

EUROPEAN UNION

PROPOSAL FOR A CONSERVATION AND MANAGEMENT MEASURE ON MITIGATION OF SEABIRDS BYCATCH IN FISHERIES MANAGED BY SIOFA

The Meeting of the Parties to the Southern Indian Ocean Fisheries Agreement:

RECALLING the relevant provisions of the Southern Indian Ocean Fisheries Agreement, in particular Article 4 and 6;

CONSIDERING that the United Nations Food and Agriculture Organization (FAO) International Plan of Action for Seabirds calls on States to cooperate through regional fisheries organizations to mitigate incidental by-catch of seabirds;

RECOGNISING the need to strengthen mechanisms to protect seabirds in the Southern Indian Ocean;

FURTHER TAKING INTO ACCOUNT the FAO Technical Guidelines for Responsible Fisheries concerning best practices to reduce incidental catch of seabirds in capture fisheries;

NOTING the Agreement on the Conservation of Albatrosses and Petrels (ACAP) has established best practice seabird bycatch mitigation measures for trawl and demersal longline fisheries;

ADOPTS the following CMM in accordance with Article 4 and 6 of the Agreement:

Application and geographic scope

- 1) This CMM applies to all fishing vessels of Contracting Parties, cooperating non-Contracting Parties (CNCs) and participating fishing entities (PFEs) to the Agreement (collectively CCPs), engaged in fishing operations in the SIOFA area, south of 25°S.

General provisions for all **demersal** fishing vessels

2) Until such time that the SIOFA Scientific Committee has developed advice for the Meeting of Parties on the most appropriate response to mitigate and minimise incidental **bycatch mortality encounters** of seabirds **by with** demersal fishing gears deployed in the SIOFA area, CCPs shall require any **demersal** vessel flying their flag and operating in this area to apply the following mitigation measures:

- i There shall be no discharging of offal or discards **immediately** prior to and during the deployment or retrieval of fishing gear;
- ii The location and level of lighting shall be arranged so as to minimise illumination directed out from the vessel, consistent with the safe operation of the vessel and the safety of the crew;
- iii Information about birds colliding with the vessel, or caught by its gears will be recorded in accordance with CMM 2018/02 (Data collection); and

Commented [TB1]: Chinese Taipei proposition

Commented [TB2]: Australian propositions

Commented [TB3]: Chinese Taipei proposition

Commented [TB4]: Australian proposition

~~ii— Every effort should be made to ensure that birds captured alive during fishing operations are released alive and, for longlining, that hooks are removed without jeopardising the life of the bird concerned wherever possible. all birds will be released alive where possible;~~

Provisions applying to demersal and mid-water fishing trawlers

[3] In addition to the provisions in paragraph 2, CCPs shall require any fishing trawler flying their flag and operating in the SIOFA area to apply the following mitigation measures:

i [Bird scaring lines shall be deployed while fishing to deter birds away from warp cables (see specifications in Annex 1);

~~Bird scaring devices shall be deployed while fishing to deter birds away from net and warp cables (see example specifications in Annex 1). ‘Bird Bafflers’ are devices attached to the vessel that prevent seabirds from flying round the stern of the vessel. they can be permanently deployed. Bird scaring lines are attached to the vessel and to a trailing float in the water, these cannot be deployed during shooting and hauling operations but can provide added protection against warp strikes during the tow;]~~

ii Net monitor cables [definition footnote] shall not be used. ~~;~~ Where this is impracticable, a snatch block shall be installed at the stern of a vessel to draw the net monitoring cable close to the water and thus reduce its aerial extent and bird scaring lines shall be deployed and specifically positioned to deter birds away from net monitoring cables while fishing;

iii Nets shall be cleaned prior to shooting to remove any residue of fish or other items that may attract seabirds;

iv ~~Nets shall be bound at least three times intervals of 5 m with 3 ply sisal string (or similar) with a breaking strength of 110 kg prior to setting;~~

v Vessels shall adopt shooting and hauling procedures that minimise the time that the net is lying on the surface of the water with the meshes slack. Net maintenance should, to the extent possible, not be carried out with the net in the water;

vi ~~Vessels may add weight to the belly of the net to increase sinking rate and sinking/hauling angle of the net;~~

vii

~~— South of latitude 42 bird scaring lines must be employed~~

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Provisions applying to demersal longliners

Commented [TB5]: Australian and French Territories proposition, For reference, consistent with CCAMLR CM 25-02, para 10.

Commented [TB6]: Australia questions the need for bird scaring lines on trawl gear.

Commented [TB7]: Cook islands alternative Proposal (with an annex)

Commented [TB8R7]: UE would be in favour of putting the description of “bird bafflers” in annex 1

Commented [MS9]: Japan expressed this may be useless if no bird is observed ever. Japan did not observe seabird interactions with trawlers. EU would like Japan to inform if bird scaring devices are already in use.

Commented [TB10]: Australia considers that net monitor cables need to be defined. The following is the CCAMLR definition:
Net monitor cable: A wire commonly suspended from the trawl gantry running to net monitoring equipment attached directly to the net.

Commented [TB11R10]: Cook islands proposes the following definition : “defined as data cables attached directly from the vessel to the net”

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Commented [TB12]: Australia considers that this is unnecessary as the risk to seabirds from trawlers is not during setting.

If there is strong preference that this paragraph be retained, Australia would strongly prefer that ‘at least three times’ is used as 5m intervals is excessive.

Commented [TB13R12]: Cook islands consider that it's not required for this kind of fishery, and considers also that this is impractical and negative impact more likely from extending the time to shoot and haul the net. Contradicts provision 3)iv

Commented [TB14R12]: UE would agree to delete this para

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Commented [TB15]: Australia does not support this. While contributing to seabird mitigation, there is also a safety risk and marine pollution risk, as there is an increased chance of snagging and damaging or losing nets.

Commented [TB16R15]: Cook islands propose to delete with para, it adds that their Midwater trawls have all a ...

Commented [TB17R15]: UE would agree to delete this para

Commented [TB18]: Cook islands proposal

Commented [MS19]: All para 3 bracketed by Japan

2) In addition to the provisions in paragraph 2, CCPs shall require any fishing demersal longliner flying their flag and operating in the SIOFA area to apply the following mitigation measures:

i [South of 42°S longline fishing shall only be conducted from 1 May to 14 September each year.]

ii [Lines shall be set only at night (i.e. during the hours of darkness between the times of nautical twilight). The exact times of nautical twilight are set forth in the Nautical almanac tables for the relevant latitude, local time and date.]

— iii – [Lines shall be white color only, to increase visibility which decreases the by catches of birds.]

ii At least two bird scaring lines (see specifications in Annex 2) shall be deployed when setting lines and at least one bird exclusion device (BED; see specifications in Annex 3) shall be used to prevent birds entering the hauling area, to the extent allowed by prevailing weather;

iii Fishing vessels using autoline systems shall add weights to the hookline or use integrated weight (IW) hooklines while deploying longlines. IW longlines of a minimum of 50 g/m or attachment to non-IW longlines of 5 kg weights at 50 to 60 m intervals are recommended;

iv Fishing vessels using the Spanish method of longline fishing shall release weights before line tension occurs; traditional weights (made by rocks or concrete) of at least 8.5 kg mass shall be used, spaced at intervals of no more than 40 m, or traditional weights of at least 6 kg mass shall be used, spaced at intervals of no more than 20 m, or solid steel weights of at least 5 kg mass shall be used, spaced at intervals of no more than 40 m;

v Fishing vessels using the trotline system exclusively (not a mix of trotlines and the Spanish system within the same longline) shall deploy weights only at the distal end of the droppers in the trotline. Weights shall be traditional weights of at least 6 kg or solid steel weights of at least 5 kg.

vi Fishing vessels alternating between the use of the Spanish system and trotline method shall use: (i) for the Spanish system: line weighting shall conform to the provisions in paragraph 4(iii); (ii) for the trotline method: line weighting shall be either 8.5 kg traditional weights or 5 kg steel weights attached on the hook-end of all droppers in the trotline at no more than 80 m intervals;

~~vii~~

3) For demersal-longliners of less than 25 m, at least one of the following measures shall apply:

i At least one bird scaring line (see specifications in Annex 2) shall be deployed when setting lines, and at least one bird exclusion device (BED; see specifications in Annex 3) shall be used to prevent birds entering the hauling area, to the extent allowed by prevailing weather;

ii Fishing vessels using autoline systems shall add weights to the hookline or use integrated weight (IW) hooklines while deploying longlines. IW longlines shall have of

Commented [TB20]: Australian proposal, indicating it's consistent with CCAMLR CM 41-08

Commented [TB21R20]: UE indicates that It's not consistent with the general regulations of CCAMLR (CM 41-01), it's just regulated in this way in in 58-5-2 area (Heard Mc Donald); EU proposes to delete it and asks the question to the scientific committee.

Commented [TB22]: proposal from French territories and Australia

Commented [TB23]: French territories proposal, consistent with CCAMLR regulations

a minimum of 50 g/m or a weights of a minimum of 5 kg attached# to non-IW longlines of 5 kg weights at 50 to 60 m intervals are recommended;

iii: Lines shall be set only at night (i.e. during the hours of darkness between the times of nautical twilight). The exact times of nautical twilight are set forth in the Nautical almanac tables for the relevant latitude, local time and date.

Commented [TB24]: Australian proposal

Commented [TB25R24]: EU confirms it's related to CCAMLR measures

Commented [TB26]: Proposal of French territories and Australia

Other demersal fishing gears

~~4) In addition to the provisions in paragraph 2, CCPs shall require any fishing vessel flying their flag and operating in the SIOFA area using demersal pots or traps to use sinking (leaded) groundlines, and ensure that buoy lines shall not be left floating at the surface.~~

4) In addition to the provisions in paragraph 2, CCP shall require any fishing vessel flying their flag and operating in the SIOFA area using demersal pots or traps to ensure the cleanliness of the traps and pots not to attract birds, and ensure that buoy lines shall not be left floating at the surface.

Commented [TB27]: France territories : alternate proposal about pots and traps - having no hooks nor baits, trap lines are not subject to birds bycatch. On the contrary, the trap itself needs to be perfectly clean not to attract birds.

Final provisions

5) CCPs shall undertake research for the evaluation of the effectiveness of existing mitigation methods and their improvement, as appropriate.

Commented [TB28]: Australia would ask guidance around such researches from scientific committee

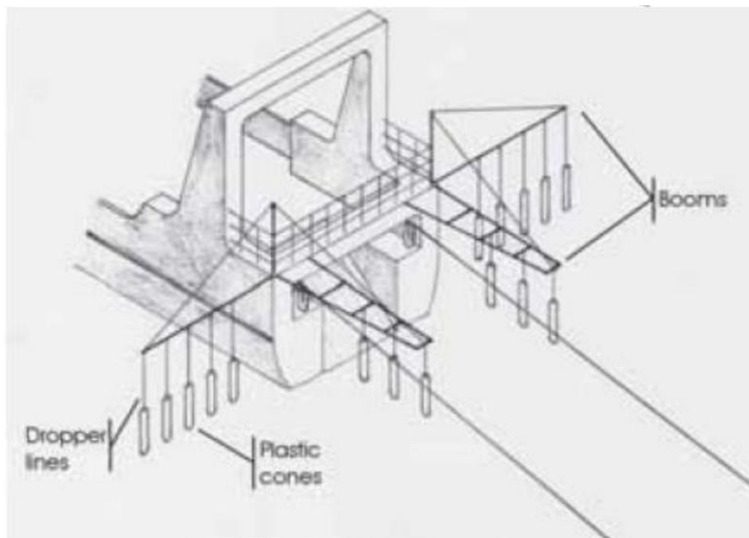
6) The Scientific Committee and the Compliance Committee will review this CMM every four years, unless the MoP decides otherwise.

ANNEX 1: Seabird Strike Reduction devices

Specification of Bird Bafflers

Exact design and placement is contingent on vessel shape.

- a) Each boom shall extend outwards not less than four metres from the side or stern of the vessel;
- b) Dropper lines, shall be attached to the booms no more than 2 metres apart;
- c) Plastic cones, rods or other brightly coloured and durable material shall be attached to the ends of the dropper lines, so that the bottom of the cone, rod or material is not more than 500 millimetres above the water, in the absence of wind and swell; and
- d) Lines or webbing may be attached between the dropper lines to prevent tangling.



Specification of bird scaring lines for demersal and mid-water trawlers

1. The main line shall consist of 50 m of 9 mm line.
2. Streamer lines shall be attached at 5 m intervals and must be long enough to extend beyond the point at which warp and net monitoring cables reach the water's surface. It is recommended that for every metre of block height, 5 m of backbone be deployed.
3. It is essential that streamers are made from semi-flexible tubing of high visibility. The recommended material is UV-protected fluorescent red polythene tubing and alternatives such as fire hose; old waterproofs and dark coloured tubing are not acceptable.
4. To avoid deflection of bird scaring lines away from cables in strong cross winds, the bird scaring lines must tow a buoy or cone attached to the end of line to create tension and keep the

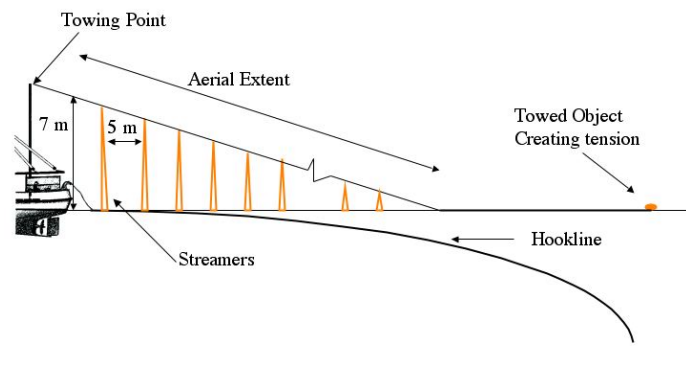
line straight. It is recommended that for every metre of block height, 1.2 kg of terminal object drag weight be used.

5. The lines shall be mounted two metres outboard of the trawl blocks on both the port and starboard sides. It may be necessary to weld short extension arms to the handrail in order to achieve this distance.

6. Streamer lines shall be deployed once the trawl doors are submerged and retrieved as net hauling commences. It is important to retrieve the streamer lines before hauling as vessels often go astern during this process, which can suck the buoys underwater and lead to problems.

7. A spare streamer line shall be carried and deployed in the event of loss or damage of a line.

ANNEX 2: Specification of bird scaring lines for demersal longliners



1. The aerial extent of the streamer line, which is the part of the line supporting the streamers, is the effective seabird deterrent component of a streamer line. Vessels are encouraged to optimise the aerial extent and ensure that it protects the hookline as far astern of the vessel as possible, even in crosswinds.

2. The streamer line shall be attached to the vessel such that it is suspended from a point a minimum of 7 m above the water at the stern on the windward side of the point where the hookline enters the water.

3. The streamer line shall be a minimum of 150 m in length and include an object towed at the seaward end to create tension to maximise aerial coverage. The object towed should be maintained directly behind the attachment point to the vessel such that in crosswinds the aerial extent of the streamer line is over the hookline.

4. Branched streamers, each comprising two strands of a minimum of 3 mm diameter brightly coloured plastic tubing (should be of a type that is manufactured to be protected from ultraviolet radiation) or cord, shall be attached no more than 5 m apart commencing 5 m from the point of attachment of the streamer line to the vessel and thereafter along the aerial extent of the line. Streamer length shall range between minimums of 6.5 m from the stern to 1 m for the seaward

end. When a streamer line is fully deployed, the branched streamers shall be of sufficient length to reach the sea surface in the absence of wind and swell. Swivels or a similar device should be placed in the streamer line in such a way as to prevent streamers being twisted around the streamer line. Each branched streamer may also have a swivel or other device at its attachment point to the streamer line to prevent fouling of individual streamers.

5. Vessels are encouraged to deploy a second streamer line such that streamer lines are towed from the point of attachment each side of the hookline. The leeward streamer line should be of similar specifications (in order to avoid entanglement the leeward streamer line may need to be shorter) and deployed from the leeward side of the hookline.

6. A spare streamer line shall be carried and deployed in the event of loss or damage of a line.

ANNEX 3: Specification of BEDs for demersal longliners

BEDs shall have the following operational characteristics:

(i) deterrence of birds from flying directly into the area where the line is being hauled;

(ii) prevention of birds that are sitting on the surface from swimming into the hauling bay area.