

 <p>Agreement on the Conservation of Albatrosses and Petrels</p>	<p style="text-align: center;">Eighth Meeting of the Parties <i>Dunedin, New Zealand, 19 - 23 May 2025</i></p> <p style="text-align: center;">Actions to address the conservation crisis faced by albatrosses and petrels due to the threat of fisheries bycatch</p> <p style="text-align: center;"><i>New Zealand</i></p>
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SUMMARY

Albatrosses and petrels face an ongoing conservation crisis. The major threat to these birds is direct interactions with fisheries operations resulting in mortality, or fisheries bycatch. Thousands of albatrosses and petrels are caught in fisheries every year. The Agreement on the Conservation of Albatrosses and Petrels (ACAP) Seabird Bycatch Working Group (SBWG) has been focused on research and developing recommendations to mitigate seabird bycatch, and ACAP has made considerable progress in developing communication and engagement strategies to promote the use of best practice bycatch mitigation measures through regional fisheries management and conservation organisations. However, there remains a gap between ACAP's recommendations and implementation, including in ACAP Parties' fisheries. Parties' reporting on seabird bycatch indicators also remains insufficient. Building on the priority conservation actions identified by the Advisory Committee, this paper outlines areas where strengthened efforts are needed to address the conservation crisis resulting from fisheries bycatch and proposes a Resolution to support and promote this work.

RECOMMENDATIONS

That the Meeting of the Parties:

1. Review and adopt the draft Resolution to address the conservation crisis faced by albatrosses and petrels due to the threat of fisheries bycatch, as set out in **Attachment A**.
2. Request that the Advisory Committee ensures that relevant strategies, plans, and reporting processes are in place, reviewed, and, where required, updated to provide adequate guidance to Parties, ACAP, and others in addressing the conservation crisis.

1. BACKGROUND

1.1 The seabird conservation crisis arising from fisheries bycatch

The Advisory Committee has highlighted the ongoing conservation crisis facing albatrosses and petrels ([AC11 Report](#)), with thousands of these birds caught in fisheries every year (Anderson et al. 2011; Phillips et al 2024). Sixteen of the species listed on Annex 1 of the Agreement on the Conservation of Albatrosses and Petrels (ACAP) are assessed as declining, and ACAP species have continued to decline in status since 1988 (MOP8 Doc 13).

Direct interactions with fishing operations and associated mortality (bycatch) has been identified as the major threat causing widespread declines in albatross and petrel populations (MOP8 Doc 14). All ACAP species are at risk from this threat.

1.2 ACAP work to address the bycatch threat

The ACAP Seabird Bycatch Working Group (SBWG) has focused on researching and developing [advice on technical bycatch mitigation measures](#). The work of the SBWG has been critical in providing evidence-based solutions to mitigate bycatch and address the conservation crisis arising from fisheries bycatch.

The Advisory Committee undertakes a significant programme of work to support the implementation of ACAP's best practice advice. This includes development of ACAP's strategy for engaging regional fisheries management and conservation organisations (MOP8 Doc 24), which aims to strengthen implementation of measures to prevent, minimise, or reduce the incidental taking of seabirds, and associated monitoring and reporting, as well as to ensure ongoing review. The Strategy lays out clear actions for ACAP, Parties, and others to achieve these aims.

Alongside the engagement strategy, the ACAP Communications Strategy (MoP8 Doc 26) identifies ACAP's most influential audiences and effective communications approaches to engage and inspire action.

1.3 Insufficient implementation of best practice bycatch mitigation measures

ACAP's advice on bycatch mitigation is well-recognised internationally but it has had limited influence in practice on efforts to minimise bycatch in domestic and international fisheries. The Advisory Committee has identified a lack of effective implementation of ACAP best practice seabird bycatch mitigation measures in relevant domestic and high seas fisheries, which is hindering the Agreement's ability to identify, assess, and mitigate threats to ACAP species (MOP8 Doc 11). While many Parties and regional fisheries management and conservation organisations have adopted fisheries management measures based on ACAP's best practice advice, in many cases this advice has only been adopted partially. The low level of observer coverage in many domestic and high seas fisheries, as well as deficiencies in data collection and reporting systems, have made it difficult to assess the level of implementation being achieved and the effectiveness of conservation measures in force (MOP8 Doc 11).

Seabird bycatch in fisheries remains a pressing concern, and further technical research alone is unlikely to bridge the gap between the advice on best practice mitigation measures and its implementation. There is now an urgent need to better understand how to address barriers to

the implementation of ACAP's recommended best practice seabird bycatch mitigation strategies in fisheries management ([AC10 Doc 13 Rev 1](#)).

2. ACTIONS TO ADDRESS THE CONSERVATION CRISIS

2.1 Party implementation and reporting

Annex 2 (3.2.1) of the Agreement calls on Parties to take appropriate operational, management, and other measures to reduce or eliminate the mortality of albatrosses and petrels resulting incidentally from fishing activities. Where possible, the measures applied should follow best current practice.

Despite considerable efforts of the SBWG, Party reporting on seabird bycatch indicators, including the implementation of seabird bycatch mitigation measures in their Exclusive Economic Zones, remains poor and the ACAP bycatch indicators remain unpopulated ([SBWG12 Doc 04](#)). Baker et al (2024) undertook an independent review of Implementation Reports submitted by Parties to MOP6 and found no clear evidence that best practice advice was implemented by ACAP Parties in any of their pelagic longline, demersal longline, or trawl fisheries. Whilst there has been progress since 2018, for example the regulation of ACAP best practice mitigation in New Zealand pelagic longline fisheries, there remains need for further action by Parties to fully implement Annex 2 of the Agreement and promote the implementation of best practice mitigation measures in their fisheries. This has been identified as a priority conservation action by the Advisory Committee (MOP8 Doc 15).

The SBWG has made considerable progress in considering issues leading to poor historic Party reporting on seabird bycatch indicators ([SBWG12 Doc 04](#)), with a new approach endorsed by the 14th meeting of the Advisory Committee to prioritise the collection of simple Response data on the implementation of seabird bycatch mitigation in domestic and regional fisheries management and conservation organisation fisheries. Full and timely reporting by all ACAP Parties, as part of routine national reporting, will allow for meaningful measurement of progress in mitigating the threat posed by fisheries.

2.2 Promotion in regional organisations

Article XI (1) of the Agreement calls on Parties to promote the objectives of the 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.

The measures implemented by regional fisheries management and conservation organisations to require the use of seabird bycatch mitigation rarely fully align with ACAP best practice advice, for example, they may require the combined use of two rather than three mitigation methods (Baker et al 2024). Progress to improve this has been mixed ([Joint SBWG12/PaCSWG8 Doc 04 Rev 1](#)). To achieve improved alignment, actions for ACAP Parties have been identified in ACAP's engagement strategy with regional fisheries management and conservation organisations, including actions related to specific organisations (MOP8 Doc 24). Renewed efforts amongst ACAP Parties are necessary to further drive the improvement in the effectiveness, and implementation, of measures, among regional fisheries management and conservation organisations. Implementation of the

engagement strategy has been identified as a priority conservation action by the Advisory Committee (MOP8 Doc 15).

2.3 Complementary engagement with Range States

Alongside ACAP Parties' engagement in regional fisheries management and conservation organisations, there may be opportunities to promote the objectives of the Agreement with Range States whose vessels fish within the range of albatrosses and petrels via other avenues, such as through bilateral dialogue. Parties' direct engagements with Range States may support ACAP's efforts to promote the adoption of operational, management, and other measures to reduce or eliminate seabird bycatch. This type of engagement would be complementary to ACAP's efforts in regional fora, especially where other avenues for engagement with Range States can address bycatch occurring in areas outside the jurisdiction of regional fisheries management and conservation organisations.

2.4 Other international governance

While many fisheries in the high seas are managed through regional fisheries management and conservation organisations, there are still fisheries that fall outside the remit of these organisations. A notable example are the non-tuna fisheries in the Southwest Atlantic, an area important for a variety of ACAP species.

The resumed Review Conference on the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, in 2023, encouraged cooperation to strengthen the protection of seabirds from the impact of fishing, by taking, to the extent possible, national and regional action to:

- i. Establish and implement monitoring, data collection and reporting requirements for seabird by-catch species;
- ii. Develop, implement and monitor risk and science-based by-catch mitigation measures for seabirds;
- iii. Encourage regional fisheries management organisations and arrangements to, as appropriate, develop harmonized measures and cooperate with ACAP¹.

The [United Nations General Assembly Sustainable Fisheries Resolution \(2024\)](#) requests States and regional fisheries management organisations and arrangements to continue to take urgent action to reduce the by-catch of seabirds, including albatrosses and petrels, in fisheries by adopting and implementing conservation measures²; and encourages accurate, complete, reliable and effective data collection and reporting of data on by-catch³.

Finally, the Agreement under the United Nations Convention on the Law of the Sea on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction (BBNJ Agreement), once it enters into force, may provide opportunities to improve governance of seabird conservation and support ACAP objectives.

¹ [A/CONF.210/2023/6](#) Annex paragraph 12(b)

² Paragraph 172

³ Paragraph 29

2.5 Communications

The global fisheries bycatch threats to ACAP species cannot be managed by ACAP Parties alone, as many other states and other entities are involved in the management of fisheries. As such, there is an urgent need for clear and impactful communication of the conservation crisis to all key audiences. Ensuring the ongoing development and full implementation of the ACAP Communications Strategy (MoP8 Doc 26) will go a long way towards achieving this.

3. RECOMMENDATIONS

An ACAP Resolution would provide a basis for Parties' renewed efforts in support of ACAP's objectives and advice to address the conservation crisis resulting from the threat of fisheries bycatch. A draft Resolution is attached to this paper (Attachment A).

The Advisory Committee's work to develop relevant strategies, plans, and reporting processes is critical to enable effective implementation of ACAP best practice bycatch mitigation measures. The Advisory Committee should continue to ensure that these strategies, plans, and reporting processes are in place, reviewed, and, where required, updated to provide adequate guidance to Parties, ACAP, and others in addressing the conservation crisis.

4. REFERENCES

- Anderson, O. R. J., Small, C. J., Croxall, J. P., Dunn, E. K., Sullivan, B.J., Yates, O, Black, A. 2011. Global seabird bycatch in longline fisheries. *Endangered Species Research* 14: 91-106.
- Baker, G.B., Komyakova, V., Wellbelove, A., Beynon, N., Haward, M. 2024. The implementation of ACAP Best Practice Advice to mitigate seabird bycatch in fisheries: Issues and options. *Marine Policy*, Volume 160, doi.org/10.1016/j.marpol.2023.105879.
- Phillips, R.A., Fox, E., Crawford, R., Prince, S. & Yates, O. 2024. Incidental mortality of seabirds in trawl fisheries: a global review. *Biological Conservation* 296. doi.org/10.1016/j.biocon.2024.110720.

ATTACHMENT A

AGREEMENT ON THE CONSERVATION OF ALBATROSSES AND PETRELS

Resolution 8.x

**Resolution to address the conservation crisis faced by albatrosses and petrels
due to the threat of fisheries bycatch**

Adopted by the ...

Concerned that a conservation crisis continues to face the 31 species listed on Annex I of the Agreement on the Conservation of Albatrosses and Petrels (the Agreement), with thousands of albatrosses, petrels, and shearwaters dying every year as a result of fisheries operations;

Recognising that the conservation status of albatrosses and petrels is threatened by incidental mortality associated with commercial fishing activities, including those of non-Party and distant water fishing fleets, both within and beyond areas of national jurisdiction;

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

Recalling Article II (1) of the Agreement that the objective of this Agreement is to achieve and maintain a favourable conservation status for albatrosses and petrels;

Further recalling Annex 2 (3.2.1) of the Agreement that Parties shall take appropriate operational, management, and other measures to reduce or eliminate the mortality of albatrosses and petrels resulting incidentally from fishing activities. Where possible, the measures applied should follow best current practice;

Further recalling Article XI (1) of the Agreement that Parties shall 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;

Mindful that the resumed Review Conference on the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks encouraged cooperation to strengthen the protection of seabirds from the impact of fishing, by taking, to the extent possible, national and regional action;

Welcoming the adoption of the Agreement under the United Nations Convention on the Law of the Sea on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction (BBNJ Agreement), and recognising the potential opportunities under the BBNJ Agreement to support the objectives of the Agreement;

Aware that achieving adequate protection relies on cooperation with other Range States whose vessels fish within the range of albatrosses and petrels listed in Annex I to the Agreement, particularly those areas with a high incidence of bycatch of albatross and petrels;

Conscious of the benefit to the Agreement of wider cooperation of Range States in the management of fisheries to minimise the bycatch of albatrosses and petrels;

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

1. *Strongly urges* Parties to make renewed efforts to review and where necessary improve their operational, management and other measures to reduce or eliminate the incidental mortality of albatrosses and petrels from fishing activities, in particular through the application of best current practice as defined by the Agreement;

2. *Encourages* Parties who are Contracting Parties or Cooperating non-Contracting Parties to regional fisheries management and conservation organisations whose fisheries pose bycatch risks to albatrosses and petrels to promote the adoption of measures to minimise seabird bycatch. These actions should align with the Agreement's engagement strategy with regional fisheries management and conservation organisations and include coordinated engagement with relevant Range States;

3. *Further encourages* Parties to seek complementary avenues to engage with Range States whose vessels fish within the range of albatrosses and petrels to promote the objectives of the Agreement, including in areas not covered by regional fisheries management and conservation organisations, in particular through promoting the adoption of operational, management and other measures to reduce or eliminate the mortality of albatrosses and petrels resulting incidentally from fishing activities;

4. *Encourages* Parties to focus their communication and promotion actions related to the conservation crisis faced by albatrosses and petrels to align with, and support, the Agreement's Communication Strategy; and

5. *Requests* Parties to provide complete and timely National Reporting to the Secretariat on their actions to reduce or eliminate the mortality of albatrosses and petrels resulting incidentally from fishing activities, in particular through the application of best current practice.