

 <p data-bbox="215 548 454 593">Agreement on the Conservation of Albatrosses and Petrels</p>	<p data-bbox="691 241 1401 280"><b>Ninth Meeting of the Advisory Committee</b></p> <p data-bbox="869 297 1401 336"><i>La Serena, Chile, 9 - 13 May 2016</i></p> <p data-bbox="502 414 1385 510"><b>Outcomes from MoP5 relevant to the Advisory Committee Work Programme</b></p> <p data-bbox="715 593 1182 631"><b><i>Secretariat, AC Acting Chair</i></b></p>
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### **SUMMARY**

The Fifth Session of the Meeting of the Parties (MoP5) was convened between 4 and 8 May 2015 at Santa Cruz de Tenerife, Spain. The present document highlights outcomes of MoP5 relevant to the Advisory Committee and the Advisory Committee Work Programme. This document is organised in sections addressing matters concerning the operation of the Secretariat, the operation of the Advisory Committee, and the operation of the Agreement. Agenda items, such as the Advisory Committee Work Programme and the Secretariat Work Programme, are not addressed in detail in this document but are addressed in specific agenda items (and working documents) allocated for this meeting.

### **RECOMMENDATIONS**

The Advisory Committee is requested to take note of the outcomes of MoP5 relevant to its agenda and work programme, and take further action for addressing and implementing them along the current triennium.

Aside from actions allocated to the Secretariat or Advisory Committee, these actions are: (1) the participation in a drafting group on financial contributions to the Agreement by individuals, and (2) the intersessional participation in the process to review the effectiveness of the Secretariat

## 1. BACKGROUND

The Fifth Meeting of the Parties (MoP5) was convened between 4 and 8 May 2015 at Santa Cruz de Tenerife, Spain, with Mr Ricardo Losa Gimenez (*Ministerio de Asuntos Exteriores y de Cooperación*, Spain) acting as Chair of the Meeting. The present document highlights outcomes of MoP5 relevant to the Advisory Committee and the Advisory Committee Work Programme. For a full account of the meeting outcomes and to reference the points addressed herein please refer to the [Report of the Fifth Session of the Meeting of the Parties](#). Certain agenda items like the Advisory Committee Work Programme itself or the Secretariat Work Programme are not addressed in detail in this document given that they have specific agenda items (and working documents) allocated for this meeting.

## 2. OPERATION OF THE SECRETARIAT

MoP5 considered an **amendment proposed by the Secretariat to Financial Regulation 7.2 (MoP5 Doc 23)** 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 Final Report, section 4.4). Although the meeting was in general terms supportive of this proposal, several delegations suggested amendments to the proposal. As no agreement was reached, MoP5 invited Parties to participate in an intersessional drafting group on the above topic and report back to MoP6.

A report on the operation of the Secretariat and draft terms of reference for the **review of the effectiveness of the Secretariat** was presented by the Executive Secretary (**MoP5 Doc 08**). A review of the effectiveness is required to be undertaken at MoP6 (Article VIII (14) of the Agreement). MoP5 approved [Resolution 5.5](#) concerning terms of reference for this review. Completion of the review process at the next Meeting of the Parties will require of intersessional work by the Advisory Committee.

MoP5 discussed the possibility of having **meetings of the Agreement hosted by non-Party Range States**. Parties agreed that it would be appropriate for non-Party Range States to host meetings of the Advisory Committee and its Working Groups. However, considered that wouldn't be appropriate for such States to host Sessions of the Meeting of the Parties.

## 3. OPERATION OF THE ADVISORY COMMITTEE

While discussing the **Advisory Committee Work Programme (MoP5 Doc 16)** some Parties expressed interest in prioritising the tasks and actions included in the AC Work Programme, in order to assist AC members and Parties in identifying the most relevant items in case resources were not sufficient. 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](#).

#### 4. OPERATION OF THE AGREEMENT

The Chair of the Advisory Committee presented the **Report on the Implementation of the Agreement** ([MoP5 Doc 11](#)), including a look forward to key outcomes for the current triennium: (1) improving the quality of seabird bycatch data and fishing effort provided by Parties, (2) implementing best practice mitigation measures in fisheries, and (3) filling data gaps relating to population status and trends.

In [MoP5 Doc 22](#) the Secretariat specifically sought clarification on the use of the term “decisions” in the online implementation report. 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. Consequently, MoP5 requested the Secretariat to prepare a paper - in consultation with the AC and Parties - to be presented at MoP6, reviewing 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](#)).

MoP5 discussed **criteria for listing and de-listing species** in Annex 1. The Secretariat, with inputs from the Advisory Committee, proposed criteria (and the scoring system for those criteria) to guide the addition of species to Annex 1 ([MoP5 Doc 21](#)). This document also outlined the process to follow when submitting a nomination, and highlighted the merit of developing de-listing criteria. The approach for addressing taxonomic revisions to listed species and the possibility of harmonising taxonomy between different Agreements were discussed. 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.

On a related matter MoP5 approved the adoption of [Resolution 5.1](#) to include the Pink-footed Shearwater *Ardenna (Puffinus) creatopus* in Annex 1 of the Agreement.

The Advisory Committee Chair introduced **Capacity Building** referring to a number of MoP5 documents where actions conducted by the Agreement relevant to capacity building are mentioned. MoP5 observed that although MoP4 had endorsed its components, the strategy was not finalised. Hence, the completion of the capacity building strategy was requested for the current triennium and a new line was added in the AC Work Programme concerning this task.

In response to a request from MoP4 to identify non-Party Range States of priority for ACAP to engage with, the Secretariat, AC Chair and Vice Chair prepared an **engagement strategy to promote the accession of non-Party Range States** to the Agreement. MoP5 expressed its support for the priorities identified in the paper and proposed amendments incorporated into a revision of the strategy ([MoP5 Doc 24 Rev 1](#)). Further actions regarding the implementation of the strategy are referred in the Secretariat Report (**AC9 Doc 06**).

A paper was presented by Australia addressing arrangements governing **lethal experimentation** (**MoP5 Doc 26**). Interim principles were developed to guide assessment by the Grants Subcommittee of project applications where lethal experimentation is proposed. The document highlights the inconsistency between interim principles disallowing lethal experimentation, and the definition of best practice adopted by the Advisory Committee in case that grants under the Agreement are refused in circumstances where a proposed

experiment involving lethal experimentation yields definitive results about a mitigation method significantly reducing seabird bycatch. MoP5 adopted the principles set out in Annex 1 of [MoP5 Doc 26 Rev 1](#). Additional requirements ensure that funds could be available for responsibly conducted experiments including lethal experimentation with the potential to significantly reduce seabird mortalities. These principles should guide further assessments by the Grants Subcommittee of project applications where lethal experimentation is proposed.