolutions has also been a challenge in other agreements and agreed that this issue needs further consideration.
- 7.3.3 MoP5 requested that the Secretariat prepares a paper, in consultation with the AC and Parties, to be presented at MoP6, reviewing any decisions, recommendations and resolutions made to-date, and their current status.

This item was added to the AC and Secretariat Work Programmes ([MoP5 Doc 16 Rev 1](#) and [MoP5 Doc 17 Rev 1](#)). In the interim, only current Resolutions will be reported against in the next round of implementation reporting.

- 7.3.4 The Secretariat also proposed a further amendment to the online implementation reporting system to provide an efficient mechanism through which Parties could report on progress against conservation actions identified in the prioritization process.
- 7.3.5 A number of Parties supported the Secretariat's suggestion outlined in 7.3.4 and MoP5 approved the proposal.

7.4 Criteria for Listing and De-listing Species in Annex 1

- 7.4.1 The Secretariat presented [MoP5 Doc 21](#) which proposed six criteria (and the scoring system for those criteria) to guide the addition of species to Annex 1 of the Agreement. The document also outlined the process to follow when submitting a nomination, and highlighted the merit of developing possible de-listing criteria. The Secretariat noted there is currently a debate about taxonomic revisions of some albatross and petrel species, and the Taxonomy Working Group (TWG) has been asked by the AC to provide advice on this matter.
- 7.4.2 A number of Parties emphasised that the criteria shall provide a tool for considering species nominations, but shall not preclude the listing of any species of albatross and petrel.
- 7.4.3 Australia expressed its appreciation for this work and noted the Advisory Committee's proposal to continue developing de-listing criteria. Australia also requested that the AC and TWG take account of the CMS's approach to addressing taxonomic revisions to listed species. This work should aim to develop arrangements concerning 'triggering' a review of a listed species where species 'aggregation' or 'separation' occurred.
- 7.4.4 The UK expressed its support for the proposed criteria to be used as a guide when considering candidate species and noted that future de-listing of species is the aim of a conservation agreement such as ACAP. It also noted that although the TWG can consider the options regarding standard taxonomy, it cannot ensure harmonisation between agreements.
- 7.4.5 Spain added its support for the listing criteria and echoed UK's comments regarding de-listing of species, however it would have liked to have seen species' common names provided in all languages of the Agreement in Annex 1 of **MoP5 Doc 21**. Argentina and France agreed with the criteria proposed and echoed Spain's request regarding common names being also provided in Spanish and French.

- 7.4.6 Norway welcomed the proposed criteria as a step forward and sought clarification on the template for preparing nominations.
- 7.4.7 MoP5 adopted the proposed listing criteria and process for submitting nominations, and endorsed further work on de-listing criteria and arrangements concerning reviewing listed species where there are taxonomic changes.

7.5 Proposed Amendments to Annex 1 — Listing of New Species

- 7.5.1 Chile presented [MoP5 Doc 14](#), proposing to amend Annex 1 of the Agreement under Article XII, in order to include the Pink-footed Shearwater in Annex 1 of the Agreement. This proposal was considered and supported by the Seventh Meeting of the Advisory Committee (AC7).
- 7.5.2 Australia commended the efforts of Chile in bringing forward the proposal and provided additional background information concerning **MoP5 Doc 14** developed in collaboration with Chile and Dr Mike Double, Convenor of the Taxonomy Working Group (TWG), about the taxonomic nomenclature for the Pink-footed Shearwater. The genus *Puffinus* is not monophyletic, and *Ardenna* is now recognized by BirdLife International and CMS. UK expressed concern that neither the TWG nor the AC were consulted in the formulation of this proposal and requested that in future the processes established by the Agreement be followed.
- 7.5.3 MoP5 considered a revised draft Resolution concerning amending Annex 1 to the Agreement prepared by Chile and Australia proposing that '*Ardenna creatopus*, syn. *Puffinus creatopus*' be added immediately after the entry '*Procellaria cinerea*' in the current list of petrel species in Annex 1 to the Agreement. MoP5 noted the listing may be revisited after the review of petrel species taxonomy by TWG.
- 7.5.4 The USA welcomed the proposal as a Range State.
- 7.5.5 Canada congratulated Chile on the nomination, and reminded the meeting that this species was assessed by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC) as Threatened in 2004, listed as Threatened under Canada's Species At Risk Act in 2005, and a recovery strategy was published in 2008. Canada informed the meeting that under COSEWIC, the status of the Pink-footed Shearwater is being re-assessed, so this addition to Annex 1 is very timely.
- 7.5.6 Ecuador advised that it has been working with Chile on this species since last year, and that there is willingness for further collaboration.

- 7.5.7 Chile thanked everyone for their support and acknowledged those who contributed to preparing this nomination, including Dr Roberto Schlatter's involvement over the years.
- 7.5.8 Australia advised it may need to lodge a reservation for procedural reasons because Australia's domestic procedures for amending treaties may not be able to be completed within the 90 day period set by Article XIII(5) of the Agreement.
- 7.5.9 MoP5 decided by consensus to adopt **Resolution 5.1 (Annex 1)**, adding the species immediately after *Procellaria cinerea* in the current list of petrel species in Annex 1.

7.6 Identification of Priority Conservation Actions

- 7.6.1 The Secretariat introduced **MoP5 Doc 15**, asking Parties to endorse the list of land based and at-sea threats requiring priority action, which was last updated at AC8.
- 7.6.2 Australia thanked the Secretariat and the AC for their work on producing these priorities and remarked on the importance of the continued update to these lists. Australia noted and welcomed the removal of some priority actions since the last MoP following effective conservation action by Parties.
- 7.6.3 Spain acknowledged the work of the AC and suggested some minor edits to the list of land-based threats. The amended document was endorsed and is presented in [MoP5 Doc 15 Rev 1](#).

7.7 Proposed Indicators to Measure the Success of the Agreement

- 7.7.1 The Secretariat introduced [MoP5 Doc 20 Rev 1](#), which summarises the current status of breeding sites, populations, tracking data availability, and seabird bycatch indicators. Some breeding sites and population indicators were back-cast to 2004 for the first time. As expected, there were no large changes over time for any of the indicators, and any changes that were recorded could be the result of changes in knowledge or quality of information submitted to the database on which these indicators rely, rather than reflecting real changes in the populations or breeding sites.
- 7.7.2 France confirmed that all relevant data from its research activities will be passed onto the AC on a regular basis.
- 7.7.3 MoP5 approved the updated list of breeding sites and status and trend indicators, as well as the two new indicators on tracking data availability, and noted progress concerning SBWG indicators.

- 7.7.4 Australia presented [MoP5 Doc 28](#) on capacity building indicators. Brazil recommended that the contact group which is developing performance indicators for capacity building has a stronger focus on the objectives of such an exercise, and reviews those indicators that are not directly related to capacity building.

7.8 Capacity Building

- 7.8.1 The MoP5 Vice-chair introduced this agenda item referring to a number of MoP5 documents where actions conducted by the Agreement relevant to capacity building are mentioned.

- 7.8.2 At MoP2 capacity building was identified as an issue of high priority for the Agreement and, consequently, a series of actions, including the development of a strategy on capacity building was developed by the Advisory Committee. The Vice-chair stressed that programmes such as the grant scheme and the secondment scheme were mostly dedicated to increasing capacities among ACAP Parties in collaboration with Range States and other organisations. Parties acknowledged that a significant proportion of human and financial resources in the Advisory Committee Work Programme are dedicated to capacity building.

- 7.8.3 Australia commended the actions relevant to capacity building during the triennium and the way the guidelines and principles adopted at MoP4 were followed. Australia observed that MoP4 had endorsed the components of the strategy, and had requested the completion of the strategy for consideration by MoP5. As this was not finalised, completion of the capacity-building strategy was requested during the forthcoming triennium. MoP5 agreed to include a new line in the AC Work Programme concerning this task.

7.9 Development of Arrangements with Other International Organisations

- 7.9.1 The Executive Secretary introduced [MoP5 Doc 13 Rev 1](#), which provided a report on the current status of Memoranda of Understanding (MoUs) with other organisations and requested approval for the Secretariat to enter into negotiations for the development of two new MoUs.

- 7.9.2 The meeting expressed its appreciation for the progress made in implementing the various MoUs and noted the significant benefits that had been achieved from them in advancing the Agreement's objective. Australia noted that the Secretariat of the Southern Indian Ocean Fisheries Agreement (SIOFA) was in the process of being established and recommended consideration of initiating a MoU with that organisation when it was fully established. Canada recommended consideration be given to developing a MoU with the North Pacific Fisheries Commission (NPFC), which includes

fisheries overlapping with the at-sea ranges of the three North Pacific albatross species.

- 7.9.3 MoP5 decided to adopt **Resolution 5.7 (Annex 7)** to authorise the Secretariat to renew MoUs with CCAMLR, IATTC and OLDEPESCA; to enter into negotiations for the development of a MoU with the One Health Institute (in appropriate terms) and the Southern Indian Ocean Fisheries Agreement (SIOFA); and to enter into a MoU with the IAC, using the template previously approved by MoP (Resolutions 3.7 and 4.7). It also encouraged the signing of the MoU with the Commission for the Conservation of Southern Bluefin Tuna (CCSBT) and the International Commission for the Conservation of Atlantic Tuna (ICCAT), authorised at MoP3.

7.10 Financial and Auditor's Reports

- 7.10.1 The Secretariat presented an interim financial report for the 2015 financial year ([MoP5 Doc 10 Rev 1](#)).
- 7.10.2 MoP5 noted that Financial Regulation 11.1 requires the Parties to appoint an external auditor at each ordinary session of the Meeting of the Parties. MoP5 decided to appoint the Government of Tasmania as the Agreement's external auditor.

7.11 Agreement Budget 2016 – 2018

- 7.11.1 The Secretariat presented a proposed Agreement budget for the 2016 - 2018 triennium ([MoP5 Doc 18 Rev 2](#)).
- 7.11.2 MoP5 recognised there are circumstances where the Secretariat may need to seek legal advice. MoP5 agreed to consider this matter more fully at MoP6 and requested that the Secretariat prepare a paper about when, where, and why contingency funds may need to be used to address legal matters, as well as options concerning provision of legal services. MoP5 noted that the Secretariat may seek approval from the Meeting of the Parties concerning proposed expenditure of contingency funds at any time. Argentina suggested that the Secretariat explore insurance arrangements to cover the Secretariat against legal risk. MoP5 agreed that the Secretariat would have a discretion to obtain relevant insurance coverage following informal consultation with Parties.
- 7.11.3 MoP5 adopted the budget presented in **Resolution 5.6 (Annex 6)**. MoP5 agreed that income from the Parties in 2016 would be the sum of a constant contribution from France and a 2.5% increase on the combined subscription of all other Parties from 2015. Thereafter the subscriptions of all Parties except France would increase by 2.5% annually until 2018.

- 7.11.4 The Secretariat will present at MoP6 various budget scenarios and options concerning a percentage increase or decrease, and including a stability option (0 nominal growth).

7.12 Scale of Contributions

- 7.12.1 The Secretariat presented a paper on a proposed scale of contributions for the 2016 - 2018 triennium (**MoP5 Doc 19**).
- 7.12.2 Concerning the French scale of contributions, MoP5 agreed to amend the scale of contributions formula to delete paragraph 4 concerning the application of the scale of contributions formula, for the triennium 2019 - 2021, and thereafter (**Resolution 5.6 Annex B**). Parties agreed that this would ensure MoP6 consider scale of contributions in line with Article VII 2a.
- 7.12.3 Brazil emphasised the need to review the formula used to determine the individual contributions from Parties in order to reach a more balanced distribution between them.
- 7.12.4 France proposed to review the scale of contributions formula at MoP6.

7.13 National Plans of Action

- 7.13.1 The Vice-chair introduced this agenda item as the opportunity for the Parties to report briefly to MoP5 on actions relevant to their National Plans of Action – Seabirds (NPOA–S) that were not included in the implementation reports. No interventions were made.
- 7.13.2 The Vice-chair stressed that as noted in the Advisory Committee report (**MoP5 Doc 09**), one challenge that Parties will face during the next triennium will be to implement fully their NPOA-S that are currently in place.

7.14 Accession of Non-Party Range States

- 7.14.1 The Executive Secretary introduced **MoP5 Doc 24** on an engagement strategy to promote the accession of non-Party Range States to the Agreement, noting that there had been no new accessions to the Agreement during the past triennium. This paper had been prepared in response to a request from MoP4 to identify the non-Party Range States that were a priority for ACAP to engage with.
- 7.14.2 Australia suggested that implementation of the proposed engagement strategy would benefit from developing country profiles for each of the identified Range States. The profiles would identify, among other things, appropriate Ministries and Departments and key officials for engagement under the strategy.

- 7.14.3 Australia also suggested that there could be value in developing an engagement strategy concerning relevant Regional Economic Integration Organisations (REIOs) consistent with the aims of the Agreement.
- 7.14.4 MoP5 expressed its support for the priorities identified in the paper. A number of other amendments were proposed, which were also incorporated into a revision of the paper ([MoP5 Doc 24 Rev 1](#)). It was agreed that someone should be identified to lead on the process of engagement with each of the countries identified e.g. the Secretariat, a Party who shares species with the Range State, or a Party in that region. South Africa offered to lead on countries adjoining the Benguela Current. Chile offered to lead on countries along the east Pacific coast. Argentina offered to support Chile in this task.
- 7.14.5 MoP5 agreed to adopt the strategy outlined in **MoP5 Doc 24 Rev 1** to encourage the accession of non-Party Range States to the Agreement.
- 7.14.6 Namibia informed the meeting that its Cabinet has supported Namibia's accession to the Agreement and it was expected that the Namibian Parliament would shortly approve this action. The meeting warmly welcomed this news and looked forward to welcoming Namibia to the next session of the Meeting of the Parties as a Party to the Agreement.
- 7.14.7 The United States reported that there is renewed bipartisan interest in accession to ACAP. The Senate has identified ACAP as a priority for the current session of Congress and seems willing to provide advice and consent on the Agreement. A member of the House of Representatives is likely to introduce implementing legislation necessary for accession. While there is no guarantee, the delegates from the United States were optimistic that the United States will soon become a Party to the Agreement.
- 7.14.8 Australia indicated it would be pleased, in its capacity as the Depositary Government, to assist Namibia and the United States concerning formal arrangements for accession to the Agreement.

7.15 Conflict of Interest and Bias

- 7.15.1 Australia presented on behalf an intersessional contact group [MoP5 Doc 25](#) concerning developing arrangements on COI and bias. MoP5 provided a range of comments concerning the appropriate content of a policy on this topic and put forward to the meeting the considering of this policy at AC9. This policy will be provided to MoP6 for its consideration.

7.16 Lethal Experimentation

- 7.16.1 Australia presented a paper on proposed arrangements governing lethal experimentation (**MoP5 Doc 26**). Australia considered that the interim

principles of the ACAP Grants Scheme were inconsistent with criteria adopted by the AC to be used to determine best and improving practices in seabird bycatch mitigation. Australia advised that the proposed principles would impose significantly greater obligations on applicants to the ACAP Grant Scheme when lethal experimentation was proposed.

- 7.16.2 The proposed assessment principles were welcomed by several Parties. Brazil recommended that applicants should ensure the proposed research design includes a clear, reasonable and comparable baseline on what would be considered a significant reduction in the mortality rate.
- 7.16.3 France accepted the proposal from Australia and requested that the decisional body of Parties has a close and precise look at any lethal experimentation projects submitted.
- 7.16.4 BirdLife International noted that lethal experimentation was a controversial issue that required adequate precautions.
- 7.16.5 MoP5 adopted the principles set out in Annex 1 to [MoP5 Doc 26 Rev 1](#) that incorporated the proposal made by Brazil.

7.17 Agreement Sponsorship Policy

- 7.17.1 The Executive Secretary introduced **MoP5 Doc 27** concerning the development of a sponsorship policy for delegates and experts. MoP4 had requested the Secretariat to develop a draft policy on this issue in the intersessional period for consideration at MoP5.
- 7.17.2 The Secretariat presented an initial draft of this policy for the input of the Advisory Committee, which included selection criteria, an application procedure and a process for assessment ([AC7 Doc 18](#) and [AC8 Doc 22](#)). A number of amendments were proposed at both AC7 and AC8, which have been incorporated into **MoP5 Doc 27**. Some issues remain unresolved and were submitted for the consideration of MoP5.
- 7.17.3 Australia considered that the overarching criteria for the sponsorship of experts is provided at item 3.1.1, which indicates the importance of considering whether the person's expertise would best aid the work of the meeting in achieving a successful outcome.
- 7.17.4 Australia suggested, consistent with building regional capacity, that the policy on sponsorship of experts would benefit from a criterion that preferred sponsorship of experts with relevant expertise who are available regionally, where the meeting under the Agreement is held.

- 7.17.5 MoP5 agreed to adopt the sponsorship policy following the incorporation of a number of amendments. The adopted policy is shown in [MoP5 Doc 27 Rev 1](#).

8 PROVISIONAL DATE AND VENUE OF THE SIXTH MEETING OF THE PARTIES

- 8.1 Parties were advised that no formal offers had been received to host either the next session of the Meeting of the Parties, or the next meeting of the Advisory Committee. Parties were asked to indicate if they would like to host either of these meetings.
- 8.2 MoP5 agreed to convene the next session of the Meeting of the Parties in the second quarter of 2018.

9 OTHER BUSINESS

9.1 Media Release

- 9.1.1 The Secretariat together with Spain will prepare a media release and circulate it promptly to the Parties.

9.2 Participation at the 2nd World Seabird Conference

- 9.2.1 The Vice-chair provided the meeting with a brief overview of the proposed participation of Advisory Committee Officials at the Second World Seabird Conference to be held in Cape Town, South Africa between 26 and 30 October 2015. This participation will primarily consist of presentations in two workshops addressing (i) the roles of Multilateral Environmental Agreements in defining national policy, legislation and targets for seabird conservation, (ii) outcome-based seabird conservation and the effective use of funds for seabird conservation, and (iii) challenges of tackling seabird bycatch in small-scale fisheries.
- 9.2.2 The participation of the Advisory Committee Vice-chair Mr Mark Tasker, the Population and Conservation Status Working Group Convenor Dr Richard Phillips, the Seabird Bycatch Working Group Convenor Dr Anton Wolfaardt and the Advisory Committee Chair Dr Marco Favero in these conference sessions is expected. In addition to the workshops, an ACAP poster by the ACAP Information and Science Officers has been accepted for WSC2 with the title "The Agreement on the Conservation of Albatrosses and Petrels: a growing resource for information on procellariiform research and conservation".

Participation at the 6th Albatross and Petrel Conference

- 9.2.3 The Vice-chair also informed the meeting about the forthcoming 6th International Albatross and Petrel Conference to be held in Barcelona, Spain, between 19 and 23 September 2016. This conference is the most important global conference regarding the species listed in Annex 1 of the Agreement and the participation of researchers from ACAP Parties is very likely. Further reports will be provided at AC9.

10. CLOSING REMARKS

- 10.1 South Africa thanked the Chair for his work in chairing the meeting. All Parties joined South Africa in expressing their thanks to the Chair, Vice-chair, and the Secretariat for steering the meeting through some complex and detailed issues.
- 10.2 Sincere thanks were extended to the Government of Spain for hosting the meeting, as well as organising the enjoyable social events throughout the week.
- 10.3 The Chair thanked the interpreters, technical staff and staff of Grand Hotel Mency for their efforts and acknowledged the contributions of delegates to a successful meeting.

11. ADOPTION OF MOP5 REPORT

- 11.1 The meeting adopted the report of the Fifth Session of the Meeting of the Parties.

12. CLOSE OF MEETING

- 12.1 The Chair thanked Mr Warren Papworth, the current Executive Secretary, for his excellent guidance at this meeting; his last meeting of the Agreement before retiring at the end of the year. The meeting joined in warmly thanking him with a standing ovation for his dedicated service over the last decade, wishing him all the best for his well-earned retirement. In reply, he thanked all his colleagues within the ACAP community for their help and friendship, and conveyed his best wishes to Dr Favero in taking over the Executive Secretary role next year. The Chair then closed the Fifth Session of the Meeting of the Parties.

ANNEX 1: RESOLUTION 5.1 - AMENDMENT TO ANNEX 1

AGREEMENT ON THE CONSERVATION OF ALBATROSSES AND PETRELS**Resolution 5.1****Amendment to Annex 1
of the Agreement on the Conservation of Albatrosses and Petrels**

Adopted by the Fifth Session of the Meeting of the Parties, Santa Cruz de Tenerife, Spain,
4 – 8 May 2015

Recalling that the Pink-footed Shearwater (*Ardenna creatopus*, syn. *Puffinus creatopus*) is included in Appendix I of the Convention on the Conservation of Migratory Species of Wild Animals;

Considering that the Pink-footed Shearwater would benefit from the listing in the Agreement, and with a view to promoting coordinated conservation actions among Range States;

Being aware of the national and international efforts made to address existing conservation concerns about the Pink-footed Shearwater, among them the North American Action Plan for the Conservation of the Pink-footed Shearwater, the National Plan for the Conservation of the Pink-footed Shearwater in Chile, the Chilean National Action Plan for reducing seabird by-catch in longline fisheries, and the Recovery Strategy for the Short-tailed Albatross and the Pink-footed Shearwater in Canada;

Given that this species faces serious threats, especially predation in breeding colonies and bycatch in fishing gear;

Considering the recommendation of the Advisory Committee (AC7) to list the Pink-footed Shearwater in Annex 1 of the Agreement.

The Meeting of the Parties to the Agreement on the Conservation of Albatrosses and Petrels**Decides:**

Pursuant to Article XII (5) of the Agreement, to adopt the following amendment to Annex I of the Agreement on the Conservation of Albatrosses and Petrels:

- '*Ardenna creatopus*, syn. *Puffinus creatopus*' shall be added immediately after the entry '*Procellaria cinerea*' in the current list of petrel species in Annex 1.

ANNEX 2: RESOLUTION 5.2 - SECRETARIAT WORK PROGRAMME 2016 - 2018

AGREEMENT ON THE CONSERVATION OF ALBATROSSES AND PETRELS

Resolution 5.2

Secretariat Work Programme 2016 – 2018

Adopted by the Fifth Session of the Meeting of the Parties, Santa Cruz de Tenerife, Spain,
4 – 8 May 2015

Recalling Article VIII(11)(c) of the Agreement, which required that the first Session of the Meeting of the Parties establish the Secretariat to perform the functions listed in Article X of the Agreement;

Further recalling that Article X of the Agreement notes that a function of the Secretariat shall be to execute the decisions addressed to it by the Meeting of the Parties;

Further recalling Resolution 1.1, on the Secretariat of ACAP, which established an Interim Secretariat pending the negotiation of a Headquarters Agreement with the Government of Australia;

Noting that the Headquarters Agreement entered into force in 2 December 2008 and that the Secretariat is thereby established;

The Meeting of the Parties to the Agreement on the Conservation of Albatrosses and Petrels

Decides:

to approve the Secretariat Work Programme in Appendix A.

RESOLUTION 5.2 APPENDIX A - SECRETARIAT WORK PROGRAMME 2016 – 2018

Task No.	Topic/Task	Mandate	Officer	2016		2017		2018		Action/Detail
				Time (days)	Funds (AUD)	Time (days)	Funds (AUD)	Time (days)	Funds (AUD)	
1	SUPPORT FOR MoP, ADVISORY COMMITTEE & WORKING GROUP MEETINGS			AC9 + WGs		AC10 + WGs		MoP6		
1.1	Undertake meeting arrangements.	Article X.a								
	▪ selection of venue		Exec Sec	3	2,500	3	2,500	3	2,500	Travel costs
	▪ organise contracts, venue/equip		Exec Sec	3		3		3		
	▪ liaison with host government		Exec Sec	2		2		2		
1.2	Preparation of meeting papers	Article X.a								Within 60 days of meeting
	▪ writing of meeting documents		Exec Sec	10		10		10		
	▪ writing of meeting documents		Sci Officer	10		10		5		
	▪ writing of meeting documents		Tech Advisor	5		5				
	▪ co-ordination of meeting documents		Exec Sec	5		5		5		
	▪ co-ordination of meeting documents		Sci Officer	5		5		2		
	▪ co-ordination of meeting documents		Tech Advisor	5		5				
	▪ drafting of implementation report		Exec Sec			5		3		
	▪ drafting of implementation report		Sci Officer			15		3		
	▪ drafting of implementation report		Tech Advisor			5				
1.3	Support the attendance of sponsored experts and delegates	Article VII 5	Exec Sec	5		5		5		Correspondence, organise travel, acquittal of accounts
1.4	Organise the translation and posting of meeting documents and provision of interpretation services	AC RoP 17 (1)								Within 30 days of meeting
	▪ coordination with service provider		Exec Sec & Sci Officer	5		5		5		

Task No.	Topic/Task	Mandate	Officer	2016		2017		2018		Action/Detail
				Time (days)	Funds (AUD)	Time (days)	Funds (AUD)	Time (days)	Funds (AUD)	
	▪ posting of documents		Sci Officer	5		5		2		
1.5	Support & operation of meetings	Article X.a								
	▪ travel for meetings		Sec. staff x 2	8	6,000	8	6,000	8	6,000	4 days per meeting, airfares
	▪ travel for meetings		Contract x 1	4	6,000	4	6,000	2	5,000	airfares, contract costs
	▪ attendance at meeting		Sec. staff x 2	28	4,400	28	4,400	14	4,400	accomm/allowances x 2
	▪ attendance at meeting		Contract x 1	12	10,000	12	10,000	6	5,000	contract costs, accomm
1.6	Prepare meeting report and distribute to all Parties	Article X.a	Sec. staff x 2	6		6		6		
1.7	Prepare guidance to Parties on Credentials options	MoP5	Exec Sec							
1.8	Review Annex A of Staff Regulations	MoP5	Exec Sec							
2	MANAGEMENT OF SECRETARIAT									
2.1	Administer the budget for the Agreement and the Special Fund provided for in Article VII (3) in accordance with the Agreement's Financial Regulations;	Article X.g								
	▪ payment of accounts		Exec Sec	15		15		15		
	▪ preparation of invoices and receipts		Exec Sec	4		4		4		
	▪ preparation of financial statements		Exec Sec	2		2		2		
	▪ maintain advance & assets registers		Exec Sec	1		1		1		
2.2	Prepare biannual financial reports for the information of the Parties and the Chair of the Advisory Committee	AC2, MoP2	Exec Sec	4		4		4		
2.3	Provide information to the general public concerning the Agreement and its objectives, and promote the objectives of this Agreement	Article X.h								
	▪ preparation of ACAP Latest News for website		Info Officer	90		90		90		
	▪ maintain/update website links and publications		Sci & Info Officers	5		5		5		

Task No.	Topic/Task	Mandate	Officer	2016		2017		2018		Action/Detail
				Time (days)	Funds (AUD)	Time (days)	Funds (AUD)	Time (days)	Funds (AUD)	
	<ul style="list-style-type: none"> ▪ management of ACAP Facebook page 		Info Officer	2		2		2		
	<ul style="list-style-type: none"> ▪ preparation of scientific material 		Sci Officer	10		10		10		
2.4	Update and maintain the ACAP website	Article X.h	Sci Officer & Contract	20	8,000	20	8,000	20	8,000	
2.5	Report to the 6th session of the Meeting of the Parties on the effectiveness and efficiency of the Secretariat in terms of the agreed performance indicators	Article X.i	Exec Sec					2		
2.6	Collate as appropriate synthesized information provided by Parties on the implementation and effective functioning of the Agreement with particular reference to the conservation measures undertaken	Article X.j;	Exec Sec			5				
	<ul style="list-style-type: none"> ▪ review data, liaise with stakeholders, amend database, collate information and draft consolidated reports 	Article VII (1) c); Article VIII (10)	Sci Officer			15				
2.7	Represent the Agreement at meetings of other intergovernmental agreements, as appropriate to facilitate achievement of the Agreement's objective	Article X.d								
	<ul style="list-style-type: none"> ▪ attendance at CMS, FAO etc meetings 	Article XI	Exec Sec & Sci Officer	15	8,500	15	8,500	15	8,500	Accomm, fares and allowances
2.8	Prepare a report on Secretariat activities for AC and MoP meetings	Article X f)	Exec Sec	1		1		1		
2.9	Recruit and manage the Secretariat's staff in accordance with the Staff Regulations and the directions of the Meeting of the Parties	Staff Regs	Exec Sec	9		9		9		
3	FACILITATE THE WORK OF THE ADVISORY COMMITTEE									
3.1	Assist the Chair of the Advisory Committee as required to facilitate the work of the Advisory Committee	Article X k)								

Task No.	Topic/Task	Mandate	Officer	2016		2017		2018		Action/Detail
				Time (days)	Funds (AUD)	Time (days)	Funds (AUD)	Time (days)	Funds (AUD)	
	<ul style="list-style-type: none"> ▪ weekly liaison, assist with co-ordination of AC officials meetings etc 		Exec Sec	25		25		25		
3.2	Assist the Chair of the Advisory Committee in preparing a report to the MoP on the activities of the Advisory Committee	Article IX 6.e)	Exec Sec			1				
3.3	Assist the Convenors of the Population and Conservation Status Working Group as required to facilitate the work of the Group	Article X k)								
	<ul style="list-style-type: none"> ▪ Consider gaps in population, tracking, breeding site management, threats and regulatory protection data submitted to ACAP; request any outstanding data and incorporate changes 	AC WP Task 2.1	Sci Officer	25		25		25		
	<ul style="list-style-type: none"> ▪ Review and refine standardised queries and outputs for analysis and interpretation. Continue to improve data portal structure and queries 	AC WP Task 2.2	Sci Officer & Contract	25	5,000	25	5,000	25	5,000	Consultant data programmer/ developer
	<ul style="list-style-type: none"> ▪ Accurately assess and update global population trends 	AC WP Task 2.3	Sci Officer	10		10		10		
	<ul style="list-style-type: none"> ▪ Update ACAP Species Assessments 	AC WP Task 2.4	Sci Officer	30		30		30	4,000	Cost for map updates
	<ul style="list-style-type: none"> ▪ Translate updates to Species Assessments and ACAP guidelines into Spanish and French 	AC WP Task 2.5	Sci Officer & Contract	3	3,000	3	3,000	3	3,000	
	<ul style="list-style-type: none"> ▪ Identify priority species or populations for monitoring of numbers, trends and demography 	AC WP Task 2.6	Sci Officer	10		10		10		
	<ul style="list-style-type: none"> ▪ Review availability of albatross and petrel tracking/distribution data to ensure representativeness of species/age classes. Prioritise gaps and encourage studies to fill gaps 	AC WP Task 2.7	Sci Officer			5				
	<ul style="list-style-type: none"> ▪ Identify and/or review priority species or populations for conservation actions 	AC WP Task 2.8	Sci Officer	5		5		5		

Task No.	Topic/Task	Mandate	Officer	2016		2017		2018		Action/Detail
				Time (days)	Funds (AUD)	Time (days)	Funds (AUD)	Time (days)	Funds (AUD)	
	<ul style="list-style-type: none"> Review progress and prioritise the threats to breeding sites and identify gaps in knowledge 	AC WP Task 2.9	Sci Officer	5		5		5		
	<ul style="list-style-type: none"> Review and update best-practice guidelines 	AC WP Task 2.10	Sci Officer	10		10		10		
	<ul style="list-style-type: none"> Develop/update database of biosecurity plans for ACAP breeding sites 	AC WP Task 2.11	Sci Officer	3		3		3		Parties may also need to develop/implement biosecurity plans at breeding sites
	<ul style="list-style-type: none"> Maintain centralised catalogue of plastic rings used on ACAP species and contact list, and addresses of ringing authorities 	AC WP Task 2.12	Sci Officer	2		2		2		
3.4	Assist the Convenor of the Seabird Bycatch Working Group as required to facilitate the work of the Group	Article X k)								
	<ul style="list-style-type: none"> Continue to implement the RFMO interaction plan for ACAP (AC5 Doc 29) and relevant Parties to engage and assist RFMOs and other relevant international bodies in assessing and minimising bycatch of albatrosses and petrels 	AC WP Task 3.1	Exec Sec & Tech Advisor	50	30,000	50	30,000	50	30,000	Attend all relevant meetings as per RFMO Interaction Plan
	<ul style="list-style-type: none"> Maintain bibliography of relevant bycatch information 	AC WP Task 3.4	Sci Officer	5		5		5		
3.5	Assist the Convenor of the Taxonomy Working Group as required to facilitate the work of the Group	Article X k)								
	<ul style="list-style-type: none"> Continue the establishment of a morphometric and plumage database 	AC WP Task 1.2	Sci Officer	1		1		1		
3.6	Review, refine and standardise criteria to include new species on Annex 1	AC WP Task 5.3	Sci Officer	3		3		3		
3.7	Review and update any publications not already specified in the Work Programme	AC WP Task 5.4	Sci Officer	5		5		5		

Task No.	Topic/Task	Mandate	Officer	2016		2017		2018		Action/Detail
				Time (days)	Funds (AUD)	Time (days)	Funds (AUD)	Time (days)	Funds (AUD)	
3.8	Implement system of indicators for the success of the ACAP Agreement	AC WP Task 5.5	Sci Officer	5		2		2		
3.9	Review ACAP performance indicators	AC WP Task 5.6	Sci Officer	5		5		5		
3.10	Manage database of relevant scientific literature	AC WP Task 5.7	Sci Officer	10		10		10		
3.11	Manage directory of relevant legislation	AC WP Task 5.8	Sci Officer	5		5		5		Parties to supply further information as available
3.12	Manage a list of authorities, research centres, scientists and non-government organisations relevant to ACAP	AC WP Task 5.9	Sci & Info Officers	3		3		3		Parties to supply further information as available
4	IMPLEMENTATION OF THE AGREEMENT									
4.1	Assist Parties in providing training, technical and financial support to other Parties on a multilateral or bilateral basis to facilitate implementation of the Agreement.	Article VIII (14)	Sci Officer & Exec Sec	5		5		5		
4.2	Promote and coordinate activities under the Agreement, including the Action Plan, in accordance with decisions of the Meeting of the Parties	Article X c)	Exec Sec	15		2		15		
4.3	Liaise with non-Party Range States and regional economic integration organisations to facilitate coordination between Parties and non-Party Range States, and international and national organisations and institutions whose activities are directly or indirectly relevant to the conservation of albatrosses and petrels.	Article X d)	Exec Sec	20	5,000	20	5,000	20	5,000	Airfares, accomm, allowances
4.4	Consult with and enter into arrangements, with the approval of the Meeting of Parties, with other organisations and institutions, and as appropriate exchange information and data.	Article XI 2c), 3 & 4	Exec Sec	3		3		3		

Task No.	Topic/Task	Mandate	Officer	2016		2017		2018		Action/Detail
				Time (days)	Funds (AUD)	Time (days)	Funds (AUD)	Time (days)	Funds (AUD)	
4.5	Facilitate the accession of non-Party Range States to the Agreement	Article X d), k)	Exec Sec	5		5		5		Carry out further work intersessionally, work with lead Parties and other Parties as needed. Consider implications of addition of pink-footed shearwater to Annex 1 of the Agreement.
4.6	Assist with the compilation of the triennial implementation report.	Article IX 6 (d)	Exec Sec Sci Officer	10		10		10		
4.7	Review list of decisions by the Meeting of Parties in order to advise Parties on which decisions should be included in Party reports	MoP5	Exec Sec	2						
4.8	Review options for the provision of legal advice to the Secretariat	MoP5	Exec Sec	1						Report to AC9
5	CAPACITY BUILDING									
5.1	Assist the Advisory Committee and Parties with technical cooperation and capacity building	Article IV (2)	Exec Sec & Sci Officer	5-20		5-20		5-20		
5.2	Support secondments programme to aid capacity building	MoP2	Exec Sec & Sci Officer	5		5		5		Airfares, accomm, allowances for secondees

ANNEX 3: RESOLUTION 5.3 - STAFF REGULATIONS FOR ACAP SECRETARIAT

AGREEMENT ON THE CONSERVATION OF ALBATROSSES AND PETRELS

Resolution 5.3

Staff Regulations for ACAP Secretariat

Adopted by the Fifth Session of the Meeting of the Parties, Santa Cruz de Tenerife, Spain,
4 – 8 May 2015

Recalling Article VIII 11(c) of the Agreement, which required the first Session of the Meeting of the Parties to establish a Secretariat to perform secretariat functions, including those listed in Article X of the Agreement;

Noting paragraph 7 of Resolution 2.1 adopted at the second Session of the Meeting of the Parties on the Headquarters Agreement;

Further recalling Resolution 4.3 adopted at the fourth Session of the Meeting of the Parties on the Adoption of Staff Regulations for ACAP Secretariat;

The Meeting of the Parties to the Agreement on the Conservation of Albatrosses and Petrels

Decides:

1. to repeal Resolution 4.3 of the fourth Session of the Meeting of the Parties;
2. to adopt the Staff Regulations set out in Appendix A.

RESOLUTION 5.3 APPENDIX A**AGREEMENT ON THE CONSERVATION OF ALBATROSSES AND PETRELS
SECRETARIAT STAFF REGULATIONS****REGULATION 1 – PREAMBLE**

These staff regulations establish the fundamental principles of employment, regulate the working relationships and establish the rights and duties of staff members of the Secretariat for the Agreement on the Conservation of Albatrosses and Petrels (the Secretariat), which includes the staff members who render their services in and receive remuneration from the Secretariat.

REGULATION 2 – DUTIES, OBLIGATIONS AND PRIVILEGES

- 2.1 Staff members, upon accepting their appointments, shall pledge themselves to discharge their duties faithfully and to conduct themselves solely with the interests of the Secretariat in mind. Their responsibilities as staff members are not national but are exclusively owed to achieving the functions of the Secretariat.
- 2.2 Staff members shall at all times conduct themselves in a manner in keeping with the functions of the Secretariat. They shall always bear in mind the loyalty, discretion and tact imposed on them by their responsibilities in the performance of their duties. They shall avoid all actions, statements or public activities which might be detrimental to the Secretariat and its aims.
- 2.3 Staff members are not required to renounce either their national feelings or their political or religious convictions, but must ensure that such views or convictions do not adversely affect their official duties or the interests of the Secretariat. Staff members shall uphold the highest standards of efficiency, competence, and integrity. The concept of integrity includes, but is not limited to, probity, impartiality, fairness, honesty, and truthfulness in all matters affecting their work and status.
- 2.4 In the performance of their duties, staff members shall only accept instructions from the Meeting of the Parties, bodies created by it, or the Executive Secretary.
- 2.5 Staff members shall observe maximum discretion regarding official matters and shall abstain from making private use of information they possess by reason of their position. Authorisation for the release of information for official purposes shall lie with the Meeting of the Parties or the Executive Secretary, as the case may require.
- 2.6 Staff members shall, in general, have no employment other than with the Secretariat. In special cases, staff members may accept other employment, provided that it does not interfere with their duties in the Secretariat, and that prior authorisation by the Executive Secretary has been obtained. The Meeting of the Parties prior authorisation shall be obtained in respect of the Executive Secretary.
- 2.7 No staff member may be associated with a business, industry or other enterprise, or have a financial interest therein if, as a result of the official position held in the Secretariat, they may benefit from such association or interest. Ownership of non-controlling stock in a company shall not be considered to constitute a financial interest within the meaning of this Regulation.
- 2.8 Staff members shall enjoy the privileges and immunities as referred to under the Headquarters Agreement for the Secretariat.

REGULATION 3 - HOURS OF WORK

- 3.1 The normal working day shall be eight hours, Monday to Friday, for a total of forty hours per week. These hours do not include breaks for meals.
- 3.2 The Executive Secretary shall establish the working hours, and may alter them for the benefit of the Secretariat, as circumstances may require.

REGULATION 4 - CLASSIFICATION OF STAFF

- 4.1 Staff members shall be classified as follows:

(a) Executive Secretary

This post will be filled by a person possessing appropriate qualifications and experience for the position. The Executive Secretary shall be recruited internationally only from among nationals of Parties.

(b) General Staff

This category shall include all other staff, including technical, scientific, administrative and auxiliary positions. Such staff members shall be recruited only from among nationals of Parties.

- 4.2 Persons employed under Regulation 12 shall not be classified as staff members.

REGULATION 5 - SALARIES AND OTHER REMUNERATION

- 5.1 The salary scale for the Executive Secretary shall approximate SES 2 classification of the Tasmanian Public Service.. The salary of the Executive Secretary shall be the amount agreed in the tri-ennial Agreement budget and shall be paid in Australian dollars. All associated allowances for the Executive Secretary shall be in accordance with the Senior Executive Service (SES) category of the Tasmanian Public Service. A motor vehicle to the value of AUD 45,000 shall be provided for the use of the Executive Secretary.
- 5.2 The salary scale for the general staff shall be those used for Professional Officers in the Tasmanian Public Service, noting that these figures may be revised from time to time by the Tasmanian Public Service. The Level of appointment for general staff shall be determined by the Executive Secretary. All allowances for each general staff members shall be in accordance with the appropriate category of the Tasmanian Public Service. The salaries of general staff members shall be paid in Australian dollars.
- 5.3 The salaries of staff members shall normally begin at Step 1 of the Level at which they are appointed. However, under exceptional circumstances:
- (a) general staff may be appointed at a higher salary Step at the discretion of the Executive Secretary,
- (b) the Executive Secretary may be appointed at a higher salary Step upon the approval of the Meeting of the Parties.

All staff shall remain at the Step at which they are appointed for at least the first year of employment.

- 5.4 Staff members shall receive annual step increases, subject to satisfactory performance of their duties. Step increases shall cease once the staff member has reached the highest step in the Level in which they are serving. Performance shall be assessed annually against a competency framework. Performance by the Executive Secretary shall be assessed by the Chair of the Advisory Committee.
- 5.5 The promotion of the Executive Secretary and other staff members from one Level to another shall require the prior approval of the Meeting of the Parties.
- 5.6 The Executive Secretary is not entitled to overtime pay or compensatory leave.
- 5.7 General staff members required to work more than 40 hours during one week will be compensated with compensatory leave equivalent to hours of overtime performed. Where the Executive Secretary deems it is appropriate for the efficient operation of the Secretariat, compensation may be paid by remuneration per overtime hour, to be calculated at the rate of time and a half, or if the additional time is worked on a Sunday, or on holidays listed in Regulation 7.8, at the rate of double time.
- 5.8 Expenses incurred by Secretariat staff in the performance of their duties shall be paid from the General Fund within the limits prescribed annually in the budget. The approval of the Executive Secretary is required before such expenses are incurred.

REGULATION 6 - RECRUITMENT AND APPOINTMENT

- 6.1 Recruitment of the Executive Secretary and support staff shall be in accordance with the procedures set out in Annex A of these Regulations. The Meeting of the Parties shall establish the remuneration and such other entitlements as it deems appropriate for the Secretariat's staff. The Executive Secretary's term of office shall be for four years unless otherwise decided by the Meeting of the Parties, subject to a satisfactory performance evaluation to be conducted by the Chair of the Advisory Committee at the end of the first year of employment. The Executive Secretary shall be eligible for reappointment for one additional term. The total length of employment may not exceed eight years.
- 6.2 The Executive Secretary shall appoint (in accordance with Annex A of these Regulations), direct and supervise other staff members.
- 6.3 Upon selection, each staff member shall receive an offer of appointment stating:
 - (a) that the appointment is subject to these regulations and to changes which may be made to them from time to time;
 - (b) the nature of the appointment including a description of the duties of the position;
 - (c) the date on which the staff member is required to commence duty;
 - (d) the period of appointment, the notice required to terminate it and the period of probation;
 - (e) for the Executive Secretary, the period of appointment, which shall not exceed four years, and which may be renewed once in consultation with the Meeting of the Parties;
 - (f) the category, Level, commencing rate of salary and the scale of step increases and the maximum salary attainable;
 - (g) the allowances attached to the appointment;
 - (h) any special terms and conditions which may be applicable.

- 6.4 Together with the offer of appointment, staff members shall be provided with a copy of these Regulations. Upon acceptance of the offer staff members shall state in writing that they are familiar with and accept the conditions set out in these Regulations.

REGULATION 7 – LEAVE

- 7.1 Staff members shall be entitled to 20 working days annual leave during each working year of service, or for periods of less than a full calendar year on a pro rata basis for each completed month of service. Annual leave is cumulative, but at the end of each calendar year, not more than 15 working days may be carried over to the following year.
- 7.2 The taking of leave shall not cause undue disruption to normal Secretariat operations. In accordance with this principle, leave dates shall be subject to the needs of the Secretariat. Leave dates shall be approved by the Executive Secretary who shall, as far as possible, bear in mind the personal circumstances, needs and preferences of staff members. The Executive Secretary shall notify in advance the Chair of the Advisory Committee their periods of leave.
- 7.3 Annual leave may be taken in one or more periods.
- 7.4 Any absence not approved within the terms of these Regulations shall be deducted from annual leave. Where no leave allowance remains, a commensurate deduction in pay will be made for the period of absence.
- 7.5 Staff members who, upon termination of their appointment, have accumulated annual leave which has not been taken shall receive the cash equivalent estimated based on the last salary received to a limit of 30 days.
- 7.6 After 18 months of service the Secretariat shall, in accordance with Regulation 9 pay fares to the staff member's home country on annual leave for internationally recruited staff members, their partners and their dependents (see Regulation 10). The time taken to travel on a direct flight from Hobart to the staff member's home country shall be treated as work time, not annual leave. Following this, home leave fares shall be granted at two-year intervals provided that:
- (a) dependants who benefit from this grant have resided in Tasmania for at least 6 months prior to travel; and
 - (b) it is expected that staff members will return to the Secretariat to continue rendering their services for a minimum additional period of 6 months.
- 7.7 The possibility of combining travel to home country on leave with official travel in Secretariat service may also be considered, provided the functions of the Secretariat are not disadvantaged.
- 7.8 Staff shall be entitled to the public holidays gazetted in relation to Hobart:
- 7.9 If under special circumstances members of the staff are required to work on one of the aforementioned days, or if any one of the above holidays falls on a Saturday or Sunday, the holiday shall be observed on another day to be set by the Executive Secretary, who shall take into account the efficient functioning of the Secretariat.

REGULATION 8 – SUPERANNUATION, INSURANCE AND SPECIAL LEAVE

- 8.1 It is a condition of employment that each staff member will contribute to a recognised retirement fund and have medical and hospital insurance cover. Staff members shall be responsible for the payment of contributions to their retirement fund and insurance premiums.
- 8.2 Staff members shall not be granted sick leave for a period of more than 3 consecutive days and more than a total of 7 working days in any calendar year without producing a medical certificate.
- 8.3 (a) Staff members shall be granted certified sick leave not exceeding 12 months in any 4 consecutive years. The first 6 months shall be on full salary and the second 6 months on half salary, except that no more than 4 months on full salary shall normally be granted in any period of 12 consecutive months.
- (b) In the event of medically certified long term or life threatening sickness, which prevents the Executive Secretary from continuing in their position, the Executive Secretary and their partner and dependents (see Regulation 10) shall be entitled to return travel and removal expenses to country of origin or former residence at the expense of the Secretariat.
- 8.4 After 12 months of employment in the Secretariat female staff members shall be entitled to maternity leave associated with the birth or adoption of a child. On the basis of medical advice that the birth will probably take place within 6 weeks, staff members shall be entitled to be absent from duty until eight weeks after the birth. During this period staff members shall receive full pay and corresponding allowances.
- 8.5 After 12 months of employment in the Secretariat a staff member shall be entitled to parental leave, upon either their partner giving birth or their adoption of a child. In such an event, staff members shall be entitled to be absent from duty for a period of up to three weeks. During this period, staff members shall receive full pay and corresponding allowances.
- 8.6 Staff members are entitled to up to 5 working days of compassionate paid leave in any one year, subject to the approval of the Executive Secretary. In the case of the Executive Secretary compassionate paid leave will be subject to the approval of the Chair of the Advisory Committee. Compassionate leave may not be accumulated.
- 8.7 In the event of death of a staff member, the right to salary, allowances and other corresponding benefits shall cease on the day on which death occurs, unless the deceased is the Executive Secretary and leaves a partner and/or dependents (see Regulation 10), in which case these shall be entitled to mortality allowances and return travel and removal expenses to their country of origin or former residence at the expense of the Secretariat.
- 8.8 Eligibility of the partner and/or dependents (see Regulation 10) of a deceased staff member for the payment of return travel and removal expenses shall lapse if the travel is not undertaken within 6 months of the date of the staff member's death.
- 8.9 The above mortality allowance for death shall be the equivalent of 4 months gross salary.

- 8.10 The Secretariat shall pay for customary and reasonable expenses for shipment of an Executive Secretary's body from the place of death to the place designated by the next of kin.

REGULATION 9 – TRAVEL

- 9.1 Staff members may be required to undertake travel, including international travel, on behalf of the Secretariat. All official travel shall be authorised by the Executive Secretary in advance within the limits of the budget, and the itinerary and travelling conditions shall be those best suited for maximum effectiveness in the fulfilment of duties assigned.
- 9.2 The Secretariat shall pay for adequate travel insurance for all official travel by staff members.
- 9.3 With regard to official travel, a reasonable travel allowance shall be paid in advance for accommodation and daily living expenses.
- 9.4 Economy class shall be utilised, wherever feasible, for air travel. For economy class journeys over 9 hours in flying time, staff will be entitled to one rest day.
- 9.5 Following completion of a journey for official purposes, staff members shall repay any travel allowances to which, in the event, they were not entitled. Where staff members have incurred expenses above and beyond those for which travel allowances have been paid, they shall be reimbursed, against receipts and vouchers, as long as such expenses were necessarily incurred in pursuit of their official duties.
- 9.6 On taking up an appointment, the Executive Secretary shall be eligible for:
- (a) payment of air fares (or equivalent) and travel allowance for themselves, their partners and dependents (see Regulation 10) to Hobart;
 - (b) payment of removal costs, including the shipment of personal effects and household goods from place of residence to Hobart, subject to a maximum volume of 30 cubic metres, or one international standard shipping container; and
 - (c) payment or reimbursement of sundry other reasonable expenses related to relocation, including insurance of goods in transit and excess baggage charges. Such payments shall be subject to prior approval by the Chair of the Advisory Committee.
- 9.7 Staff members who, in the course of their duty, are required to use private motor vehicles for official travel purposes shall, with the prior authorisation of the Executive Secretary, be entitled to receive a reimbursement of the reasonable costs involved. The costs associated with normal daily travel to and from the place of work shall not be reimbursed.

REGULATION 10 – DEPENDENTS

- 10.1 For the purposes of these regulations the term 'dependent' means any:
- (a) child, who is born of, or adopted by, a staff member, their partner, or their children, who is below the age of eighteen years and who is dependent on a staff member for main and continuing support;

- (b) child fulfilling the conditions laid down in paragraph (a) above, but who is between eighteen and twenty-five years of age and is receiving school or university education or vocational training;
- c) handicapped child who is dependent on a staff member for main and continuing support;
- (d) other child who is given a home by and is dependent on a staff member for main and continuing support;
- (e) member of the family forming part of the household of the staff member, for whose main and continuing support a staff member is legally responsible.

REGULATION 11 - SEPARATION FROM SERVICE

- 11.1 Staff members, with the exception of the Executive Secretary, may resign at any time upon giving 4 weeks notice or such lesser period as may be approved by the Executive Secretary. The Executive Secretary may resign at any time upon giving six months notice, or such lesser period as may be approved by the Meeting of the Parties.
- 11.2 In the event of a staff member resigning without giving the required notice the Executive Secretary (in the case of staff members other than the Executive Secretary) or the Meeting of the Parties (in the case of the Executive Secretary) reserves the right to decide whether repatriation expenses or any other allowance shall be paid.
- 11.3 Appointment of staff members may be terminated upon prior written notice at least three months in advance, by the Executive Secretary (and in the case of the Executive Secretary, by the Meeting of the Parties) when this is deemed to be for the benefit of the efficient functioning of the Secretariat, due to restructuring of the Secretariat, or if it is considered that the staff member does not give satisfactory service, as assessed by annual reviews, or fails to comply with the duties and obligations set out in these Regulations, or is incapacitated for service.
- 11.4 In the event of involuntary termination from service, the Executive Secretary shall be compensated at a rate of one month base pay for each year of service, beginning the second year, unless the cause of termination has been gross dereliction of the duties imposed in Regulation 2.
- 11.5 In the event of involuntary termination of the appointment of a general staff member, they shall be compensated at a rate of one month base pay for each year of service, except when the Executive Secretary considers that the staff member has not given satisfactory service, fails to comply with the duties and obligations set out in these Regulations, or is incapacitated for service.
- 11.6 On separation from service, the Executive Secretary shall, except in the case of gross dereliction of duties, be entitled to the following:
 - (a) payment of economy class air fares (or equivalent) to the staff member's country of origin or former residence, for the staff member, partners and dependents; and
 - (b) payment of removal costs, including the shipment of personal effects and household goods from place of residence in Tasmania to the country of origin or former residence, subject to a maximum volume of 30 cubic metres or one international shipping container.

REGULATION 12 - TEMPORARY PERSONNEL UNDER CONTRACT

- 12.1 The Executive Secretary may contract temporary personnel to discharge special duties of a short or fixed term nature. Such personnel shall be classified as contractors and may be paid on either an hourly or contract basis. Persons in this category shall not be covered under the provisions of these staff regulations, but by the provisions contained in the contract entered into with the Secretariat.
- 12.2 Persons in this category may include translators, interpreters and other persons contracted for meetings, as well as those whom the Executive Secretary contracts for a specific task.

REGULATION 13 - APPLICATION AND AMENDMENT OF REGULATIONS

- 13.1 Any issues arising from application of these Regulations shall be resolved by the Executive Secretary following consultation with the Chair of the Advisory Committee.
- 13.2 Matters not foreseen in these Regulations may be brought to the attention of the Meeting of the Parties by the Executive Secretary.
- 13.3 These Regulations including the schedules may be amended by a decision of the Meeting of the Parties.

REGULATION 14 - APPLICATION OF AUSTRALIAN LAW TO EMPLOYMENT CONTRACTS

- 14.1 The governing law of employment contracts between staff members and the Secretariat shall be that of Tasmania and, where relevant, the Commonwealth of Australia.
- 14.2 To the extent that any privileges and immunities applicable under Australian law to a staff member or the Secretariat prevent the laws of Tasmania or the Commonwealth of Australia being the governing law of such contracts, such privileges and immunities are expressly waived by the Meeting of the Parties.
- 14.3 To the extent that such laws would impose rights to either a staff member or the Secretariat by virtue of the employment relationship between them, the laws of Tasmania and, where relevant, the Commonwealth of Australia, shall apply to such relationship, and any relevant privileges and immunities are expressly waived by the Meeting of the Parties. If there is any inconsistency between these Staff Regulations and the rights referred to in the previous sentence, these Staff Regulations shall be deemed as modified to the extent necessary to ensure consistency.
- 14.4 The substance of the foregoing paragraphs of this Regulation shall be included in all employment contracts between a staff member and the Secretariat.

ANNEX A - RECRUITMENT PROCEDURE FOR SECRETARIAT STAFF

When the position of Executive Secretary or other post is or becomes vacant, the following recommended procedures should be used to recruit staff.

Executive Secretary

1. The Meeting of the Parties shall appoint three members of the Advisory Committee as a recruitment sub-committee to address all matters associated with the recruitment and appointment of a new Executive Secretary. The recruitment sub-committee shall consist of one representative from each of the following regions, Americas, Europe and Australasia/Africa.
2. The meetings of the recruitment sub-committee will be closed. All information obtained by the recruitment sub-committee and their deliberations will be treated confidentially.
3. An advertisement in each of the official languages, establishing the selection criteria, shall be placed on the ACAP website and provided to each Party for advertising as they consider appropriate, with the purpose of attracting applications for the post of Executive Secretary. Any such national advertisements shall be similar in form to that placed on the website.
4. The Chair of the recruitment sub-committee shall, in consideration of the time available, determine the deadline for applications and other processes leading to the short listing of candidates.
5. After the deadline for receipt of applications all curricula vitae, references and other documents submitted by applicants shall be examined by the recruitment sub-committee, who shall draw up a short list of the five most suitable candidates. In drawing up the short-list, the recruitment sub-committee will consult with the Parties of which the candidates are nationals to ensure that there are no known reasons why the individuals should not be selected for interview.
6. The recruitment sub-committee will arrange telephone or other interviews with the five candidates.
7. The recruitment sub-committee will request the two most suitable candidates to attend a face-to-face interview at a date and location considered most practical and cost efficient by the recruitment sub-committee. Subject to the availability of funds, travel and per diem expenses of the members of the sub-committee for attending the interviews will be covered by the ACAP general fund.
8. All expenses related to the selection process, including travel and per diem for potential candidates will be reimbursed from the ACAP general fund.
9. The successful candidate will be notified to Parties along with a confidential summary of the selection process and a rationale for the appointment of the selected candidate.
10. The chosen candidate shall be formally appointed by the Chairperson of the Meeting of the Parties and notified at the earliest opportunity.
11. The successful candidate will be subject to a year's probation period during which the appointee's performance will be assessed by the Chair of the Advisory Committee taking into account the views of Parties. The post will be confirmed subject to a satisfactory performance assessment.

12. If the Executive Secretary resigns, the Advisory Committee shall nominate a suitable temporary replacement, who must be approved by at least a two-thirds majority of the Parties to the Agreement.
13. Any person designated Acting Executive Secretary shall enjoy the salary, allowances and other privileges appropriate to the post of Executive Secretary for such time as the person occupies the post.

Suggested Selection Criteria for the Appointment of the Executive Secretary to ACAP

The recruitment sub-committee shall be guided by, but not necessarily limited to, the following criteria in the selection of an Executive Secretary:

Essential criteria

1. national of an ACAP Party;
2. experience or detailed knowledge of the operations of international intergovernmental organisations;
3. representational and promotional skills;
4. fluency in one of the ACAP languages;
5. demonstration of an appropriate level of managerial experience and proven competence, including:
 - a. the preparation of financial budgets and the management of expenditures; and
 - b. the organisation of meetings and provision of Secretariat support for high level committees;

Desirable criteria

6. familiarity with the conservation of albatrosses and petrels;
7. relevant experience and qualifications; and
8. proficiency in the languages of ACAP Parties and range states

Recruitment Procedure for General staff

The following recommended procedures for the recruitment of the general staff will be used, with the Executive Secretary taking the leading role.

1. Advertisements shall be placed on the ACAP website and in relevant Australian media with the purpose of attracting applications for the vacant post.
2. The Executive Secretary shall, in consideration of the time available, determine the deadline for applications and other processes leading to the short listing of candidates.
3. The Executive Secretary shall convene a recruitment sub-committee consisting of three relevant people.
4. The meetings of the recruitment sub-committee will be closed. All information obtained by the recruitment sub-committee and their deliberations will be treated confidentially.

5. From applications received, the Executive Secretary, in consultation with the recruitment sub-committee, will identify the most suitable candidates and perform a preliminary interview by telephone.
6. The Executive Secretary, in consultation with the recruitment sub-committee, will then determine the most appropriate method for the final selection.
7. The Executive Secretary may make arrangements to cover any work requirements on the Secretariat if absences occur.

**ANNEX 4: RESOLUTION 5.4 - ADVISORY COMMITTEE WORK PROGRAMME
2016 – 2018**

AGREEMENT ON THE CONSERVATION OF ALBATROSSES AND PETRELS

Resolution 5.4

Advisory Committee Work Programme 2016 – 2018

Adopted by the Fifth Session of the Meeting of the Parties, Santa Cruz de Tenerife, Spain,
4 – 8 May 2015

Recalling Article VIII(11)(d) of the Agreement, which required that the first Session of the Meeting of the Parties establish the Advisory Committee provided for in Article IX of the Agreement;

Further recalling Resolution 1.5 of the Meeting of the Parties on the establishment of the Advisory Committee which included a work programme for this Committee;

Noting that the eighth meeting of the Advisory Committee developed a work programme for the period 2016 - 2018 (AC8 Final Report, Annex 6) taking into consideration the outcomes of its meeting and the preceding meetings of the Population and Conservation Status, and Seabird Bycatch Working Groups;

The Meeting of the Parties to the Agreement on the Conservation of Albatrosses and Petrels

Decides:

to approve the Advisory Committee Work Programme in Appendix A, subject to available funding.

RESOLUTION 5.4 APPENDIX A - ADVISORY COMMITTEE WORK PROGRAMME 2016 - 2018

Topic/ Task		Responsible group	Time frame	Resources		Action detail/ comments
				Time	Funds	
1. Taxonomy and Annex 1 review						
1.1	Keep the Taxonomy Working Group's bibliographic database updated	TWG led by Convenor	2016-2018	0.5 week per annum (p.a.)	AUD 0	
1.2	Continue the establishment of a morphometric and plumage database	TWG led by Convenor, Science Officer	2016-2018	2 weeks	AUD 0	This will facilitate the taxonomic process, the identification of bycatch specimens, and the long-term storage of valuable data
1.3	Maintain a database of site-specific information on the availability of samples relevant to studies of population genetics of ACAP species	TWG	2016-2018	2 months	?	
1.4	Consider taxonomic issues relating to species proposed for addition to Annex 1 of the Agreement	Parties and AC	2016-2018	0.5 week p.a.	AUD 0	Development of papers as required, using species assessment template.
1.5	Respond to queries on taxonomic issues relating to ACAP species	TWG led by Convenor	2016-2018	1-2 weeks p.a.	AUD 0	Advise regarding a taxonomic list to use for candidate species and encourage harmonising with CMS and IUCN
2. Information on status, trends and breeding sites						
2.1	Consider gaps in population, tracking, breeding site management, threats and regulatory protection data submitted to ACAP; request any outstanding data and incorporate changes	PaCSWG, Science Officer	2016-2018	8 weeks p.a.	AUD 0	Parties to provide new or outstanding data each year. Science Officer to issue reminders in June each year. Maximise use of existing data (could be suitable for secondments).
2.2	Review and refine standardised queries and outputs for analysis and interpretation. Continue to improve data portal structure and queries.	Science Officer, Convenors, Vice Convenors, PaCSWG	2016-2018	12 weeks p.a.	AUD 0	

Topic/ Task		Responsible group	Time frame	Resources		Action detail/ comments
				Time	Funds	
2.3	Accurately assess and update global population trends	PaCSWG Convenors, Science Officer and BirdLife International with other experts as required	2016-2018	3 weeks	AUD 5,000 (core)	May require further data portal updates. Consider alternative approaches as required.
2.4	Update ACAP Species Assessments	Science Officer, PaCSWG Convenors	2016-2018	6 weeks p.a.	AUD 4,000 (core)	Costs for Birdlife to update maps.
2.5	Translate updates to Species Assessments and ACAP guidelines into Spanish and French	Science Officer	2016-2018		AUD 10,00 (core)	
2.6	Identify priority species or populations for monitoring of numbers, trends and demography	PaCSWG, Science Officer	2016-2018	2 weeks pa	AUD 0	Review and update priorities and reflect on progress against priorities and provide reports to each AC Meeting.
2.7	Review availability of albatross and petrel tracking/distribution data to ensure representativeness of species/age classes. Prioritise gaps and encourage studies to fill gaps.	PaCSWG, AC, Science Officer and BirdLife International	2017	1 week p.a.	AUD 1,000 (core)	Review at AC10
2.8	Identify and/or review priority species or populations for conservation actions	PaCSWG, Science Officer	2016-2018	1 week p.a.	AUD 0	Review at each AC Meeting
2.9	Review and prioritise the threats to breeding sites and identify gaps in knowledge	PaCSWG, Science Officer	2016-2018	1 week p.a.	AUD 0	Annual updating of priorities by Parties, re-run prioritisation as required.
2.10	Review and update best-practice guidelines	PaCSWG, Science Officer	2016-2018	3 weeks p.a.	AUD 0	
2.11	Develop/update database of biosecurity plans for ACAP breeding sites	PaCSWG, Science Officer	2016-2018	1 week	AUD 0	Parties may also need to develop/implement biosecurity plans at breeding sites
2.12	Maintain centralised catalogue of plastic rings used on ACAP species and contact list, and addresses of ringing authorities	Science Officer, PaCSWG	2016-2018	1 week	AUD 0	
2.13	Provide reports on activities to AC meetings	PaCSWG, Science Officer	As needed	12 weeks	AUD 0	
3. Seabird Bycatch						

Topic/ Task		Responsible group	Time frame	Resources		Action detail/ comments
				Time	Funds	
3.1	Continue to implement the RFMO interaction plan for ACAP (AC5 Doc 29) and review at each SBWG meeting. Relevant Parties to engage and assist RFMOs and other relevant international bodies in assessing and minimising bycatch of albatrosses and petrels	Individual RFMO co-ordinators, Secretariat, SBWG and AC	2016-2018	a) 18 weeks p.a. b) 18 weeks p.a. c) 2 weeks p.a.	(a+b) AUD 30,000 p.a. (core)	a) Travel etc costs for attendance at selected RFMO meetings (less if Party can contribute directly) b) RFMO co-ordinator activities c) Review of process and recommend changes (SBWG) Includes development and dissemination of resources
3.2	Update analysis of overlaps of distributions and albatrosses and petrels with fisheries managed by RFMOs	BirdLife / ACAP	2016-2017	4 weeks	AUD 10,000 (core)	Consider work and schedule of RFMO activities (e.g. seabird risk assessments and reviews of bycatch mitigation measures)
3.3	Continue to review and utilise available information on foraging distribution, fisheries and seabird bycatch to aid prioritisation of actions to reduce the risk of fishing operations to ACAP species in waters subject to national jurisdiction.	SBWG and Parties	2016-2018		AUD 10,000 (grant)	Assess needs for waters subject to national jurisdiction and any capacity building requirements To facilitate regional coordination to better assess bycatch Consider possible link to conservation priorities, such as Wandering Albatross
3.4	Maintain bibliography of relevant bycatch information	BirdLife/SBWG Science Officer	2016-2018	1 week p.a.	AUD 0	Based on Endnote library Includes both published and unpublished literature Replace working papers with published papers where possible Submission of information from Parties and others encouraged
3.5	Based on new information, update ACAP/BirdLife fact sheets on mitigation measures for fishing methods known to impact albatrosses and petrels (trawl, pelagic longline, demersal longline)	SBWG/BirdLife	2016-2018	1 week per fact sheet	AUD 5,000 (core)	Costs are for translation. Leads – Trawl: New Zealand Pelagic longline: Australia Demersal longline: UK General: BirdLife

Topic/ Task		Responsible group	Time frame	Resources		Action detail/ comments
				Time	Funds	
3.6	Produce report on lessons from mitigation success stories in commercial fisheries	SBWG/BirdLife	2016-2018	3 weeks	AUD 5,000 (grant)	Target audience is fisheries managers. May help inform the development of future strategies for engagement with fishing fleets (task 3.15). Funds are for production/ translation.
3.7	Prepare review of knowledge on deliberate take/killing of ACAP species at sea	SBWG	2016-2018		AUD 10,000 (grant)	Review to describe current knowledge (much from unpublished literature) and causes of any deliberate take and to consider possible take reduction strategies. (Work on review of intentional killing in jigging fleets is planned in 2015). Potential for secondment.
3.8	Recommend priority actions to advance implementation of line-weighting in pelagic longline fisheries	SBWG	2016-2018		To be determined	Will be informed by output of research planned for 2015
3.9	Review and update the prioritisation framework for at-sea threats	SBWG	2017 (for MoP6)	1 week	AUD 5,000 (core)	Analysis and update of data relating to threats and mitigation. Possible workshop.
3.10	Further development of best practice advice for mitigation in artisanal, small scale and recreational fisheries	SBWG	2016-2018		AUD 0	Follows on from development of the toolbox concept in 2015
3.11	Further development of best practice advice for mitigation in gillnet fisheries	SBWG	2016-2018		AUD 0	
3.12	Assist other organisations or range states in bycatch research by facilitating collaboration with relevant experts	SBWG	2016-2018		?	
3.13	Development of bycatch indicators and associated data, methodological approaches and reporting required	SBWG/ Anton Wolfaardt, Igor Debski <i>et al.</i>	2016-2018		AUD 10,000 (grant)	Possibility for continued secondments to build capacity

Topic/ Task		Responsible group	Time frame	Resources		Action detail/ comments
				Time	Funds	
3.14	Develop the flagship species approach to raise the profile of seabird bycatch, bycatch mitigation and other conservation measures in fisheries in high-risk areas.	SBWG	2016-2018		AUD 10,000 (core)	Funds for publication and translation of materials
3.15	Implement the strategy for directly engaging with fishing fleets on the need for implementation of seabird bycatch mitigation measures	SBWG	2016-2018		?	Strategy and mechanism development planned for 2015
3.16	Research actions for artisanal, small-scale and recreational fisheries	SBWG	2016-2018		To be determined	Dependent on progress of research strategy for artisanal, small-scale and recreational fisheries planned for 2015
3.17	Research actions for gillnet fisheries	SBWG	2016-2018		?	
4. Capacity building, New Parties, Organisation of Work						
4.1	Provide assistance and capacity building to ensure drafting and implementation of NPOA-Seabirds	AC, Parties and BirdLife to consider	2016-2018	10 weeks	AUD 0	Capacity building in accordance with the needs identified by interested Parties in order to encourage implementation, particularly in Ecuador, France, Peru, South Africa, (Angola, Namibia, Mozambique, Madagascar), Tristan da Cunha (UK), and EC external fisheries
4.2	Continue to develop and implement the strategy for adding further Parties, and engaging with States not Party to ACAP	AC, Parties, Secretariat	2016		AUD 0	Initial work carried out at AC7, further work intersessionally, work with lead Parties and Secretariat as needed. Consider implications of addition of pink-footed shearwater to Annex 1 of the Agreement.
4.3	Consider Working Group structure and function, including role and participation of members and experts	WGs, AC	2016-2018		AUD 0	

Topic/ Task		Responsible group	Time frame	Resources		Action detail/ comments
				Time	Funds	
4.4	Populate and measure capacity building indicators	Argentina, Australia, Brazil, New Zealand, UK	2016-2018		AUD 0	
4.5	Complete the work on drafting the capacity building strategy	Advisory Committee, Parties	2016-2018		AUD 0	Provide draft of final strategy to MoP6
5. Indicators, priorities, reviews and collective conservation action						
5.1	Review data inputs to breeding sites and at-sea prioritisation frameworks agreed at MoP4, revise conservation priorities and identify actions required to address these priority threats.	WG Convenors and WGs	2017	4 weeks	?	
5.2	Review existing Action Plans (for National Plans, when asked by relevant Party), and advise on new Action Plans for ACAP species	WGs, AC, Parties	2016-2018		AUD 0	
5.3	Review, refine and standardise criteria to include new species on Annex 1.	PaCSWG, SBWG, TWG, Science Officer		1 week	AUD 0	Develop delisting criteria. Update scores as needed.
5.4	Review and update any publications not already specified in the Work Programme	PaCSWG, SBWG, TWG, Secretariat	2016-2018	3 weeks	AUD 0	
5.5	Implement system of indicators for the success of the ACAP Agreement	Parties, Secretariat, BirdLife and AC	2016-2018	1 week p.a.	AUD 0	
5.6	Review ACAP performance indicators	PaCSWG, SBWG Convenors, Science Officer and BirdLife International	2016	3 weeks	AUD 0	
5.7	Manage database of relevant scientific literature	Secretariat	2016-2018	2 weeks p.a.	AUD 0	
5.8	Manage directory of relevant legislation	Secretariat	2016-2018	1 week p.a.	AUD 0	Parties to supply further information, as available
5.9	Manage a list of authorities, research centres, scientists and non-governmental organisations relevant to ACAP	Secretariat	2016-2018	2 days p.a.	AUD 0	Parties and AC to supply further information, as available

Topic/ Task		Responsible group	Time frame	Resources		Action detail/ comments
				Time	Funds	
5.10	Review information and drafts of triennial implementation report. Agree triennial implementation report prior to MoP6.	Advisory Committee, Secretariat	2017		AUD 0	In accordance with Article IX 6 (d) of the Agreement
5.11	Review list of decisions by the Meeting of Parties in order to advise Parties on which decisions should be included in Party reports	Advisory Committee, Secretariat	2016		AUD 0	
6. Management of AC work, secretariat oversight and liaison, and interaction of ACAP bodies						
6.1	Consider and advise on budget matters as needed	AC	2016-2018	2 weeks p.a.	AUD 0	Shorter-term advice provided by the AC Chair
6.2	Consider and advise on Staff matters as needed	AC	2016-2018	1 week p.a.	AUD 0	Shorter-term advice provided by the AC Chair
6.3	Oversee, advise and guide Secretariat in relation to database, web portal	Convenors, Chair and Vice-chair	2016-2018	6 weeks p.a.	AUD 0	
6.4	Manage work of Advisory Committee	Chair, Vice-chair and Convenors	2016-2018	18 weeks p.a.	AUD 0	Regular teleconferences and email conversations

ANNEX 5: RESOLUTION 5.5 – TERMS OF REFERENCE FOR REVIEWING THE EFFECTIVENESS OF THE SECRETARIAT

AGREEMENT ON THE CONSERVATION OF ALBATROSSES AND PETRELS

Resolution 5.5

Terms of Reference for reviewing the effectiveness of the Secretariat

Adopted by Fifth Session of the Meeting of the Parties, Santa Cruz de Tenerife, Spain,
4-8 May 2015

Recalling Article VIII(14) of the Agreement, which requires the Meeting of the Parties to review the effectiveness of the Secretariat in facilitating the achievement of the objective of the Agreement at every third Session of the Meeting of the Parties; and

Noting that Article VIII(14) requires that terms of reference for this review be agreed to at the previous Meeting of the Parties;

The Meeting of the Parties to the Agreement on the Conservation of Albatrosses and Petrels

Agrees:

1. to establish a body comprising no less than two-thirds of Parties to undertake the review (the Review Body);
2. that the Review Body should seek to ensure regional representation from
 - a. Europe/Africa;
 - b. Asia/Australasia; and
 - c. North/South America;
3. that Parties participating in the review are not bound by the findings of the Review Body;
4. that the Terms of Reference of the Review Body will be to:
 - a. undertake a review of the effectiveness of the Secretariat in facilitating the achievement of the Agreement's objectives;
 - b. seek the views of all Parties and interview the Chair of the Advisory Committee and the Executive Secretary;

- c. prepare a report for the sixth Session of the Meeting of the Parties with recommendations, as appropriate, for enhancing the effectiveness of the Secretariat in achieving the Agreement's objective; and
 - d. prepare, as necessary, revised performance indicators to allow for quantifiable assessment of the Secretariat's performance; and
5. that the Performance Indicators in Appendix A will be used in the review.

RESOLUTION 5.5 APPENDIX A

PERFORMANCE INDICATORS FOR MEASURING THE EFFECTIVENESS OF THE SECRETARIAT OF THE AGREEMENT ON THE CONSERVATION OF ALBATROSSES AND PETRELS

1. All relevant information and meeting documents will be provided to the Parties within the timeframes specified by the Agreement.
2. All necessary staffing, logistics, interpretation, and other administrative arrangements required by the Parties will be carried out in coordination and consultation with the host governments of meetings.
3. All decisions will be executed, as required, in such a manner that is consistent with the Meeting of the Parties' intent, prioritising as appropriate within the limited available resources.
4. Facilitation and coordination activities, in accordance with the directions of the Meeting of the Parties or the Advisory Committee, will be carried out, as required, to fulfil the objectives of the Agreement.
5. Other international and national organisations and institutions are contacted, as appropriate, on matters related to achieving the objectives of the Agreement.
6. Other organisations are informed of the activities of the Agreement in order to facilitate information and technology exchange and to maintain a favourable conservation status for albatrosses and petrels.
7. A report on the status of the budget for the implementation of the Agreement is prepared and provided in accordance with timescales set by the Meeting of the Parties.
8. The Agreement's budget is executed in a responsible, efficient, and accountable manner and in accordance with the financial regulations for the Agreement.
9. Assistance is provided to Parties, through the website, in their efforts to educate the general public about the Agreement and its objectives.
10. A system of performance indicators is provided to measure the effectiveness and efficiency of the Secretariat in facilitating the achievement of the objectives of the Agreement.
11. The Meeting of the Parties is provided with all information relevant to the effective functioning of the Agreement in accordance with Article VIII(10).
12. A report is provided to each Meeting of the Parties and meetings of the Advisory Committee identifying activities that the Secretariat has been unable to carry out, providing reasons for any inaction, for example limitations in resources, and options for rectification.

13. The staff of the Secretariat follows the directions of the Executive Secretary, as required by the Meeting of the Parties.

ANNEX 6: RESOLUTION 5.6 - AGREEMENT BUDGET 2016 - 2018

AGREEMENT ON THE CONSERVATION OF ALBATROSSES AND PETRELS**Resolution 5.6****Agreement Budget 2016 – 2018**

Adopted by the Fifth Session of the Meeting of the Parties, Santa Cruz de Tenerife, Spain,
4 – 8 May 2015

Recalling that Article VIII(8) of the Agreement requires the Meeting of the Parties, at each of its ordinary Sessions, to adopt a budget for the next financial period;

Recalling also that Article VII(2)(a) of the Agreement requires decisions relating to the budget and any scale of contributions to be adopted by the Meeting of the Parties by consensus, having regard to the differing resources of the Parties;

Noting that Resolution 1.1 adopted at the first Session of the Meeting of the Parties agreed to give consideration to amending the Scale of Contributions;

Recalling that Resolution 4.6 adopted at the fourth Session of the Meeting of the Parties (MoP4) adopted a scale of contributions formula;

Noting that paragraph 4 of that scale of contributions formula was included to address the exceptional circumstances of France, which existed at that time;

Noting that Parties at MoP4 committed to find a simpler formula that better dealt with the different capacity of Parties to pay; and

Desiring to implement a scale of contributions formula that better deals with the different capacity of Parties to pay;

The Meeting of the Parties to the Agreement on the Conservation of Albatrosses and Petrels**Decides:**

1. to adopt the 2016 - 2018 Budget in Appendix A;
2. in relation to Regulation 5.1 of the Staff Regulations, that the salary of the Executive Secretary shall be paid in accordance with the amounts shown in this budget's line

- item 1.1 for the 2016, 2017 and 2018 financial years and authorises the purchase of a vehicle up to the cost of AUD 45,000 (less the trade in value of the existing vehicle) for the Executive Secretary's use from savings made from previous budgets in the General Fund;
3. to adopt the scale of contributions formula in Appendix B to calculate the contributions for existing Parties;
 4. that in the financial years 2016, 2017 and 2018, the core budget shall be based on fixed annual payments from the Parties as set out in Appendix C;
 5. to apply the formula in Appendix B, together with updated information on the UN scale of assessment for the UN budget, GNI% and GNIpc%, to calculate annual contributions for Range States that accede to the agreement in 2016, 2017 or 2018, using the total annual payments shown in Appendix C as the input amount when performing the calculation, and basing the calculation on there being a total of 14 Parties — the 13 existing Parties at the time of MoP4, plus the new Party that is the subject of the calculation;
 6. that the accession of any Party to the Agreement during an intersessional period will not result in the recalculation of the fixed annual payments for any other Party prior to the next MoP;
 7. to amend the scale of contributions formula to delete paragraph 4 concerning the application of the scale of contributions formula for the triennium 2019 - 2021, and thereafter;
 8. that the budget is to be allocated on a functional basis into four appropriations as follows:

Appropriation 1 – Operation of the Secretariat
Appropriation 2 – Meetings of the Parties
Appropriation 3 – Meetings of the Advisory Committee
Appropriation 4 – Advisory Committee Conservation Programme;
 9. that Parties should pay any outstanding contributions as soon as possible;
 10. that all contributions shall be paid in Australian dollars (AUD);
 11. that a working capital shall be maintained at a constant level of AUD 100,000;
 12. that the Advisory Committee shall keep the status of the General Fund and other funds drawn up in accordance with the Agreement under regular review;
 13. that additional funds which become available should other States accede to the Agreement during the 2016 - 2018 triennium will be allocated toward Appropriation 4 to support the implementation of the Agreement.

14. *Takes note of* the criteria set out section 2.1 of MoP4 Doc 22;
15. *Urges* all Parties to consider making voluntary contributions to the Special Fund to support the activities of the Agreement;
16. *Invites* non-Party Range States, governmental, inter-governmental and non-governmental organisations and other agencies to consider contributing to the Special Fund or to specific activities;
17. *Requests* the Secretariat to make best endeavours to seek external funding to support the Advisory Committee Work Programme; and to identify innovative mechanisms to reduce costs.

RESOLUTION 5.6 APPENDIX A

AGREEMENT BUDGET 2016 – 2018

Ref. No	Description	2016	2017	2018
		Budget	Budget	Budget
1. INCOME				
	Contributions from Parties	723,162	738,558	754,340
	Interest on funds	7,000	7,175	7,354
	Tax refunds	16,312	16,720	17,138
	MoU - Tasmanian Government	22,148	22,702	23,269
	Total Income	768,622	785,155	802,101
2. EXPENDITURE				
APPROPRIATION 1 - SECRETARIAT				
Employee salaries				
1.1.1	Salaries – Executive Secretary (new)	54,450	141,685	144,490
	Salaries – Executive Secretary (outgoing)	90,014	0	0
1.1.2	RBF Superannuation	22,044	21,873	22,351
1.1.3	Recruitment Costs	0	0	0
1.1.4	Salaries - Science Officer	93,853	94,782	97,151
1.1.6	Workers Compensation	3,104	3,181	3,261
	Total Salaries	263,465	261,521	267,254
Employee expenses				
1.2.1	Accommodation	9,691	9,934	10,182
1.2.2	Airfares	24,229	24,835	25,456
1.2.3	Travel Allowances	10,331	10,589	10,854
1.2.4	Travel Insurance	945	969	993
1.2.5	Consultants	30,286	31,043	31,819
1.2.6	Relocation expense (staff)	22,668	0	0
1.2.8	General insurance	1,367	1,402	1,437
1.2.9	Representation expenses	2,175	2,229	2,285
1.2.10	Other travel costs - visas	800	820	841
	Total Employee expenses	102,492	81,821	83,867
Operational costs				
1.3.1	Office equipment /furniture	6,057	6,208	6,363
1.3.2	Office equipment maintenance	1,088	1,115	1,143
1.3.3	Office requisites - stationery	1,500	1,538	1,576
1.3.4	Publications /books	217	223	228
1.3.6	Printing and copying (PR material)	2,289	2,346	2,405
1.3.7	Telephones - telecommunications	5,488	5,625	5,766
1.3.8	Translations - correspondence	6,057	6,208	6,363

Ref. No	Description	2016	2017	2018
		Budget	Budget	Budget
1.3.9	Postage	217	223	228
1.3.10	Freight/couriers	217	223	228
1.3.11	Light and power	2,501	2,564	2,628
1.3.12	Insurance property	1,398	1,433	1,469
1.3.14	Vehicle running costs	5,438	5,574	5,713
1.3.15	Cab charge - taxis	485	497	509
1.3.16	Parking	6,240	6,400	6,560
1.3.19	Staff training	2,175	2,229	2,285
1.3.20	Staff conferences / seminars	1,212	1,242	1,273
1.3.21	Bank charges	272	278	285
1.3.22	Bad and doubtful debts	606	621	636
1.3.23	Software purchase	2,423	2,484	2,546
1.3.24	Server lease	600	615	630
1.3.25	Outsourced IT services	1,624	1,664	1,706
1.3.26	Modifications to database	10,331	10,589	10,854
1.3.27	WAN Wireless network	1,100	1,128	1,156
1.3.28	Rent - ACAP office	37,277	38,208	39,163
1.3.29	Rates and water	7,244	7,426	7,612
1.3.30	Preventative maintenance	489	501	514
1.3.31	Office cleaning	2,243	2,299	2,356
Total Office operational costs		106,788	109,461	112,195
TOTAL APPROPRIATION 1: SECRETARIAT		472,745	452,803	463,316
APPROPRIATION 2 - MEETINGS OF THE PARTIES				
Interpretation and translation				
2.1.1	Simultaneous interpretation			38,833
2.1.2	Hire of interpretation equipment			12,944
2.1.3	Translation of documents			32,000
Total Interpretation/Translation				83,777
Meeting support costs				
2.2.1	Hire of venue (including catering)			14,121
2.2.2	Hire/purchase of equipment			9,414
2.2.3	Support staff			19,416
2.2.4	Printing of documents/report			6,472
Total Meeting support costs				49,423
Sponsorship				
2.3.1	Sponsorship of experts			21,538
Total Sponsorship costs				21,538
TOTAL APPROPRIATION 2: MoP				154,738

Ref. No	Description	2016	2017	2018
		Budget	Budget	Budget
APPROPRIATION 3 - ADVISORY COMMITTEE				
Interpretation and translation				
3.1.1	Simultaneous interpretation	47,758	48,952	
3.1.2	Hire of interpretation equipment	12,399	12,709	
3.1.3	Translation of meeting documents	37,000	37,925	
Total Interpretation		97,157	99,586	
Venue and meeting support costs				
3.2.1	Hire of venue (including catering)	25,278	25,910	
3.2.2	Hire/purchase of equipment	2,297	2,354	
3.2.3	Support staff	24,881	25,503	
Total Venue and meeting support costs		52,456	53,767	
Sponsorship				
3.3.1	Sponsorship of experts	17,910	18,358	
	Sponsorship non-Party Range States	0	0	
Total sponsorship		17,910	18,358	
Support for Advisory Committee Officials				
3.4.1	Support for AC Officials	24,305	24,912	25,535
Total support		24,305	24,912	25,535
TOTAL APPROPRIATION 3: AC		191,828	196,623	25,535
APPROPRIATION 4 - AC WORK PROGRAMME				
Support for secondments		0	19,968	35,358
Advisory Committee Work Programme		104,049	115,761	123,154
TOTAL APPROP'N 4: AC WORK PROGRAMME		104,049	135,729	158,512
TOTAL AGREEMENT BUDGET		768,622	785,155	802,101

RESOLUTION 5.6 APPENDIX B

Scale of Contributions Formulae

1. For Parties whose scale of assessment under the United Nations Scale of Assessment for the UN Budget (currently Resolution 61/237, February 2007) is less than or equal to 0.15%, annual contributions shall be calculated on the UN Scale of Assessment.

$$Contribution1 = \frac{UN\%}{\sum UN\% ACAP} * ACAPBudget$$

(Equation 1)

where: UN % is the calculated UN Scale of Assessment for a Party outlined in the United Nations Scale of Assessment for payment of annual contributions to the UN Budget (currently Resolution 58/1 B, March 2004);

$\sum UN\% ACAP$ is the sum of the UN Scale of Assessment for all ACAP Parties outlined in UN Resolution 58/1 B; and

$ACAPBudget$ is the annual budget approved by the Meeting of the Parties.

2. For Parties whose scale of assessment under the United Nations Scale of Assessment for the UN Budget (Resolution 61/237, February 2007) is greater than 0.15%, annual contributions shall be calculated based on 50% GNI, and 50% GNI per capita, with no party paying more than 20% of the total ACAP Budget. It is calculated using the following equations:

$$Contribution2 = \left[\sum \left(\frac{GNI\%}{\sum GNI\% ACAP} \cdot 0.5 \right), \left(\frac{GNIpc\%}{\sum GNIpc\% ACAP} \cdot 0.5 \right) \right] \cdot (1 - \sum \% Contribution1) * ACAPBudget$$

(Equation 2)

where: GNI % is the Gross National Income for a Party that has a Scale of Assessment under the United Nations Scale of Assessment that is greater than 0.15%;

$\sum GNI\% ACAP$ is the sum of the Gross National Incomes for all ACAP Parties that have a Scale of Assessment under the United Nations Scale of Assessment that is greater than 0.15%;

GNIpc% is the Gross National Income per capita for a Party that has a Scale of Assessment under the United Nations Scale of Assessment that is greater than 0.15%;

$\sum GNIpc\% ACAP$ is the sum of the Gross National Incomes per capita for all ACAP Parties that have a Scale of Assessment under the United Nations Scale of Assessment that is greater than 0.15%; and

$\sum \% Contribution_1$ is the total assessed contributions for Parties whose scale of assessment under the United Nations Scale of Assessment for the UN Budget is less than or equal to 0.15%: it is expressed as a percentage of the ACAP budget.

3. If the calculated percentage contribution for one or more parties resulting from Equation 2 exceeds 20%, the contribution for the Party/Parties is set at 20% of the annual budget, and the contribution for the residual Parties recalculated in one or more subsequent iterations of the following formula:

$$Contribution = \left[\sum \left(\frac{GNI\%}{\sum GNI\% ACAP < 20\%} \cdot 0.5 \right), \left(\frac{GNIpc\%}{\sum GNIpc\% ACAP < 20\%} \cdot 0.5 \right) \right] \\ \bullet \left(1 - [(0.20 \cdot Parties > 20\%) + (\sum \% Contribution_1)] \right) \bullet ACAPBudget$$

(Equation 3)

where: $\sum GNI\% ACAP Parties < 20\%$ is the sum of the Gross National Incomes for all ACAP Parties that have an assessed annual ACAP contribution < 20% in Equation 2;

$\sum GNIpc\% ACAP Parties < 20\%$ is the sum of the Gross National Incomes per capita for all ACAP Parties that have an assessed annual ACAP contribution < 20% in Equation 2;

$Parties > 20\%$ is the number of Parties that have an assessed contribution from Equation 2 or subsequent iterations of this equation that is >20% of the ACAP Budget.

4. That the contribution of France be set at AUD 107,306 per annum only for the period 2016 -2018.*

*At MoP4, it was agreed that France, due to exceptional circumstances, could make a reduced contribution than would have occurred had the ACAP formula for calculating contributions been followed. At MoP5, it has been agreed that France could again make a reduced contribution. The Parties to MoP5 agree that it is not desirable that one Party deviates unilaterally and repeatedly from the ACAP formula for calculating contributions. It is important that the same formula applies to all Parties, as this reflects the financial situation for each Party, as required in Article VII (2)(a). The unwillingness of France to equitably share the budget of the Agreement over two consecutive trienniums has resulted in an increased deviation from the approved scale.

RESOLUTION 5.6 APPENDIX C

Parties' Contributions

Party	2016 Contributions AUD	2017 Contributions AUD	2018 Contributions AUD
Argentina	40,223	41,228	42,259
Australia	76,435	78,345	80,304
Brazil	105,293	107,925	110,624
Chile	34,379	35,238	36,119
Ecuador	1,500	1,538	1,576
France	107,306	107,306	107,306
New Zealand	37,773	38,718	39,686
Norway	83,632	85,723	87,866
Peru	3,990	4,089	4,191
South Africa	33,047	33,873	34,720
Spain	82,033	84,084	86,186
United Kingdom	115,778	118,672	121,639
Uruguay	1,773	1,817	1,863
TOTALS	723,162	738,558	754,340

ANNEX 7: RESOLUTION 5.7 - ARRANGEMENTS WITH INTERNATIONAL ORGANISATIONS

AGREEMENT ON THE CONSERVATION OF ALBATROSSES AND PETRELS**Resolution 5.7****Authority of the Secretariat to Enter into Arrangements with Relevant International Organisations**

Adopted by the Fifth Session of the Meeting of the Parties, Santa Cruz de Tenerife, Spain,
4 – 8 May 2015

Recalling that Article X (d) of the Agreement calls upon the Secretariat to, *inter alia*, liaise with international organisations and institutions whose activities are directly or indirectly relevant to the conservation, including the protection and management, of albatrosses and petrels;

Aware that Article XI (1) of the Agreement calls upon Parties to, *inter alia*, promote the objectives of this Agreement and develop and maintain coordinated and complementary working relationships with all relevant international, regional and sub-regional bodies, including those concerned with the conservation and management of seabirds and their habitats and other marine living resources;

Further recalling that Articles XI (3) authorise the Secretariat enter into arrangements, with the approval of the Meeting of Parties, with other organisations and institutions as may be appropriate;

Further recalling Resolution 3.7 of the Third Session of the Meeting of the Parties on the Authority of the Secretariat to Enter into Arrangements with Relevant International Organisations, which includes a template and modalities for such arrangements;

Further recalling that Resolution 3.7 states that any substantive derogation from the template that is more than merely editorial must be approved by the Parties; and

Further recalling that Resolution 3.7 states that any proposed amendments of a substantive nature must be approved by the Parties.

The Meeting of the Parties to the Agreement on the Conservation of Albatrosses and Petrels

Decides that:

1. The Secretariat may renew or negotiate the Memoranda of Understanding between ACAP and the following bodies and organisations:
 - a) the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), to facilitate cooperation to minimise the incidental bycatch of albatrosses and petrels;
 - b) the Inter-American Tropical Tuna Commission (IATTC), to facilitate cooperation to minimise the incidental bycatch of albatrosses and petrels;
 - c) the Organización Latinoamericana de Desarrollo Pesquero (OLDEPESCA), to facilitate cooperation to minimise the incidental bycatch of albatrosses and petrels; and
 - d) the Inter-American Sea Turtle Convention (IAC), to facilitate cooperation to minimise the incidental bycatch of albatrosses and petrels.

2. The template set out in Annex B to resolution 3.7 will be used in respect of the arrangements referred to in paragraph 1 above; and that

3. The Secretariat may commence negotiations for the development of Memoranda of Understanding with the One Health Institute and the Secretariat of the Southern Indian Ocean Fisheries Agreement (SIOFA).

ANNEX 8: RESOLUTION 5.8 – IMPLEMENTATION OF ARTICLE VIII.15

AGREEMENT ON THE CONSERVATION OF ALBATROSSES AND PETRELS**Resolution 5.8****Resolution progressing implementation of Article VIII.15 of the Agreement on the Conservation of Albatrosses and Petrels**

Adopted by the Fifth Session of the Meeting of the Parties, Santa Cruz de Tenerife, Spain,
4 – 8 May 2015

Recognising that the conservation status of albatrosses and petrels is threatened by incidental mortality associated with commercial fishing activities, including those of distant water fishing fleets;

Further recognising the importance of ensuring that the threats posed to albatrosses and petrels are effectively mitigated throughout their range;

Aware that such protection can be greatly enhanced by cooperation with member economies of the Asia Pacific Economic Co-operation forum (APEC) whose vessels fish within the range of albatrosses and petrels listed in Annex I to ACAP and particularly those with a high incidence of bycatch of albatross and petrel species;

Recalling that Article VIII.15 ACAP provides that the Meeting of the Parties may adopt by consensus provisions for the relationship to ACAP by any member economy of the Asia Pacific Economic Co-operation forum whose vessels fish within the range of albatrosses and petrels; and that those provisions, once adopted, shall enable the member economy to participate in the work of the Meeting of the Parties and its subsidiary bodies, including decision-making and to comply with all obligations under ACAP;

Bearing in mind the considerations on this topic made in the context of the discussions of the intersessional committee before the Fifth Meeting of the Parties;

Conscious of the need to provide the Meeting of the Parties with options to enable the participation of APEC member economies in sessions of the Meeting of the Parties and its subsidiary bodies;

Further conscious of the benefit to ACAP of the participation in the Meeting of the Parties and its subsidiary bodies by APEC member economies, including as observers:

The Meeting of the Parties to the Agreement on the Conservation of Albatrosses and Petrels

1. *Welcomes* the interest shown by APEC member economies in the work of ACAP;
2. *Decides* to renew the mandate of the intersessional committee to continue to develop options for the participation, including as observers, in the Meeting of the Parties and its subsidiary bodies, of APEC member economies, without prejudging any decision by the Meeting of the Parties;
3. *Further decides* that the intersessional committee will present the outcome of its work to the Parties at the earliest opportunity intersessionally, for consideration and adoption by consensus in accordance with the relevant Rules of Procedure, or at the 6th Session of the Meeting of the Parties at the latest;
4. *Further decides* that terms of reference for the intersessional committee established by paragraph 2 are annexed to this Resolution.

RESOLUTION 5.8 – ANNEX**Terms of Reference for the Intersessional Committee**

1. The intersessional committee will be open for participation of any Party at any time. The intersessional committee will consist of representatives nominated by Parties, and the Chair of the Advisory Committee.
2. The intersessional committee will nominate its own chair from amongst the appointed representatives of Parties.
3. The intersessional committee will conduct its work as a matter of urgency, making maximum use of electronic means. Should physical meetings be required, these will, to the extent practical, take place in the margins of other meetings.
4. The specific options to be considered and developed by the intersessional committee are those that would, taking account of relevant considerations (including legal and political), enable APEC member economies to participate, including as observers, in Sessions of the Meeting of the Parties and in meetings of its subsidiary bodies.
5. The intersessional committee will conduct informal consultation with APEC, relevant APEC member economies and non-Party Range States in conducting its work.
6. The intersessional committee may receive and consider submissions from observers.
7. The intersessional committee will present to the Parties a report setting out the available options, the basis for each option and the modalities by which each option could be achieved. This report will be circulated to the Parties at least 90 days before 9th Meeting of the Advisory Committee.
8. If no subsequent consensus decision is taken in accordance with the relevant Rules of Procedure, the intersessional committee will continue its work and will present updated reports to the 9th Meeting of the Advisory Committee and, if necessary to the 6th Session of the Meeting of the Parties.

ANNEX 9: LIST OF PARTICIPANTS**LIST OF PARTICIPANTS -
FIFTH SESSION OF THE MEETING OF THE PARTIES TO ACAP**

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OBSERVERS: NON-GOVERNMENTAL ORGANISATIONS**BIRDLIFE INTERNATIONAL**

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ANNEX 10: AGENDA**AGENDA -
FIFTH SESSION OF THE MEETING OF THE PARTIES TO ACAP**

1. Official Opening
1.1 Official Opening and Opening Statements
2. Procedural Issues
2.1 Adoption of Agenda
2.2 Amendments to the MoP Rules of Procedure
2.3 Establishment of Credentials Committee
2.4 List of Observers attending MoP5
3. Reports
3.1 Report of Credentials Committee
3.2 Report of the Depositary
3.3 Reports of Observers
4. Operation of the Secretariat
4.1 Report of the Secretariat
4.2 Secretariat Work Programme 2016-2018
4.3 Review of Staff Regulations
4.4 Review of Financial Regulations
4.5 Report on Secretariat's Performance Indicators
4.6 Report on the process for the recruitment of the Executive Secretary
5. Operation of the Meeting of the Parties
5.1 Hosting of Meetings by non-Party Range States
6. Operation of the Advisory Committee
6.1 Report of the Advisory Committee
6.2 Advisory Committee Work Programme 2016-2018
7. Operation of the Agreement
7.1 Report on Implementation of the Agreement
7.2 Report on Achievements in First Ten Years of the Agreement (2004 – 2014)
7.3 Amendment to Reporting Format for the Report on the Implementation of the Agreement
7.4 Criteria for listing and de-listing species in Annex 1
7.5 Proposed Amendment to Annex 1 - listing of new species
7.6 Identification of Priority Conservation Actions
7.7 Proposed Indicators to Measure the Success of the Agreement
7.8 Capacity Building
7.9 Development of Arrangements with Other International Organisations
7.10 Financial and Auditor's Reports

7.11	Agreement Budget 2016-2018
7.12	Scale of Contributions
7.13	National Plans of Action
7.14	Accession of non-Party Range States to the Agreement
7.15	Conflict of Interest and bias
7.16	Lethal experimentation
7.17	Agreement sponsorship policy
8.	Provisional Date and Venue of the Sixth Meeting of the Parties
9.	Other Business
9.1	Media Release
9.2	Participation at the 2nd World Seabird Conference
10.	Closing Remarks
11.	Adoption of MoP5 Report
12.	Close of Meeting

ANNEX 11: LIST OF MEETING DOCUMENTS**LIST OF MEETING DOCUMENTS
FIFTH SESSION OF THE MEETING OF THE PARTIES TO ACAP**

WORKING DOCUMENTS			
Doc No.	Title	Agenda Item	Author
MoP5 Doc 01 Rev 1	Provisional Agenda and Supplementary Provisional Agenda	2.1	Secretariat, AC Chair, MoP4 Chair, Advisory Committee
MoP5 Doc 02	Annotated Provisional Agenda and Supplementary Provisional Agenda	2.1	Secretariat, MoP5 Vice-chair
MoP5 Doc 03	Provisional Schedule	2.1	Secretariat, MoP5 Vice-chair
MoP5 Doc 04	List of Meeting Documents	2.1	Secretariat
MoP5 Doc 05 Rev 2	List of Meeting Participants	2	Secretariat
MoP5 Doc 06	Proposed amendment to Rule 4(1) of Rules of Procedure for Meetings of the Parties	2.2	Australia
MoP5 Doc 07	Report of Depositary Government on the Agreement on the Conservation of Albatrosses and Petrels (Canberra, 19 June 2001)	3.2	Australia
MoP5 Doc 08	Report of the Secretariat	4.1	Secretariat
MoP5 Doc 09	Advisory Committee Report to the Fifth Meeting of Parties	6.1, 7.8	AC Chair, AC Vice-chair, Advisory Committee
MoP5 Doc 10 Rev 1	Interim Financial Report 2015	7.10	Secretariat
MoP5 Doc 11	Report on progress with the Implementation of the Agreement 2013 - 2015	7.1, 7.2, 7.8	Advisory Committee, Secretariat
MoP5 Doc 12	Review of translation costs	4.1	Secretariat
MoP5 Doc 13 Rev 1	Memoranda of Understanding with other organisations	7.9	Secretariat
MoP5 Doc 14	Proposed Amendment to Annex 1	7.5	Chile, Australia
MoP5 Doc 15 Rev 1	Prioritising ACAP Conservation Actions	7.6	Secretariat
MoP5 Doc 16 Rev 1	Draft Advisory Committee Work Programme 2016 - 2018	6.2, 7.8	Advisory Committee
MoP5 Doc 17 Rev 1	Draft Secretariat Work Programme 2016 - 2018	4.2	Secretariat

WORKING DOCUMENTS			
Doc No.	Title	Agenda Item	Author
MoP5 Doc 18 Rev 2	Draft Agreement Budget 2016 - 2018	7.11	Secretariat
MoP5 Doc 19	Scale of Contributions	7.12	Secretariat
MoP5 Doc 20 Rev 1	Proposed indicators to measure the success of ACAP	7.7	Secretariat
MoP5 Doc 21	Criteria for listing and de-listing species on Annex 1 of the Agreement	7.4	Secretariat
MoP5 Doc 22	Amendment to the format of implementation reports	7.3	Secretariat
MoP5 Doc 23	Amendment to Financial Regulations	4.4	Secretariat
MoP5 Doc 24 Rev 1	Accession of non-Party Range States to the Agreement	7.14	Secretariat, AC Chair, AC Vice-chair
MoP5 Doc 25	Conflicts of interest and bias	7.15	Australia, New Zealand, Uruguay
MoP5 Doc 26 Rev 1	Lethal experimentation	7.16	Australia
MoP5 Doc 27 Rev 1	Agreement Sponsorship Policy	7.17	Advisory Committee, Secretariat
MoP5 Doc 28	Indicators to measure the success of the Agreement - performance indicators for capacity building	7.7	Argentina, Australia, Brazil, Chile, New Zealand and United Kingdom
MoP5 Doc 29	Report of Intersessional Committee established by Resolution 4.8	2.2	Intersessional Committee

ANNEX 12: STATEMENT FROM THE CONVENTION ON MIGRATORY SPECIES OF WILD ANIMALS (CMS)

“Statement from

The Convention on Migratory Species of Wild Animals (CMS) to the
5th Meeting of the Parties of the Agreement on the Conservation of Albatrosses and Petrels
(ACAP)

Santa Cruz de Tenerife, Spain, 4-8 May 2015

On behalf of Dr Bradnee Chambers, Executive Secretary of the Convention on Migratory Species, I would like to extend my greetings to the 5th Meeting of the Parties of ACAP. Dr Chambers sends his apologies as he was intending to be here today in Tenerife but had to change his plans due to unforeseen reasons.

Within the wider CMS Family and beyond, ACAP is perceived as an effective instrument that works on solid scientific grounds and applies the results of research to management and policy options to prevent the mortality of seabirds due to bycatch in fishing gear. ACAP is to be congratulated for this outstanding work in the science-policy interface, which is contributing to alleviating this significant source of mortality.

It is gratifying to see that the work of ACAP is producing such positive results. It is clear that the Parties and Range States have undertaken a substantial amount of work to implement the Agreement. Also, the dedicated individuals and NGOs, in particular BirdLife International, are to be thanked for their support of ACAP and their significant seabird conservation actions – both at the international level and on-the-ground.

As you will be aware, the CMS Secretariat has recently concluded a successful 11th Conference of the Parties (COP11) which took place in Quito (Ecuador) last November and had more than 1,000 participants attending. This is the first time that a CMS COP takes place in Latin America and it was a fantastic opportunity to make the Convention more visible and better known in that Region.

For the first time there was a high level segment and there were major decisions taken by Parties that received widespread attention in the media around the world. 21 shark and ray species were listed, 5 birds and 4 mammals, including the Polar Bear, giving a strong marine flavor to this COP. More than double the number of participants attended the COP. There were several important policy decisions regarding conservation, including adoption of a Strategic Plan for Migratory Species modelled on the CBD Strategic Plan and Aichi Targets; guidelines on renewable energy and migratory species; guidelines on bird poisoning; and a strong resolution on fighting wildlife crime.

There were also a number of key decisions that were aimed at strengthening the Convention. A new structure based on regional representation will allow the Convention's Scientific Council to meet more frequently during the intersessional period, and be more effective. A process was established to develop common services among the CMS Family instruments

based in Bonn and the Standing Committee will consider adopting an implementation review mechanism for the Convention.

Among other things, COP11 introduced some new practices and adopted a number of Resolutions of relevance to ACAP, for example:

- It was decided that CMS will follow as standard taxonomic reference for birds, the Illustrated Checklist of the Birds of the World, which is the same taxonomy used by ACAP for albatrosses and large petrels. CMS will continue to take keen interest and follow up closely on the work of the ACAP Taxonomy Working Group.
- A Resolution on Marine Debris was adopted calling on Parties to increase their efforts with regard to best practices for commercial marine vessels, in terms of prevention and awareness-raising and to address current knowledge gaps in combating marine debris. The Resolution instructs the Secretariat to work closely with UNEP Regional Seas Programmes and the follow-up work from the UNEA Resolution on marine debris.
- There was also recognition of the increasing need to consider climate change and its impacts. In that regards, COP adopted a comprehensive programme of work on climate change and migratory species. In particular, the POW requests Parties to consider expanding existing networks of protected areas to cover important stop-over locations and sites for potential colonization, and ensure the effective protection and appropriate management of sites to maintain or to increase the resilience of vulnerable populations to extreme stochastic events.
- COP also addressed for the first time the problem of invasive alien species and adopted a Resolution with a special emphasis on islands and the impact of rats, cats and other introduced mammals. This Resolution is particularly relevant to ACAP given the impact of invasive alien species on seabirds.
- A very comprehensive programme of work on global flyways was adopted, including seabirds. The POW aims at promoting synergies and coordination with relevant programmes of various international organizations, NGOs and the wider public. It therefore outlines priority activities directed at a range of various stakeholders according to their mandates and interests to work in collaboration for achieving the required outcomes.

To finalize, I would like to add that CMS is aiming at a closer collaboration with ACAP on cross-cutting issues such as capacity building. Towards the end of June a CMS Family retreat will take place in Bonn and the current Executive Secretary of ACAP has confirmed his attendance and would like to extend an invitation to the incoming Executive Secretary in order to liaise closely with other CMS officers and enhance synergies among the different avian instruments. At the moment we will have full participation with ACAP, AEWA, EUROBATS, ASCOBANS, ACCOBAMS and Wadden Sea along with CMS's MOUs such as Raptors, Dugongs, and IOSEA, the marine turtles of the Indian Ocean.

I would also like to convey my thanks to the Government of Australia for the continued hosting of the ACAP Secretariat in Tasmania.

I wish you a productive and successful meeting, and please be assured that the CMS Secretariat is on hand to work and collaborate with you as required and as necessary throughout the next intersessional period.

Thank you.

Dr Bradnee Chambers
Executive Secretary
UNEP/CMS Secretariat”

ANNEX 13: STATEMENT FROM BIRDLIFE INTERNATIONAL

“First of all, I’d like to thank the Spanish Government and the Secretariat for the organization of the meeting, on behalf of BirdLife International, as well as of its Spanish partner, SEO/BirdLife. And, likewise, I’d like to stress their support to the work of the ACAP Advisory Committee.

I take the chance given by the Chair to briefly report on the main recent work of BirdLife International relevant to ACAP.

As you know, BirdLife has an Albatross Task Force devoted to work with fishermen, both industrial and artisanal, to minimize Seabird bycatch. The ATF has expanded in recent years, and is now working in 8 different countries, in South America and Africa.

Recently the ATF approach has also been expanded to Europe, where a pilot project has started in Spain and Lithuania, working with artisanal longliners and set nets, respectively. The initiative, called Seabird Task Force (STF), is expected to be extended to other countries in the near future.

As for Europe, relevant news since the last MoP meeting is the publication by the European Commission of an action plan to minimize Seabird bycatch, something for which BirdLife pushed hard for many years.

BirdLife is also involved with RFMOs with the main aim of pushing work on Seabird bycatch mitigation, and has recently joined the the FAO Global Environment Facility (GEF) ‘Common Oceans’, where ACAP is also involved, with a similar aim.

Also relevant to ACAP is the ongoing work of building up the tracking Seabird database, an internet portal collecting tracking data on albatrosses and petrels worldwide, now also including other seabirds.

From SEO/BirdLife’s side, we’ve provided support to the above issues whenever appropriate, and are particularly involved in the new STF. We are also particularly active in monitoring and policy work regarding the Balearic shearwater, one of the last species added to the agreement.”