



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

**Second Meeting of Seabird Bycatch Working Group**

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**Title: Reducing seabird by-catch in pelagic longline fisheries: thoughts on issues of importance to ACAP**

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## **Reducing seabird by-catch in pelagic longline fisheries: thoughts on issues of importance to ACAP**

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The wins that have been achieved in reducing seabird mortality in demersal longline fisheries in the Southern Ocean and nearby regions will be much more difficult to achieve in tuna and swordfish longline fisheries. The reasons pertain to fundamental differences in gear design, the capacity for seabirds to swim sinking baits back to the surface and keep them there (occurs rarely, if ever, in demersal longline fisheries) and differences in management regimes (tuna commissions v CCAMLR) dealing with the large high seas component of effort. ACAP has a vital interest in achieving success in coastal and high seas pelagic longline fisheries (and pelagic and demersal trawl fisheries) because the Agreement came into being largely in recognition of the persistently high mortality levels in fisheries outside of the Southern Ocean. The Advisory Committee work program does not create the impression that seabird conservation in pelagic longline fisheries can advance significantly with current approaches. Management requires the development of a culture, taking on board the lessons of the past (e.g., the not insubstantial number of fisheries that have adopted seabird-friendly practices) and lessons from management regimes with a good track record (e.g., CCAMLR). Effective culture needs to be understood before attempts can be made to build it. Priorities need to be established around initiatives with a direct link (as against an indirect link) to conservation and financial and human resources allocated accordingly. Pelagic longline fisheries are tough, and a highly focused, pragmatic and concerted effort is needed in order to make inroads into reducing mortality. Unless this happens seabirds at some sites will continue their slide to oblivion. Teamwork is of the essence, and the work of Birdlife's Albatross Task Force and the implementation phases of the mitigation sciences can benefit greatly by the existence of an effective multi-national agreement like ACAP.

### High seas and tuna commissions

The good work in recent tuna RFMO meetings notwithstanding, it is very difficult to imagine how seabird mortality can be effectively mitigated in high seas tuna fisheries. Legal high seas vessels are unlikely to use effective mitigation measures. Progress (however it be defined) achieved in RFMO meetings dealing with the high seas is going to be very hard or impossible to translate into effective action at the level of the fishing vessel. The disconnect between actions taken at meetings and actions on fishing vessels is due to the inertia in fisheries to resist change and tendency to default to old ways of doing things once vigilance wanes. The sources of inertia are embedded in fishing operations, gear, culture and attitude. Collectively, the forces are immense. Fisheries can change, but first they must be tractable, and high seas operations are rarely tractable. Change will most likely require the emergence of new, practical, mitigation concepts with built-in capacity to ensure compliance. While new technologies are in the process of being developed they will require considerable testing before the likelihood of adoption can be assessed. Change can also occur if there is regular interchange of vessels between

management regimes of contrasting capacities, which can result in an osmosis-like transfer of technologies and practices from the well managed to the less well managed, as has been the case in some demersal longline fisheries. This is not a common practice with pelagic longline fisheries, however.

Based on the above sobering assessment, it is important that ACAP focus most conservation effort on fisheries operating in the coastal states. This does not mean international management bodies should be ignored. Rather, it means weighting efforts according to potential for real change at the level of the fishing vessel. In practice, this could mean maintaining current (or similar) levels of activity in RFMOs, but scaling up to a very large extent involvement in fisheries operating in coastal states.

#### Coastal state fisheries

Reducing seabird mortality in coastal state fisheries is also fraught with difficulty but at least there is the advantage that vessels operate from home ports, take home-nation observers, and operators have direct links with governments and NGO's in working groups. Involvement in working groups exposes industry to the culture of conservation and the invocation of high conservation standards, which are critical to the development a pragmatic attitude to new ideas. Coastal state fishermen may also be members of local communities. There may (or may not) be less of a sense of the 'global commons' about their trade, in a small number of individuals perhaps. In theory at least, government agencies responsible for coastal state fisheries have the capacity to create incentives for industry to support changes to gear and practice, as well as for regulation, surveillance and punitive action for non compliance.

With the exception of recent initiatives involving the waved albatross, ACAP has not developed an effective role in the management of seabird by-catch in coastal state fisheries. This lack highlights the difficulty among member states in working together at the government level, which is necessary when seabird breeding and feeding grounds fall within the jurisdiction of more than one country. It is the same reason states took a parochial approach to problem solving 20 years ago when the severity of seabird mortality in fisheries emerged. The parochialism has broken down to some degree with the advent of Birdlife's Albatross Task Force, but the ATF works mainly at the grass roots - not inter-governmental - level. In spite of the difficulties, the coastal states offer the best chance to reduce seabird mortality in pelagic longline fisheries and every effort must be made to ensure the instruments of conservation, including within ACAP, work as effectively as possible.

#### Recommendations

a) To maximize effectiveness of the Agreement in reducing seabird mortality in fisheries, ACAP produce a report on the essential ingredients (both apparent and invisible) for change by fisheries to seabird friendly gear and practices. The report would provide an assessment of the factors (e.g., sociological, operational, economic, political) that have driven change in the seven or eight longline fisheries, and the single (at least) trawl

fishery (mackerel icefish trawl fishery at South Georgia / Islas Georgias del Sur<sup>1</sup>), in the world that have adopted effective seabird-safe methods and practices. To aid in the development of effective culture, the report would identify the key cultural elements of CCAMLR that underpin the high level of success that CCAMLR has achieved to date (an example, among others, is the importance of national annual reports on trends in seabird by-catch and mitigation use).

b) ACAP make the reduction of seabird mortality in coastal state fisheries its main priority and discuss the merits of establishing a process to identify the most important fisheries.

c) The order in which items/issues are presented imparts a sense of value. It would be useful to rearrange the order of items in the AC work program to imbue a better sense of priority and importance.

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