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|  <p>Agreement on the Conservation<br/>of Albatrosses and Petrels</p> | <p><b>Tenth Meeting of the Seabird Bycatch Working Group</b><br/><i>Virtual meeting, 17 - 19 August 2021 (UTC+10)</i></p> <p><b>Review of ACAP RFMO Engagement Strategy</b><br/><i>Christine Bogle, Igor Debski, Anton Wolfaardt</i></p> |
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### SUMMARY

At SBWG9 the Working Group reviewed progress against the framework for ACAP's engagement strategy with RFMOs and CCAMLR (SBWG9 Doc 07). Prior to SBWG9 a one-day workshop was held, which fed into the review. On the basis of the review the Working Group agreed a list of prioritised areas of engagement for the 2019-2021 intersessional period, encapsulated in a revised document ([SBWG9 Doc 07 Rev 1](#)). Progress achieved since SBWG9 is presented in Annex 1, together with an updated list of proposed actions for the forthcoming triennium (2023-2025), for discussion by the SBWG and subsequent endorsement by the Advisory Committee. The COVID-19 pandemic has affected the period covered (extended by one year) and the ability to achieve the objectives. As in previous versions the current document provides additional information on the background of the ACAP RFMO engagement strategy and considers the challenges and opportunities associated with achieving best practice standards in reducing seabird bycatch.

### RECOMMENDATIONS

The SBWG is requested to:

1. consider this review of the ACAP RFMO engagement strategy, contribute to the further development of this strategy, and revise the list of priority actions in Annex 1.
2. ask the Advisory Committee to support the implementation of these actions, including the provision of resources necessary to achieve this.

## **Revisión de la estrategia de interacción del ACAP con las OROP**

### **RESUMEN**

En la Reunión GdTCS9, el Grupo de Trabajo examinó los avances realizados en relación con el marco de la estrategia de interacción del ACAP con las OROP y la CCRVMA (SBWG9 Doc 07). Antes de la Reunión GdTCS9, se celebró un taller de un día que aportó a la revisión. Sobre la base de esa revisión, el Grupo de Trabajo acordó una lista de áreas prioritarias de interacción para el período entre sesiones 2019-2021, incluidas en un documento revisado ([SBWG9 Doc 07 Rev 1](#)). Los avances logrados desde la GdTCS9 se presentan en el Anexo 1, junto con una lista actualizada de acciones propuestas por realizar en el siguiente trienio (2023-2025), para su análisis por parte del GdTCS y su posterior refrenda por parte del Comité Asesor. La pandemia de la COVID-19 afectó el período comprendido (ampliado en un año) y la capacidad de alcanzar los objetivos. Al igual que en versiones anteriores, en este documento se ofrece información adicional sobre los antecedentes de la estrategia de interacción del ACAP con las OROP y se consideran los desafíos y las oportunidades relativos a lograr estándares de mejores prácticas para reducir la captura secundaria de aves marinas.

### **RECOMENDACIONES**

Se solicita al GdTCS:

1. considerar esta revisión de la estrategia de interacción del ACAP con las OROP, contribuir a seguir desarrollando esta estrategia y revisar la lista de acciones prioritarias que figuran en el Anexo 1.
2. Solicitar al Comité Asesor que respalde la implementación de estas acciones, incluida la provisión de los recursos necesarios para llegar a tal fin.

## **Examen de la stratégie d'interaction de l'ACAP avec les ORGP**

### **RÉSUMÉ**

Lors de la neuvième réunion du GTCA, le groupe de travail a examiné les avancées réalisées concernant le cadre pour la stratégie d'interaction de l'ACAP avec les ORGP et la CCAMLR (SBWG9 Doc 07). En amont de la neuvième GTCA, un atelier d'une journée avait été organisé et avait contribué à l'examen. Sur la base de cet examen, le groupe de travail a convenu d'une liste de domaines d'interaction prioritaires pour la période intersessions 2019-2021, présentée dans un document révisé ([SBWG9 Doc 07 Rev 1](#)). Les avancées réalisées depuis la neuvième réunion du GTCA sont présentées en Annexe 1, conjointement avec une liste actualisée des actions proposées pour la période triennale à venir (2023-2025), pour examen par le GTCA et approbation ultérieure par le Comité consultatif. La pandémie de COVID-19 a affecté la période concernée (prolongée d'un an) et la capacité à atteindre les objectifs. De même que les versions antérieures, le présent document fournit des informations complémentaires sur le contexte de la stratégie d'interaction de l'ACAP avec les ORGP et examine les difficultés et les possibilités associées à la mise en œuvre des normes des bonnes pratiques pour réduire la capture accessoire des oiseaux de mer.

### **RECOMMANDATIONS**

Il est demandé au GTCA:

1. d'examiner cette révision de la stratégie d'interaction de l'ACAP avec les ORGP, de contribuer à l'approfondissement de cette stratégie, et de réviser la liste des actions prioritaires reprises dans l'annexe 1.
2. De demander au Comité consultatif de soutenir la mise en œuvre de ces actions, y compris la fourniture des ressources nécessaires pour y parvenir.

## **1. BACKGROUND AND OVERVIEW OF THE PROCESS TO REVIEW AND UPDATE THE ACAP RFMO ENGAGEMENT STRATEGY**

### **1.1. Introduction**

Large numbers of ACAP-listed species are incidentally caught by fisheries managed by Regional Fisheries Management Organisations (RFMOs). Consequently, engagement with RFMOs has been an important component of ACAP's strategy to mitigate and reduce the bycatch of seabirds. At each of its meetings, the Seabird Bycatch Working Group reviews and updates actions listed in ACAP's RFMO engagement strategy. In May 2019, this review was preceded by a workshop on RFMO engagement, which fed into the SBWG review. Other discussions at SBWG9 also contributed to the review, notably the consideration of the "drivers and barriers" to implementation of mitigation measures (now referred to as "enhancing implementation of best practice seabird bycatch mitigation measures"). On the basis of its discussions and following on from the recommendations of the RFMO workshop the Working Group agreed a list of prioritised areas of engagement and activities for the 2019-2021 intersessional period.

The strategy revised and endorsed by SBWG9 and AC11 comprises three key areas, or themes, in which ACAP should aim to engage RFMOs to better understand the nature and extent of seabird bycatch and improve efforts to reduce bycatch to the lowest possible levels. SBWG9 agreed to reorder the priority of these themes, which are:

1. Strengthen implementation of RFMO and CCAMLR seabird conservation measures (including the promotion of the ACAP best practice guidance).
2. Strengthen RFMO and CCAMLR bycatch data collection and reporting requirements, and the inclusion of appropriate seabird bycatch mitigation elements within RFMO and CCAMLR compliance monitoring. Focus ACAP inputs through the development of specific ACAP products (for example, advice on seabird bycatch indicators, seabird elements of electronic monitoring).
3. Engage in RFMO and CCAMLR reviews of seabird measures.

A number of actions were identified within each of these three areas of engagement. These prioritised areas of engagement and the list of activities within each, are presented in **ANNEX 1** to help facilitate the review process at SBWG10. **ANNEX 1** includes a review of progress achieved against the priority actions agreed at SBWG9 and AC11, and a list of proposed actions for the forthcoming period (2022-2025). A fourth category titled 'Other Actions' has been included in **ANNEX 1** to capture additional recommendations.

## **2. A CONSIDERATION OF CHALLENGES AND OPPORTUNITIES**

The focus of ACAP's RFMO Engagement Strategy has been multi-pronged and includes the following components, which have been updated following discussion at SBWG9 and AC11:

- To highlight the threat posed by fisheries activities, and particularly those associated with the particular RFMO, to ACAP species.
- To better understand and communicate the nature and extent of this threat, and to encourage and support the adoption and implementation of effective seabird bycatch mitigation measures to reduce the threat, including using success stories and

- to input and promote positive messaging to RFMO compliance discussions, including the implementation of robust monitoring programmes to track the performance of fleets and RFMOs in reducing seabird bycatch and assessing the effectiveness of mitigation measures adopted by RFMOs.
- to ensure the format of best practice advice is fit for purpose, being suitable to the variety of fishing methods relevant to the RFMO in question (e.g. toolbox approach)

ACAP needs to continue its ongoing advocacy to convince RFMOs, their member countries and fishing entities, and the fishing industry that seabird bycatch is a serious problem that needs to be addressed, and that this can be achieved without significantly affecting fishing operations and the catch of commercially important species.

This advocacy will be an ongoing necessity – to continue to remind stakeholders of the seriousness of this conservation crisis. Communicating this crisis effectively and consistently will result in greater support for the need to adopt and implement measures to reduce seabird bycatch and to monitor performance against that objective.

In order to evaluate progress to date, and to help inform discussions regarding the next steps, it is insightful to consider RFMO progress against the FAO (2009) guidelines on best practices to reduce incidental capture of seabirds in capture fisheries, which outline some generic steps and actions that constitute essential elements of a seabird bycatch reduction strategy.

## **2.1. Robust assessment of incidental seabird mortality in fisheries**

One of the first steps is to determine whether there is indeed a bycatch problem in the fishery and to ascertain the extent and nature of the problem. Such an assessment relies on the collection of reliable data on seabird-fishery interactions (to quantify bycatch rates – the number of seabirds killed as well as how, where and when they were killed), temporal and spatial distribution of fishing effort, details of the fishing operation and, ideally, the distribution of important seabird foraging areas. Without mitigation it is precautionary to assume that seabird bycatch occurs in all these types of fisheries.. This is because fishing operations are known to overlap with the distribution of seabirds, with both routinely using the same areas of high fish abundance.

It is important that assessments are conducted regularly to ensure ongoing monitoring of bycatch rates, compliance with and effectiveness of prescribed mitigation measures (see below), thus enabling an informed and adaptive approach to seabird bycatch mitigation. Ongoing assessments of seabird bycatch rates depend critically on the implementation of a formal and well-designed onboard observer scheme (see below).

Until recently it has not been possible to conduct a robust assessment of seabird bycatch within RFMOs and across multiple RFMOs in most cases due largely to the limited amount of data available for this purpose. However, in February-March 2019 a final workshop was held to conduct a seabird bycatch assessment as part of the FAO ABNJ Common Oceans Tuna Project. The workshop aimed to conduct a global estimate of seabird bycatch in pelagic longline fisheries in the southern hemisphere, assess population level impacts of the level of bycatch for key species, develop a toolbox of methods to estimate bycatch and outline a roadmap for the future work. There was broad participation by a range of scientists and experts. Four modelling approaches were used to analyse a global data set constructed with contributions from national scientists. The broad attendance at the workshop and the contribution of data from multiple participants made this workshop the most comprehensive

attempt to date at a global seabird bycatch assessment in pelagic longline fisheries. Despite the limitations and gaps in the data, and a wide range of modelling approaches used, most of the model estimates of total seabird bycatch were very similar at approx. 30-40,000 birds per annum, highlighting the continued threat to ACAP species. The workshop described the limitations and challenges with the datasets and highlighted the benefit of harmonisation of data reporting by RFMOs. The participants recommended that a similar process be repeated in future to monitor changes in fisheries bycatch. ACAP participation in a future process would be valuable in understanding global bycatch rates. A WCPFC-wide estimate of seabird bycatch was also presented in 2019 (Project 68, WCPFC-SC15-2019/EB-WP-03), which estimated annual mortality of 13-19,000 seabirds associated with fisheries in the western and central Pacific.

A related issue is the extent to which levels of bycatch associated with fisheries affect seabird populations. In some cases, the lack of robust information on the population-level consequences of bycatch has led to suggestions for further investigations to be carried out in this area before proceeding with recommendations to update or bolster seabird conservation measures.

## **2.2. Prescription, adoption and implementation of minimum standard mitigation measures**

Over the last couple of decades there has been substantial progress in the development and testing of technical and operational mitigation measures that reduce bycatch of seabirds (and other taxa) in different fisheries operating in different parts of the world's oceans. Although research is still continuing on a number of emerging mitigation measures, there are already a range of proven methods available for minimising seabird bycatch that are cost-effective and practical to use (although there is still resistance to using them). It is recognised by governments, RFMOs and other fishing entities that fisheries regulations should prescribe minimum standard mitigation measures that are mandatory and included in permit conditions. In addition, a recommendation to use other mitigation measures voluntarily is seen as a means of stimulating innovation of new and adapted measures. It is important that all methods, especially those prescribed in permit conditions are described unambiguously. Compliance and the proper use of mitigation measures is a critical issue affecting the success of these measures, and in many fisheries non-compliance is the main downfall of seabird bycatch reduction strategies. The reasons for poor compliance are many. Dealing with poor compliance generally requires a two-pronged approach that includes education, outreach, training and awareness efforts on the one hand, and effective enforcement on the other. Compliance with conservation and management measures relevant to seabird bycatch was highlighted by AC11 as an important area in which ACAP should engage as part of the RFMO strategy. The AC requested that the SBWG investigate further and provide specific proposals on realising compliance with the recommended best practice measures for seabird bycatch mitigation.

Most of the tuna RFMOs have adopted some seabird conservation and management measures (i.e. bycatch mitigation measures) that have been informed by ACAP best practice advice. Most of these RFMO policies reflect previous (pre-2016) advice from ACAP, which has subsequently been updated to incorporate more progressive line weighting specifications, and in a few cases the addition of recommended hook-shielding devices as alternative measures. ACAP's engagement approach with RFMOs has been to routinely update the RFMOs of its latest advice, highlighting the specific updates, and areas where the RFMO policies are out of date in relation to ACAP advice. In some cases, the relevant RFMO Scientific Working Groups

have supported the updated advice, or parts of the updated advice, but in most cases the Commissions of the relevant RFMOs have yet to use the updated advice to revise their seabird conservation measures. The one exception is the WCPFC, which has recently (2018) updated its seabird CMM to include the use of hook-shielding devices as an alternative/additional bycatch mitigation measure for vessels fishing south of 25°S latitude. And in 2019 the WCPFC Commission adopted voluntary guidelines on hook removal from seabirds. Further details of the RFMO-specific situations are provided in **ANNEX 1**. It is useful to note that the WCPFC revision did not include the more progressive line weighting specifications currently recommended by ACAP, and this is probably one of the main reasons that the proposal to update the seabird CMM was supported and adopted. This presents a challenge for ACAP, which recognises line-weighting (defined using the more progressive specifications) as an important, and key, component of reducing seabird bycatch in pelagic longline fisheries. Because it is integral to the fishing gear, line weighting has the advantage of being more consistently implemented, hence facilitating compliance and port monitoring. It is clear from discussions in the margins of RFMO meetings that many of the key countries within RFMOs are not yet ready to support a proposal to update seabird conservation measures to reflect the current line weighting specifications recommended by ACAP. Highlighting this as an important area for further targeted engagement with these and other countries, especially once the COVID-19 situation again allows for in-person meetings and discussions in the margins. AC11, following recommendations from SBWG9, agreed that ACAP should engage with certification schemes by contributing to the review of fisheries certification standards relevant to bycatch to encourage these to be fully informed by ACAP advice.

### **2.3. Data collection and the implementation of an onboard observer scheme**

The implementation of an onboard observer scheme is a crucial element of any seabird bycatch reduction strategy. The purpose of observer schemes is to collect reliable data on seabird bycatch, assist fishers in the proper use of mitigation measures and monitor compliance with prescribed mitigation measures. It is important that observers are properly trained, and that data collection protocols are clearly defined, standardised and form part of a robust mechanism that allows for the efficient reporting and assessment of seabird bycatch. In many fisheries, the observer programmes and the quality and quantity of data collected have been inadequate to obtain reliable estimates of seabird mortality. One of the problems has been insufficient coverage of fishing activities by observers. This has worsened during the COVID-19 pandemic, where several RFMOs have put their observer requirements on hold.

ACAP has provided advice, guidelines and tools (such as the Seabird Bycatch Identification guide, an updated version of which is currently under review) at RFMO meetings to encourage the improvement of observer programme protocols and efforts. However, in most cases the quantity and quality of data that are reported to RFMO Secretariats, and thus available for assessments, continue to be very limited, preventing the robust estimation of seabird bycatch in those fisheries. In some cases, this is due to concerns regarding the confidentiality of the data, in other cases it is likely due to the data not having been collected.

### **2.4. Education, training and publicity**

A lack of understanding of the severity of the seabird bycatch problem, and insufficient technical experience and knowledge of the proper use of mitigation measures, can contribute to low levels of compliance in respect of the use of required seabird bycatch mitigation measures.. Education, training and general awareness programmes are therefore important

elements of any seabird bycatch reduction strategy. Education and outreach programmes should be properly targeted (fishers, observers, compliance officers and policy makers), and tailored for the specific fishery. There are a number of relevant initiatives underway in different parts of the world (and a number of networks that work in the field of seabird bycatch mitigation), and there is great scope for the transfer and exchange of knowledge and expertise. However, there is no single correct approach, and any initiative dealing with education, training and awareness needs to be properly placed in, and informed by, the relevant cultural and socio-economic context. In general, initiatives where fishers are seen as partners in the process of finding solutions to bycatch problems result in more successful uptake of these measures. AC11, following recommendations from the SBWG, decided that ACAP should develop a communications strategy to highlight the conservation crisis faced by albatrosses and petrels and the urgent need for mitigation measures. A review of current communication platforms was prepared following AC11 and distributed intersessionally during 2020 as a first step (AC12 Inf 03).

## **2.5. Research and development**

It is important that research efforts continue to assess the effectiveness of current mitigation measures (both experimentally and operationally) so that these methods and their implementation can be further improved, as well as developing and testing novel measures that are practicable and cost-effective. This is an area in which the ACAP Seabird Bycatch Working Group has been particularly focused. There is also a need to integrate more effectively the human and institutional aspects of seabird-bycatch reduction into research programmes, and to continue studies (and initiate further studies where necessary and feasible) into the relevant aspects of the foraging ecology, demography and conservation management of the affected species. Opportunities to collaborate, and share expertise, knowledge and data, should be maximised. AC11 endorsed a SBWG9 recommendation to investigate opportunities to broaden the range of expertise available to ACAP to contribute to future considerations of factors including socio-economic issues.

To be effective a seabird bycatch reduction strategy needs to address all of these issues. Broadly it needs to influence the development and adoption of appropriate policy instruments (legal environment) and contribute towards effective compliance with and enforcement of the regulations and guidelines. The strategy also needs to strike the right balance between political/diplomatic (intergovernmental) encouragement and pressure and “grass roots” conservation action. Indeed, one of the major challenges is to translate international and national policy instruments into concerted action on the decks of fishing vessels. One of the areas in which ACAP has had limited direct involvement to date is compliance – the extent to which required seabird bycatch mitigation measures are being used and used effectively. Following recommendations from the SBWG, AC11 agreed that a greater emphasis on compliance should become part of the ACAP RFMO engagement strategy. During 2020 and 2021 ACAP has begun to seek participation in compliance committee meetings of RFMOs (as detailed in **ANNEX 1**).

## **2.6 Impact of COVID-19**

From early 2020 onwards, our engagement with other bodies, including RFMOs, has been deeply affected by the COVID-19 pandemic. The following points apply to all our engagement activities since March 2020. Meetings have been online, with reduced agendas. Many issues, especially contentious ones, have been postponed until future meetings. Opportunities for



informal networking in the margins have been minimal. On the plus side, participating in virtual meetings has been less costly than attending in-person meetings and with simpler logistics. This has permitted ACAP to be present at some meetings we might otherwise not have prioritised. In addition, many meetings have had pre-meeting opportunities to present comments/statements in a discussion document or similar arrangement. This has helped us maintain our profile. This has, however, been a difficult period in which to launch and advance the ideas stemming from the RFMO workshop and AC11 discussions, because of the disruption caused by COVID-19. In this sense, the period 2020-2021 has not really been a true test of whether our new approach is bearing fruit.

## ANNEX 1

### Theme 1

**Strengthen implementation of RFMO and CCAMLR seabird conservation measures (including the promotion of the ACAP best practice guidance).**

#### **1a) WCPFC**

##### **Actions agreed for 2019-2021**

Given the adoption in 2018 of the updated seabird CMM (CMM 2018-03), ACAP should help support efforts to facilitate the effective implementation of this measure, ie the proper use of the mitigation measures as well as efforts to measure the efficacy of these measures by CPCs and WCPFC/SPC.

##### **Review of progress, and further actions required**

See also 3 c) below

##### *Meetings attended*

Commission (WCPFC 16), December 2019

Commission (WCPFC 17), December 2020 (online)

(ACAP did not attend the 2019 Scientific Committee (SC15) but did submit an information paper, summarising ACAP's latest advice and resources available, and outlining outcomes from AC11).

The updated seabird CMM (2018-03) came into effect on 1 January 2020. This CMM-also encouraged the adoption of measures aimed at ensuring that seabirds captured alive during longlining are released alive and in as good condition as possible, with hooks safely removed if possible. The 2020 Commission meeting (WCPFC 16) adopted non-binding guidelines (presented by New Zealand) on the safe release of seabirds caught alive on longlines. These were based on ACAP's guidelines on the safe release of live birds from hooks. New Zealand had put forward the proposed guidelines at SC15 and gained SC15 support. WCPFC 16's adoption of them generated media interest. Copies of ACAP's fact sheets were made available to interested delegations.

WCPFC 17 (December 2020) had no specific seabird items on the agenda, although consideration was given to which CMMs should be assessed for compliance against obligations. BirdLife International submitted a Position Statement (WCPFC17-2020-0P04) which expressed concerns about a number of issues in relation to bycatch mitigation as proscribed by CMM 2018-03: inadequate observer coverage; non-compliance; the risks to species (highlighting the Antipodean Albatross) and the need for the establishment of electronic monitoring standards and training for observers. WCPFC agreed to include CMM 2018-03 on the list of measures to be assessed in 2021.

##### **Proposed Actions 2022-2025**

- Future participation in WCPFC meetings, including of the Compliance Committee, to maintain our profile and give support to initiatives in line with our priorities.

- Contribute information on new and updated ACAP Best Practice Advice, including the inclusion of the underwater bait setting devices and assessment of the Underwater Bait Setter (Skadia Technologies) and Hookpod-mini as seabird bycatch mitigation measures.
- Contribute information on new and updated ACAP guidelines including guidelines on observer programmes and on electronic monitoring.
- Contribute information on updated ACAP advice on improving crew safety when hauling branchlines during pelagic longline operations..
- Work with Australia, New Zealand and other Parties to promote the Antipodean Albatross Action Plan.
- Hold, as relevant, discussions with/briefings of ACAP Parties, significant Range States and fishing entities, in advance of and during the meetings, to promote ACAP objectives.

### **1b) CCSBT**

#### ***Actions agreed for 2019-2021***

Advocate the application of additional seabird bycatch mitigation measures for SBT fisheries in high-risk areas.

Investigate why the binding resolution adopted by CCSBT in 2018 states that a summary of information on mitigation use will be submitted to the Compliance Committee on an annual basis, but for information only.

Encourage and support further efforts to implement and improve mitigation measures used in SBT fisheries to reflect ACAP best practice advice. In this respect, ACAP should present its current best practice advice on reducing seabird bycatch in pelagic longline fisheries, and work with its Parties that are members of CCSBT to address the outcomes and recommendations coming out of the relevant seabird bycatch and risk assessment initiatives currently underway. The multi-year seabird strategy mooted at ERSWG12 is a potential mechanism to reflect the priority actions that need to be progressed.

#### ***Review of progress, and further actions required***

##### *Meetings attended*

CCSBT ERSWG13, June 2019

CCSBT 26<sup>th</sup> Annual Meeting of Extended Commission and Commission, October 2019

October 2020 meetings (online):

- 15<sup>th</sup> meeting of Compliance Committee (first time ACAP attended) (see 2 b))
- 27<sup>th</sup> Annual Meeting of Extended Commission and Commission.

A key recent CCSBT development relevant to all these meetings was the adoption by the CCSBT (in 2018) of a new binding resolution from the Extended Commission which requires members to comply with relevant ERS measures of ICCAT, IOTC and WCFPC.

ACAP's profile was maintained through participation in a range of CCSBT meetings, reflecting our awareness that, given its geographical scope and the extent of overlap with ACAP-listed species, CCSBT is one of the most important RFMOs in which to address seabird bycatch. At ERSWG 13 we presented papers on ACAP's best practice advice and (together with BLI) on the latest updates of the status and trends of ACAP-listed species in the CCSBT area, as well as making an oral intervention about the AC11 discussions. We took part in discussions on the

multi-year seabird strategy. This discussion continued at CCSBT 26, where the strategy was adopted. Another key issue discussed at CCSBT 26 (and the preceding Compliance Committee meeting) was a BLI/CCSBT project proposal for enhancing education on and implementation of Ecologically Related Species seabird measures within CCSBT fisheries. This proposal responds directly to many action points in ACAP's RFMO Engagement Strategy, especially the need to help facilitate and support improved compliance in the use of seabird bycatch mitigation measures. ACAP expressed its support for the proposal and its interest in participating in the initiative.

ACAP prepared briefings before the meeting for ACAP Parties attending (including those attending the Compliance Committee), in which we urged support for the BLI/CCSBT proposal. We should consider more frequent preparation of such briefings and pre-meeting discussion with ACAP Parties (as relevant).

Well in advance of the next meeting of the ERSWG (2022) it would be useful to engage in discussions with key members, including ACAP Parties to help shape the agenda. Further development of and planning for the BirdLife International/CCSBT project proposal will continue intersessionally, and will presumably be included on the agenda of the 2021 meeting of CCSBT's Compliance Committee, scheduled to take place from 6-9 October 2021 (online)

***Proposed actions 2022-2025***

- Continue to take part in the ERSWG and, well in advance of the next meeting of the ERSWG (2022), engage in discussions with key members, including ACAP Parties, to help shape the agenda. Useful issues for the agenda include: the high levels of seabird bycatch and problems associated with compliance with the use of bycatch mitigation measures and observer coverage requirements (highlighted from recent reporting); and consideration of the need to strengthen bycatch mitigation measures, with CCSBT taking a more active and leading role in this respect.
- Continue to contribute our best practice advice, guidelines, and status reports to ERSWG meetings, including newly approved and updated mitigation measures;
- Contribute material for the future work programme as requested by ERSW.
- Contribute to further development and implementation of the multi-year seabird strategy.
- Contribute to the further development of definitions and thresholds for and management implications of high-risk areas for seabirds.
- Continue to provide inputs to and support for the BirdLife-CCSBT proposal to enhance implementation of seabird bycatch mitigation measures.
- Attend the 2021 meetings of CCSBT's Compliance Committee and Extended Commission, at which the updated proposal(s) will be discussed further.
- Work with Australia, New Zealand and other Parties to promote the Antipodean Albatross Action Plan.
- Hold, as relevant, discussions with/briefings of ACAP Parties, significant Range States and fishing entities, in advance of and during the meetings, to promote ACAP objectives

## **1c) IATTC**

### **Actions agreed for 2019-2021**

Unfortunately, the 2019 meetings of IATTC's BWG and SAC were scheduled to take place at the same time as AC11. One of the items on the agenda for the 2019 meeting was safe release and handling, a subject which ACAP can contribute to by submitting its de-hooking guide.

ACAP should continue to work intersessionally to engage with IATTC Members ahead of potential consideration of changes to Resolution C-11-02 in 2019 to identify any areas to help build consensus. High priority because it is the only tRFMO that still has the two-column approach.

ACAP should continue to engage with New Zealand on their global seabird bycatch risk assessment, with a view to supporting the presentation of a paper to the 2019 BWG and SAC to clearly outline the underlying need for improved seabird mitigation and improved data collection and reporting. This would provide underlying rationale for improvements to IATTC's current CMM.

Subject to the outcomes of the IATTC BWG and SAC meetings in 2019, and the SBWG9/AC11 meetings, ACAP should prepare papers and presentations for the 2020 meetings of BWG and SAC to help CPCs understand the scientific basis for possible changes to mitigation options in Resolution C-11-02, as this has been raised by some IATTC CPCs as a requirement to justify any changes.

ACAP, and in particular the SBWG, should consider how engagement with the Sustainable Fisheries Partnership may be used to facilitate mitigation uptake in fisheries posing bycatch risk to ACAP species.

### **Review of progress, and further actions required**

#### *Meetings attended*

Informal meeting of the Inter-American Tropical Tuna Commission (IATTC) Bycatch Working Group, June 2020 (online)

10th Working Group on Bycatch and 12th Meeting of the Scientific Advisory Committee, both online, May 2021

There was some discussion amongst AC members at AC11 about whether one Party might be able to propose changes to C11-02, but this was not able to be organised for 2019. Later, COVID impacts meant that this was not approached in 2020 either.

In the Informal Information Exchange meeting of the Bycatch Working Group (BYCWG) in June 2020, there were presentations followed by short discussion and questions. The meeting did not include any decisions or recommendations.

The ACAP representative gave a joint two-part presentation with BirdLife International (BLI). ACAP's presentation covered our best practice advice for pelagic longline fisheries, ACAP criteria for assessing efficacy of mitigation measures and the most recent advice. BLI discussed the IATTC Resolution C-11-02 and stressed the value of harmonization between IATTC and WCPFC regulations in order to make compliance easier for fishing vessels operating across both jurisdictions. This is in relation to mitigation measures options, and the need for increased observer coverage as well as standardized protocols for seabird data collection.

At the May 2021 meetings, (10th Meeting of the Bycatch Working Group (BWG) and the 12th Meeting of the Scientific Advisory Committee (SAC)), agendas were again limited. No seabird papers were tabled during both meetings and only brief specific references to seabirds were made. BWG did not put forward any recommendation to SAC on seabirds, but the SAC itself agreed to a recommendation (similar to previous years) to review elements in Resolution C-11-02 currently not complying with ACAP Best Practice Advice (the two-column approach remains in the current version). Discussions during BWG and SAC on the IATTC database (regarding data type and quality) were restricted to basic information reported by CPCs. It was not possible to understand the level of detail available regarding megafauna bycatch, and further action is needed by the IATTC Secretariat to better understand what is available and how to improve the quality of data submitted by CPCs. Recommendations relevant to the ACAP agenda covered (1) the need to increase observer coverage to 20% in longline vessels >20 m in length (see Resolution C-19-08), (2) the establishment of procedures to complement the existing observer programme by implementing an electronic monitoring system (EMS), and (3) the establishment of Terms of Reference and a work plan for the next workshop on EM.

Discussions held during the EM workshop (which ACAP did not attend) were also very relevant to ACAP as the intention is to complement the data obtained from observer programmes. The work plan presented to the SAC proposes the start of the electronic monitoring system for the tuna fisheries in the East Pacific by 2025.

#### ***Proposed Actions 2022-2025***

- Continue to participate in the IATTC Bycatch Working Group (BYCWG), which provides an opportunity to exchange information on threats affecting ACAP species, and to present to them ACAP's revised best practice advice and conservation priorities.
- Further work to strengthen seabird bycatch mitigation requirements in Res C-11-02 during 2022 meetings should consider the engagement with CPCs, not only those that are ACAP Parties (Chile, Ecuador, France, Peru, Spain), but also the United States and the European Union as strong key players. Actions should be coordinated with BirdLife International.
- Consider attendance at future meetings for the development of the EM programme, and contribute information on ACAP's EM guidelines.
- Contribute information on new and updated ACAP Best Practice Advice, including the inclusion of the underwater bait setting devices and assessment of the Underwater Bait Setter (Skadia Technologies) and Hookpod-mini as seabird bycatch mitigation measures.
- Contribute information on new and updated ACAP guidelines including guidelines on observer programmes.
- Contribute information on updated ACAP advice on improving crew safety when hauling branchlines during pelagic longline operations.
- Work with Chile and other Parties to promote the Antipodean Albatross Action Plan.
- Hold, as relevant, discussions with/briefings of ACAP Parties, significant Range States and fishing entities, in advance of and during the meetings, to promote ACAP objectives.

## **1d) CCAMLR**

### **Actions agreed for 2019-2021**

Work with CCAMLR Secretariat to periodically monitor the occurrence and magnitude of seabird bycatch events reported in previous seasons largely dominated by White-chinned petrels although with isolated records of albatrosses caught.

### **Review of progress, and further actions required**

#### *Meetings attended*

38<sup>th</sup> Meetings of the Commission and the Scientific Committee, October 2019

39<sup>th</sup> Meetings of the Commission and the Scientific Committee, October-November 2020

ACAP's main issue of interest in 2019 and 2020 CCAMLR meetings was a proposal put forward by Norway at CCAMLR-38 to amend CMM 25-03 which prohibits the use of net monitoring cables. Norway had, at an earlier (2016) CCAMLR meeting, been granted a derogation from this prohibition, to carry out trials of a new configuration of net monitoring cable, under certain specified conditions. At CCAMLR-38 ACAP (together with several other meeting participants) expressed concerns about the proposal to amend CM25-03 and urged that further trials, with appropriate conditions, be carried out before any such amendment could be considered. This recommended approach was incorporated by the Commission (CCAMLR-38) into a one - year derogation of CM25-03, to enable trials to take place under certain conditions. These included the use of mitigation devices. CCAMLR-39 needed to decide on whether to carry over CM 25-03 (with or without derogation) into the following season: a further derogation with various conditions was agreed. Norway was keen to hold ongoing discussions with interested participants (including ACAP), through an intersessional e-group, to address issues related to observers, mitigation, and other matters in the continuation of its trials. Since CCAMLR-39, ACAP experts have participated in the e-group set up under CCAMLR auspices and chaired by Norway and New Zealand.

### **Proposed Actions 2022-2025**

- Continue to participate in the e-group, to discuss the trials examining bird-interactions with the trawl monitoring cable and the effects of any mitigation devices.
- Participate in the CCAMLR Scientific Committee and Commission meetings in 2021.
- Discuss with the CCAMLR Secretariat the possibility of seeking observer status at the Working Group on Fish Stock Assessment FSA-2021, or at least having timely access to relevant papers.
- Continue to prepare briefings and liaise in advance of the meetings with ACAP Parties and observers who participate in CCAMLR meetings, to exchange views.
- Work with CCAMLR Secretariat periodically to monitor the occurrence and magnitude of seabird bycatch events reported in previous seasons largely dominated by White-chinned petrels although with isolated records of albatrosses caught
- Contribute information on new and updated ACAP Best Practice Advice, including the inclusion of the underwater bait setting devices and assessment of the Underwater Bait Setter (Skadia Technologies) and Hookpod-mini as seabird bycatch mitigation measures.

- Contribute information on new and updated ACAP guidelines including guidelines on observer programmes and on electronic monitoring.
- Contribute information on updated ACAP advice on improving crew safety when hauling branchlines during pelagic longline operations..
- Hold, as relevant, discussions with/briefings of ACAP Parties, significant Range States and fishing entities, in advance of and during the meetings, to promote ACAP objectives.

### **1e) All RFMOs and CCAMLR**

#### **Actions agreed for 2019-2021**

Continue to work through RFMO and CCAMLR mechanisms to strengthen the bycatch mitigation measures in place for each of them. Ongoing efforts are required to encourage the RFMOs to update these measures to account for the recent (updates) in ACAP's advice. It is also important that ACAP continues to work through RFMO and CCAMLR mechanisms to encourage better implementation of the seabird conservation measures currently in place. Although there are elements that will be similar, engagement approaches should be RFMO- and CCAMLR-specific, and should be strategic (by, for example, making use of opportunities such as formal reviews of seabird conservation measures, and avoiding a 'tinkering' approach in which proposals to make small changes are frequently presented)

#### **ICCAT**

*ICCAT: Review of progress, and further actions required*

*Meetings attended:*

Sub-committee on Ecosystems and Bycatch (SC-ECO), May 2020, online

Sub-committee on Ecosystems and Bycatch (SC-ECO), May 2021, online

At the 2020 SC-ECO meeting, ACAP presented an ACAP-led paper on seabird bycatch indicators, proposing two high-level indicators (bycatch rates per unit effort, and an estimate of the total number of seabirds killed), together with a third indicator (use and effectiveness of bycatch mitigation measures) to facilitate the interpretation of trends in the other two, and to help inform an adaptive approach to the management of seabird bycatch in ICCAT fisheries. The paper also highlighted the recent adoption by the WCPFC of CMM 2018-03, which includes a template that CPCs must use to provide information on the proportion of mitigation measures used by their fleets for a reporting year. We suggested that this might be a useful way to solicit information for monitoring a mitigation use indicator within ICCAT.

The 2021 SC-ECO had a reduced agenda which did not include seabirds. Our presence in the meeting nevertheless helped maintain our profile and registered our ongoing interest in ICCAT activities.

*ICCAT: Proposed Actions 2022-2025*

- Continue to participate in the ICCAT Sub-committee on Ecosystems and Bycatch (SC-ECO), which provides an opportunity to exchange information on threats affecting ACAP species, and to present to them ACAP's revised best practice advice and conservation priorities.



- Keep in touch with ICCAT during the intersessional period to urge the inclusion of seabird bycatch in the agenda for the next meeting.
- Contribute information on new and updated ACAP Best Practice Advice, including the inclusion of the underwater bait setting devices and assessment of the Underwater Bait Setter (Skadia Technologies) and Hookpod-mini as seabird bycatch mitigation measures.
- Contribute information on new and updated ACAP guidelines including guidelines on observer programmes and on electronic monitoring.
- Contribute information on updated ACAP advice on improving crew safety when hauling branchlines during pelagic longline operations..
- Hold, as relevant, discussions with/briefings of ACAP Parties, significant Range States and fishing entities, in advance of and during the meetings, to promote ACAP objectives.

## Theme 2

**Strengthen RFMO and CCAMLR bycatch data collection and reporting requirements, and the inclusion of appropriate seabird bycatch mitigation elements within RFMO compliance monitoring. Focus ACAP inputs through the development of specific ACAP products (for example advice on seabird bycatch indicators, and seabird elements of electronic monitoring)**

### **2a) All RFMOs and CCAMLR**

#### **Actions agreed for 2019-2021**

Continue to develop and update specific ACAP products that serve to focus ACAP inputs and efforts to strengthen bycatch data collection requirements, and the inclusion of appropriate seabird bycatch mitigation elements within RFMO compliance monitoring. These products should include:

- ACAP review and best practice advice documents on seabird bycatch mitigation (ensuring updated versions are made available).
- Consider including a short section in future ACAP seabird bycatch mitigation 'Best Practice Advice' documents outlining ACAP's Conflict of Interest policy.
- Develop guidelines on data collection requirements for observer programmes and fishery electronic monitoring systems for consideration at SBWG10.
- ACAP-BirdLife Mitigation Fact Sheets.
- ACAP seabird bycatch identification guide (ensuring updated versions are made available).
- ACAP de-hooking and safe release guidelines.
- Guidelines for seabird bycatch estimation (informed by the outcomes of the seabird bycatch assessment initiatives that are currently underway).
- Net entanglement safe release guidelines.

***Review of progress, and further actions required***

- Updates prepared of the following Best Practice Advice documents (will be reviewed at SBWG10):
  - ACAP Review and Best Practice Advice for Reducing the Impact of Pelagic Longline Fisheries on Seabirds
  - ACAP Review and Best Practice Advice for Reducing the Impact of Pelagic and Demersal Trawl Fisheries on Seabirds
  - ACAP Review and Best Practice Advice for Reducing the Impact of Demersal Longline Fisheries on Seabirds
  - ACAP Advice on Improving Safety when Hauling Branchlines during Pelagic Longline Fishing OperationsOnce updates are agreed, all documents will need to be updated in the other ACAP languages.
- ACAP guidelines on data collection requirements for observer programmes will be presented at SBWG10
- Mitigation factsheets updated and translated using funding from FAO:
  - Night setting (pelagic and demersal longlines)
  - Hook-shielding (pelagic longlines)
  - Line weighting (pelagic longlines)Drafts of factsheets (in new format) on Haul mitigation (pelagic and demersal longlines) and bird scaring lines will be presented at SBWG10. Next set of factsheets to be converted into new format should be agreed by SBWG10.
- Update of seabird ID book not yet completed. Need to finalise updates with graphic designer, to be followed by updates to all other languages.

Facilitation provided to SPC to assist with preparation of seabird ID guide.
- De-hooking guide completed, translated, and made available in four languages to contacts at RFMO meetings and elsewhere. Five additional languages although translated, require proofreading and graphic design.
- Safe release from entanglement in nets guide not yet finalised (to be presented at SBWG10).
- ACAP Guidelines on Fisheries Electronic Monitoring Systems will be presented at SBWG10 (SBWG10 Doc 14).

***Outcomes of seabird bycatch assessment initiatives***

As regards the question of producing guidelines for seabird bycatch estimation (informed by the outcomes of the seabird bycatch assessment initiatives that are currently underway), ACAP has prepared recommendations on ACAP's continued engagement with RFMOs on matters identified in the final workshop (February 2019) report of the FAO Common Oceans

project to conduct a global estimate of seabird bycatch in pelagic longline fishing in the southern hemisphere. The recommendations are listed below.

It is possible that a second assessment project might be included in the BLI/CCSBT project put forward for funding under Phase 2 of the Common Oceans project, a project which ACAP is supporting (See SBWG10 Inf 08 for an update on the BLI/CCSBT project).

The ACAP Secretariat has regularly taken part in meetings of the ABNJ Common Oceans steering group, Phase 1 of the Common Oceans project is now completed; Phase 2 may begin in 2022.

### ***Proposed Actions 2022-2025***

- Continue to develop and update specific ACAP products that serve to focus ACAP inputs and efforts to strengthen bycatch data collection requirements, and the inclusion of appropriate seabird bycatch mitigation elements within RFMO compliance monitoring, including toolbox advice for purse seine.
- Prioritise involvement in future seabird bycatch assessments both because of the value that the findings will be to ACAP in understanding global bycatch rates, and also as ACAP is well positioned to input data and advise on RFMO data improvements and harmonization:
- Continued engagement with RFMOs using ACAP advice on data standards and reference to matters identified in the final workshop report.
  1. Tracking data: continue to identify species/population/life-history tracking data gaps to encourage their investigation, and encourage data owners to deposit data in the Global Seabird Tracking Database.
  2. Population data: update ACAP Species Assessments and/or provide linkage to most recent data reported to ACAP in a way that is readily available through the website.
  3. ACAP advice on bycatch estimation and data collection: consider the utility of using estimation methods developed from this process and align advice on data collection with data issues identified in the final workshop report

### ***2b) All RFMOs and CCAMLR - Compliance***

#### ***Actions agreed for 2019-2021***

Continue to investigate and encourage the use of additional data collection opportunities and innovations to understand the extent of use of mitigation measures, such as through port and transshipment inspection procedures.

Consider how best to engage constructively on issues relating to compliance in respect of the use of seabird bycatch mitigation measures. This includes both compliance monitoring, and ways to help strengthen compliance. This is an issue in which ACAP has had limited involvement to date but this is clearly an area that requires urgent attention.

#### ***Review of progress, and further actions required***

##### ***Meetings attended***

CCSBT Compliance Committee 15, October 2020 (online)

IOTC Compliance Committee 16, June 2021 (online)

(See also 1 b)

Compliance with required seabird bycatch mitigation measures is an area to which ACAP has decided to give greater attention. This is a difficult area in which to engage, but ACAP and ACAP Parties should be looking to assist where possible, to provide ideas on how to monitor and improve compliance, including through the development of innovative methods.

Reflecting this new focus, ACAP in 2020 participated, for the first time, in a Compliance Committee meeting (of the CCSBT), with the aim of contributing towards efforts to improve compliance in the use of seabird bycatch mitigation measures. CCSBT is perhaps further ahead than other tuna RFMOs in considering compliance in the use of seabird bycatch mitigation measures at their Compliance Committee (the BLI project mentioned in 1 c) first developed following discussions in the CCSBT Compliance Committee.).

Meeting discussions revealed major issues for some fleets with compliance in respect of the required seabird bycatch mitigation measures. In other cases, fleets are reportedly complying with the bycatch mitigation requirements, but are still reporting high levels of seabird bycatch. The information presented also highlighted that most members did not achieve the overall scientific observer coverage requirement of 10% or did not achieve full representativeness of their observer coverage for the reporting period.

ACAP expressed concern about these matters and further commented that non-compliance in the use of seabird bycatch mitigation measures will certainly contribute to, and drive, increased levels of seabird bycatch, and needs to be addressed urgently. ACAP noted that in some cases high levels of bycatch were recorded from vessels with relatively high levels of compliance in the use of bycatch mitigation measures, suggesting that this raises a question of whether the mitigation measures need to be strengthened. ACAP expressed its keenness to work with CCSBT and its members to address these critical issues.

There were no opportunities for ACAP to make an input to the discussions in the IOTC Compliance Committee meeting (June 2021), given the restricted agenda and the shortened timeframe of the meeting.

### ***Proposed Actions 2022-2025***

- Continue to seek to make an input to compliance discussions in RFMOs so as to gain a better understanding of the processes and develop strategies for ACAP input
- Contribute information on new and updated ACAP Best Practice Advice, including the inclusion of the underwater bait setting devices and assessment of the Underwater Bait Setter (Skadia Technologies) and Hookpod-mini as seabird bycatch mitigation measures.
- Contribute information on new and updated ACAP guidelines including guidelines on observer programmes and on electronic monitoring.
- Hold, as relevant, discussions with/briefings of ACAP Parties, significant Range States and fishing entities, in advance of and during Compliance Committee meetings, to promote ACAP objectives.
- ACAP Parties/AC members that are participating in compliance discussions agree to work together to pursue ACAP objectives in this area.

## Theme 3

### Engage in RFMO and CCAMLR reviews of seabird measures

#### 3a) IOTC

##### **Actions agreed for 2019-2021**

Assist the Commission in updating Resolution 12/06 to bring it in line with the current ACAP advice. ACAP's current advice has been endorsed by both the WPEB and the SC of IOTC, so all that remains is for a CPC, or CPCs, to bring forward a proposal to the IOTC Commission. Given the recent experience at WCPFC (see 2a), it seems likely that IOTC CPCs would be more inclined to develop and support a proposal that excludes the current line weighting advice (ie retains the specifications from the previous – pre-2016 – advice), rather focusing only on the addition of approved hook-shielding devices. This represents a challenge for ACAP, as our advice highlights the importance (or advantages) of line weighting as a bycatch mitigation measure, and the need to update the specifications of the three weighting regimes.

Help support IOTC work to advance innovation in seabird bycatch monitoring and mitigation, and associated capacity building, in relevant IOTC processes and implementation of current measures.

##### **Review of progress, and further actions required**

###### *Meetings attended:*

IOTC Eco-regions workshop and WPEB 15, August and September 2019

WPEB 16, September 2020 (online)

24<sup>th</sup> session of IOTC Commission, November 2020 (online)

23<sup>rd</sup> session of IOTC Scientific Committee, December 2020 (online)

16<sup>th</sup> session of IOTC Compliance Committee, June 2021 (online)

25<sup>th</sup> session of IOTC Commission, June 2021 (online)

ACAP has attended more IOTC meetings than those of any other RFMO over this period.

Both the IOTC WPEB and SC have supported ACAP's more recent best practice advice for reducing seabird bycatch in pelagic longline fisheries. In 2016, the IOTC SC recommended the review of Resolution 12/06 (which was based on earlier ACAP best practice advice) to bring it in to line with more recent ACAP best practice advice. However, there has been no proposal submitted to the Commission to update the seabird conservation measure (Res 12/06) accordingly. This issue remains pending.

ACAP has continued to engage, mostly through the WPEB and SC, in discussions on observer programme requirements and guidelines, and in the initiative to develop indicators as part of an IOTC Ecosystem Report Card. ACAP has been leading the seabird component of the Ecosystem Report Card and presented a paper (jointly authored with BLI) on the subject at WPEB15.

ACAP also participated in a workshop to delineate eco-regions that could serve as a basis to support the operationalisation of an ecosystem approach to fisheries management in the IOTC Convention area.

As at other RFMO meetings, we also presented at WPEB15 ACAP's current advice for reducing the impact of pelagic longline fisheries on seabirds, and the concern of ACAP Parties that ACAP species continue to face a conservation crisis due largely to the impacts of fisheries bycatch.

WPEB16 had a reduced agenda and no seabird-specific papers were submitted and discussed. However, there were several discussions relating to observer reporting, electronic monitoring and the Kobe joint tuna RFMO bycatch group that are relevant to ACAP's interests and objectives.

The IOTC Secretariat reported that it continues to receive little bycatch data from CPCs (a perennial problem for the IOTC), although there have been some (slight) improvements compared to previous years, especially in the use of the electronic format requested by the IOTC Secretariat.

IOTC/FAO have contracted the International Seafood Sustainability Foundation (ISSF) to develop Electronic Monitoring System (EMS) minimum standards, including specifications and procedures for the implementation of IOTC fisheries, as well as an evaluation of EMS capabilities to collect the data required in the IOTC ROS. This work is relevant to the work being planned by ACAP to develop best practice guidelines for the use of EM to monitor seabird bycatch.

IOTC 24 had a reduced agenda, and did not discuss seabird issues, although ACAP was able to make some written comments in advance on comments by the Scientific Committee, made repeatedly over several years, that evaluating Resolution 12/06 on reducing the incidental bycatch of seabirds in longline fisheries had not been possible. We took the opportunity to highlight the conservation crisis faced by albatrosses and petrels and the urgency of addressing compliance with data collection and reporting requirements.

At SC 23, apart from the summary papers routinely prepared by the IOTC Secretariat, and the National Reports, there were no seabird-specific papers submitted and discussed. However, there were several discussions relating to observer reporting, Electronic Monitoring Systems (EMS) (an important innovation relevant to ACAP) and the IOTC SC programme of work that are relevant to ACAP's interests and objectives.

At the IOTC 25 Commission meeting (June 2021) IOTC members were totally focused on trying to find a way forward on Yellow Fin Tuna (which is seriously overfished), to the exclusion of practically any other agenda item. No seabird-related items were on the agenda.

### ***Proposed Actions 2022-2025***

- Continue to participate in IOTC meetings, including WPEB and the Scientific Committee, to ensure that seabird bycatch issues do not disappear from the IOTC agenda
- Continue to engage in IOTC initiatives that are relevant to seabirds, to support efforts that will lead to favourable outcomes for ACAP species.
- Consider how best to support the development and submission of a proposal to the IOTC Commission to update Resolution 12/06 to bring it in line with the current ACAP advice. Engage with ACAP Parties to determine whether one or more would put forward such a proposal.
- Support IOTC work to advance seabird bycatch monitoring and mitigation, and associated capacity building, in relevant IOTC processes, such as the initiatives underway (including intersessionally) to identify eco-regions and to develop an IOTC Ecosystem Report Card

- Follow and ideally participate in the (intersessional) initiative to develop the minimum standards for EMS for IOTC. This engagement should aim to ensure that seabird bycatch requirements are usefully incorporated into the IOTC standards, and that the ACAP process to develop best practice guidelines for the use of EM for seabird bycatch monitoring is linked with the IOTC process
- Contribute information on new and updated ACAP Best Practice Advice, including the inclusion of the underwater bait setting devices and assessment of the Underwater Bait Setter (Skadia Technologies) and Hookpod-mini as seabird bycatch mitigation measures.
- Contribute information on new and updated ACAP guidelines including guidelines on observer programmes and on electronic monitoring.
- Contribute information on updated ACAP advice on improving crew safety when hauling branchlines during pelagic longline operations..
- Hold, as relevant, discussions with/briefings of ACAP Parties, significant Range States and fishing entities, in advance of and during the meetings, to promote ACAP objectives.

### **3b) ICCAT**

#### **Actions agreed for 2019-2021**

Continue to work with CPCs and ICCAT towards a revision of Rec 11-09 that is informed by the current ACAP best practice advice. The SC-ECO have recommended that the line-weighting specifications of Rec 11-09 be updated to conform with the latest ACAP advice but have not formally recommended the inclusion of hook-shielding devices. It would be useful for the ICCAT SCRS to support the recommendation of the SC-ECO in relation to line-weighting. Given the concerns regarding safety, and the current outstanding support from the ICCAT SC-ECO for hook-shielding devices, and specifically hook-pods, more work is required to build a stronger level of support amongst CPCs to update Rec 11-09 to bring it closer to the current ACAP best practice advice. The outcomes of the initiatives underway to assess seabird bycatch in ICCAT and other tuna fisheries will be important informants to this process.

Facilitate the submission and presentation of results from ongoing and additional studies on hook pods and line weighting to the ICCAT SC-ECO. The Sullivan et al (2017) paper and the paper presenting the preliminary results from work on hook-pod minis in the Brazilian fleets have helped build support for the effectiveness of hook-pods, but further work is needed to address outstanding uncertainties amongst some CPCs, including additional results and advice pertaining to the updated ACAP advice regarding line weighting specifications.

Participate in the ICCAT SC-ECO process to develop indicators (the ACAP focus would be on the seabird bycatch component) and an Ecosystem Report Card for ICCAT.

Engage with members not reporting compliance data to understand the main reasons for this.

Engage in intersessional work and discussions at the SC-Stats to review observer data collection forms (ST09).

#### **Review of progress, and further actions required**

See also 1 e), [ICCAT](#)

**Proposed Actions 2022-2025**

- Continue to work with CPCs (especially those that are ACAP Parties) and ICCAT towards a revision of Rec 11-09 that is informed by the current ACAP best practice advice.
- ACAP Parties/AC Members commit to working to further ACAP objectives in ICCAT.
- See also 1 e)

**3c) WCPFC**

**Actions agreed for 2019-2021**

Continue to engage with WCPFC, SPC, CPCs, and other organisations to improve data collection, reporting and assessment efforts regarding seabird bycatch and the effectiveness of mitigation methods. It is likely that Project 68 will develop a range of recommendations to address data gaps and data quality issues. It will be useful for ACAP to engage in this process to encourage linkages between the outcomes of the SPC process (Project 68), and the other seabird bycatch assessments currently underway, which would also be developing recommendations to improve data collection and monitoring efforts.

Help develop and support the proposed work to advance seabird bycatch monitoring and mitigation, and associated capacity building, in relevant French Polynesian fisheries, and help facilitate French funding via the ACAP National Contact Point for this work.

**Review of progress, and further actions required**

*Meetings attended*

*Scientific Committee 15, August 2019 (did not attend meeting, but submitted a paper)*

WCPFC Commission 16, December 2019, PNG

WCPFC Commission 17, December 2020, online

See also 1 a) above

Project 68 was presented at SC15 in 2019 and showed continued concern regarding levels of bycatch of ACAP species in WCPFC. It also highlighted the usual range of data limitations etc, but the recommendations from SC15 only went as far as tasking the TCC to pay particular attention to assessing compliance (happening this year, 2021) and members meeting minimum observer coverage levels.

New Zealand and French Polynesia have cooperated on developing a capacity building programme in French Polynesian fisheries. France has recently contributed funding towards this project, with the payments to be facilitated by the ACAP Secretariat. The Secretariat also helped facilitate an SPC project for producing a guidebook on seabird identification.

**Proposed Actions 2022-2025**

- Work with relevant ACAP Parties, and attend SC/TCC meetings to encourage adherence to reporting requirements and to seek ways to improve the situation, given the concerns raised through Project 68.
- See also 1 a)



### **3d) Joint tuna RFMO review/Initiatives applicable to multiple RFMOs**

#### **Actions agreed for 2019-2021**

The RFMO workshop preceding SBWG9, and the SBWG9 and AC11 meetings, should be used to discuss how best to advance the results and recommendations coming out of the various seabird bycatch assessment processes that are underway and close to completion. These discussions should aim to agree specific actions required to address the priority needs identified in these assessment processes that should then form an integral part of this ACAP RFMO Engagement Strategy. These will likely include a range of interconnected actions such as strengthening the proper use of effective bycatch mitigation measures, improving data collection, reporting and monitoring efforts, including in relation to compliance, and education and outreach to help support these objectives.

#### **Review of progress, and further actions required**

The RFMO workshop, followed by discussion in the SBWG9 and in AC11, led to agreement on a number of priorities, as summarised in the covering document, paragraph 1.1 (above).

In the period between SBWG9 and SBWG10, whenever the opportunity has presented itself, ACAP has submitted to RFMOs and other bodies (including the CMS and the FAO) a paper and/or made an intervention/comments on our ongoing concerns about the conservation crisis facing albatrosses and petrels and describing outcomes from discussions at AC11; we have also presented reminders and updates about ACAP best practice. We have stressed that we are keen to work with RFMOs and others to enhance implementation of strategies and actions to reduce bycatch of seabirds in fishing operations, acknowledging that this needs to be done at a range of different scales (eg RFMO, national, fishery, fleet, fishing operator, vessel and crew). We have made the point that unless the problem is understood and accepted, at all scales, it will not be solved. We have also, as agreed by AC11, enhanced our efforts to communicate the conservation crisis facing albatrosses and petrels, using events associated with World Albatross Day and media statements to reinforce the message.

#### **Proposed Actions 2022-2025**

- Continue to highlight the conservation crisis, our willingness to cooperate with RFMOs, and the fact that there are solutions that do work, even though they are constantly subject to improvement as best practice evolves
- AC members commit to working to convey ACAP's messages to RFMOs.
- Contribute information on new and updated ACAP Best Practice Advice, including the inclusion of the underwater bait setting devices and assessment of the Underwater Bait Setter (Skadia Technologies) and Hookpod-mini as seabird bycatch mitigation measures.
- Contribute information on new and updated ACAP guidelines including guidelines on observer programmes and on electronic monitoring.
- Contribute information on updated ACAP advice on improving crew safety when hauling branchlines during pelagic longline operations..
- Hold, as relevant, discussions with/briefings of ACAP Parties, significant Range States and fishing entities, in advance of and during the meetings, to promote ACAP objectives.

### **3e) SIOFA**

#### **Actions agreed for 2019-2021**

The level of fishing activity in the SIOFA Agreement Area is relatively low compared with other RFMOs and areas, and so is not considered a high priority RFMO. However, given the recent signing of the MoU between SIOFA and ACAP, and that SIOFA is in the process of developing mechanisms for issues that concern seabird monitoring and seabird bycatch including requirements for scientific observer programmes, and the collection of information on seabird abundance, bycatch and the use of bycatch mitigation measures, it might be appropriate for ACAP to provide some formal inputs to SIOFA regarding seabird conservation and management measures. Following SBWG9/AC11, ACAP should consider submitting a series of updated ACAP advice and guideline documents that could be presented by one of the ACAP Parties present at the meeting or the SIOFA Secretariat.

Work towards a binding seabird conservation measure that is informed by ACAP best practice and is aligned with measures in SPRFMO and other comparable bodies.

#### **Review of progress, and further actions required**

##### *Meetings attended*

7<sup>th</sup> meeting of the Parties (SIOFA MoP7), November 2020, online

March 2021 (online):

- Stock and Ecological Risk Assessment working Group (SERAWG3)
- Scientific Committee (SC6)

8<sup>th</sup> Meeting of the Parties (SIOFA MoP8), July 2021, online

SIOFA is a relatively new RFMO, having come into force in June 2012. Given the overlap between ACAP species and SIOFA fisheries, ACAP has started interacting with SIOFA, with which we signed an MOU in 2018.

In 2019, the sixth Meeting of Parties (MoP6) to SIOFA adopted a Seabird Conservation and Management Measure (CMM) following a proposal submitted by the European Union (EU) which was based largely on ACAP's best practice advice for reducing the impacts of seabird bycatch in demersal longline and trawl fisheries. However, the trawl components of the proposal were not included in the final CMM adopted by the SIOFA MoP6 (in 2019). ACAP submitted a paper for consideration by the 2020 meeting of SIOFA's Scientific Committee, which was scheduled to take place in La Réunion in March 2020. The paper provided a brief summary of the conservation crisis facing albatrosses and petrels, the objectives of ACAP, its current best practice advice for reducing bycatch of seabirds in demersal longline and trawl fisheries and suggestions for areas in which ACAP and SIOFA could collaborate to address this threat. However, the agendas for the SC and working group meetings were significantly curtailed, with all the seabird papers postponed until 2021.

At the 7<sup>th</sup> meeting of the Parties, which we attended there were no seabird-related matters on the shortened agenda, but the nature of the meeting enabled ACAP to provide (in advance) an opening statement outlining the nature of our work and our priorities and mentioning the areas and opportunities for ACAP and SIOFA to collaborate to address the fisheries-related threats to ACAP species

At the March 2021 meetings the French working paper on a seabird ecological risk assessment (ERA) approach and an ACAP info paper to SC were both presented. This led to SC6 adopting recommendations to review both data standard standards (CMM 2019-02) and seabird mitigation measure (CMM 2019-13) against ACAP advice, as well as progressing work on the ERA approach proposed by France. (MoP8 adopted these recommendation of the Scientific Committee) A summary of scientific observer data submission showed the limited and inconsistent reporting of seabird bycatch related data, and national reporting highlighted that seabird bycatch was also occurring in a pelagic longline fishery for oilfish.

#### **Proposed Actions 2022-2025**

- Support consideration of SC6 recommendations to MoP8.
- Work interessionally with France, and any other interested Parties, to review CMM 2019/02 and CMM 2019/13 against ACAP advice, and further develop a seabird ecological risk assessment. This work should consider all relevant fishing methods including demersal longline, trawl and pelagic longline.
- Continue participation at future SIOFA meetings, including SERAWG, SC, the Compliance Committee and MoP.

## **4 Other actions**

### **4a) SEAFO**

#### **Actions agreed for 2019-2021**

Although the fishing effort within the SEAFO area of jurisdiction is currently very low (and so shouldn't be regarded as a high priority RFMO with which to engage), it could potentially increase in the future, and so it is important to ensure that the appropriate bycatch mitigation conservation measures are in place, being used, and reported on. Given the recent (2018) formalisation of the MoU between the two organisations, it will be useful to remain formally engaged. It is proposed that this take the form of 'keeping a watching brief' and determining the value of attending specific meetings on a case-by-case basis. Generally, the Scientific Committee meetings are the ones that will be of interest to ACAP. Given the recent (2018) signing of the MoU, it would probably be worth attending the next (2019) Scientific Committee meeting, which will likely take place in November 2019, or alternatively submitting a series of updated ACAP advice and guideline documents that could be presented by one of the ACAP Parties present at the meeting or the SEAFO Secretariat.

#### **Review of progress, and further actions required**

No SEAFO meetings were attended. Many were postponed as a result of COVID -19.

#### **Proposed Actions 2022-2025**

- Carry over the actions proposed for 2019-2021.