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Agreement on the Conservation of Albatrosses and Petrels (ACAP) and its work with other international organisations

Delegation of Agreement on the Conservation of Albatrosses and Petrels (ACAP)

Relates to agenda item: 10.4 Working paper ☐ Info paper ☒

Abstract

Bycatch in fisheries is one of the greatest threats to seabirds, particularly albatrosses and petrels. The Agreement on the Conservation of Albatrosses and Petrels (ACAP https://acap.aq/) is a multilateral agreement that seeks to achieve and maintain a favourable conservation status for albatrosses and petrels globally. In order to achieve this objective, ACAP provides a range of advice, guidelines and resources aimed at advancing the conservation of albatrosses and petrels. ACAP routinely reviews and updates its advice, most recently in May 2019, at the Ninth Meeting of the ACAP Seabird Bycatch Working Group and the Eleventh Meeting of its Advisory Committee, and this paper outlines briefly the latest advice and resources available relevant to SIOFA fisheries. At the 2019 meeting, ACAP Parties noted with concern the continuing conservation crisis facing albatrosses and petrels, and the need for urgent and increased efforts to counter this crisis. Despite all the research and attention devoted to the development of best practice bycatch mitigation measures, these have not been sufficiently implemented to halt the decline of many albatross and petrel populations. This included lack of compliance with measures required by regulatory bodies. Within jurisdictions where enforcement had occurred, reductions in seabird bycatch were demonstrated, sometimes dramatically so and without perceived detrimental consequences arising. ACAP is in the process of developing new and augmented areas of focus and activities for the immediate and longer term. This includes an ongoing emphasis on ways in which ACAP can work with Regional Fisheries Management Organizations 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. In addition, ACAP is working towards communicating more effectively the conservation crisis facing albatrosses and petrels, and its advice regarding how best to address the threats that these seabirds face. The recently adopted MoU between SIOFA and ACAP provides a useful mechanism to facilitate a cooperative approach to minimise the incidental bycatch of albatrosses and petrels that occur within SIOFA's Convention Area, thereby helping to address this conservation crisis.

1. Introduction

The Agreement on the Conservation of Albatrosses and Petrels (ACAP) is a multilateral agreement that seeks to achieve and maintain a favourable conservation status for albatrosses and petrels globally (http://www.acap.aq/en/acap-agreement), especially the 31 species currently listed in Annex 1 of the Agreement (see Table 1 for those species distributed in the SIOFO area). There are presently 13 Parties to ACAP: Argentina, Australia, Brazil, Chile, Ecuador, France, New Zealand, Norway, Peru, South Africa, Spain, the United Kingdom and Uruguay. Observers have included Canada, Chinese Taipei, Japan, Mexico, Namibia, The Bahamas and the United States of America, together with other entities, including Non-Government Organisations. Any Range State—a State with jurisdiction over breeding sites of ACAP-listed species, or whose flag vessels overlap with the range of ACAP-listed species—can become a Party to the Agreement.

Albatrosses and large petrels are amongst the most threatened groups of birds in the world, due in a large part to the impacts of bycatch, which, for many species, remains the most serious threat and continues to drive ongoing population declines (Phillips et al. 2016; Clay et al. 2019; Dias et al. 2019).

In addition to individual nations taking measures to protect albatrosses and petrels, international cooperative action is also required. Albatrosses and petrels are susceptible to threats operating throughout their very large foraging ranges, which extend across national boundaries and into international waters. Consequently, international cooperation is critical to enhance the prospects for effective conservation measures across their ranges. One of the main objectives of ACAP is to facilitate the co-ordination of international efforts required to improve the conservation status of albatrosses and petrels.

An important component of this international action is related to fisheries bycatch, and the work of Regional Fisheries Management Organisations (RFMOs). Large numbers of ACAP-listed species are incidentally caught in fisheries managed by RFMOs. Many species are also threatened at their breeding sites by introduced predators, diseases, habitat loss or human disturbance. ACAP has produced and continues to develop and update broad ranging advice in respect of albatross and petrel conservation. This advice, and associated resources, include best practice guidelines to assist ACAP Parties, Range States and international organisations in addressing these threats. Advice on bycatch issues, developed by the Agreement's Seabird Bycatch Working Group (SBWG, a subsidiary body to the Agreement's Advisory Committee), the pre-eminent expert body on seabird bycatch mitigation, has been a central element in the interaction of ACAP with RFMOs. ACAP's engagement with RFMOs includes the submission of papers to, and attendance at, scientific, technical and other meetings to collaborate on the adoption and implementation of seabird conservation and management measures that take into consideration ACAP resources (e.g. best practice

advice on seabird bycatch mitigation, bycatch mitigation fact sheets, seabird bycatch identification guide, species assessments).

ACAP has formal Memoranda of Understanding (MoUs) with a number of RFMOs (including ICCAT, IOTC, WCPFC, CCSBT, SPRFMO, and most recently SIOFA and SEAFO) and CCAMLR to help facilitate collaboration with the respective organisations (Table 2); we believe these MoUs are mutually beneficial to all involved.

2. Engagement with the Southern Indian Ocean Fisheries Organisation (SIOFA)

Engagement with RFMOs is 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 routinely reviews and updates actions listed in ACAP's RFMO engagement strategy.

Article X (d) of the Agreement calls upon the ACAP Secretariat to liaise with international organisations whose activities are directly or indirectly relevant to the conservation, including the protection and management, of albatrosses and petrels. In order to enhance the cooperation and information exchange with relevant organisations, ACAP has signed MOUs or Cooperation Agreements with a range of RFMOs, including SIOFA, as well as other Conservation Bodies (Table 2). The objective of the MoU with SIOFA is to facilitate cooperation between SIOFA and ACAP to minimise the incidental bycatch of albatrosses and petrels listed in Annex 1 of ACAP that occur within SIOFA's Convention Area. A number of areas of cooperation have been identified. These include:

- development of systems for collecting and analysing data, and exchanging information concerning the bycatch of albatrosses and petrels in the Area, consistent with the information-sharing policies of each organisation;
- exchange of information regarding management approaches relevant to the conservation of albatrosses and petrels;
- implementation of education and awareness programmes for fishers who operate in areas where albatrosses and petrels may be encountered;
- design, testing and implementation of albatross and petrel bycatch mitigation measures relevant to fishing operations in the Area;
- development of training programmes on conservation techniques and measures to mitigate threats affecting albatrosses and petrels;
- exchange of expertise, techniques and knowledge relevant to the conservation of albatrosses in the Area; and
- reciprocal participation with observer status at the relevant meetings of ACAP and the SIOFA Meeting of the Parties (MoP), including its subsidiary bodies.

3. ACAP advice for reducing the bycatch of seabirds in fisheries

There have been significant efforts internationally to develop mitigation measures to avoid or minimise the risk of incidental catch of seabirds in longline and trawl fisheries. In longline fisheries seabirds are killed when they become hooked or entangled and drowned while foraging for baits on longline hooks as the gear is deployed. Seabirds can also be hooked or entangled as the gear is hauled; however, with careful handling many of these seabirds can be released alive. In trawl fisheries, birds foraging on discards or offal may be injured or killed on collision with net monitoring and warp cables, dragged underwater and drowned when their wings become entangled around the warp, or become entangled in nets.

Although most mitigation measures are broadly applicable, the application and specifications of some will vary with local methods and gear configurations. ACAP routinely reviews the scientific literature dealing with seabird bycatch mitigation in longline fisheries (both demersal and pelagic gear types) and trawl fisheries. The ACAP review process recognises that factors such as safety, practicality and the characteristics of the fishery should also be taken into account when considering the efficacy of seabird bycatch mitigation measures and consequently in the development of advice and guidelines on best practice. The most recent review was conducted in May 2019 at the Ninth Meeting of the ACAP Seabird Bycatch Working Group, with the recommendations of the review adopted by the Eleventh Meeting of its Advisory Committee.

ACAP's current advice for reducing the bycatch of seabirds associated with demersal longline fisheries, and the advice for reducing seabird bycatch in trawl fisheries is available on the ACAP website.

ACAP considers that the most effective way of reducing seabird bycatch in demersal longline fisheries is to use the following three measures in combination:

- use of an appropriate line weighting regime to maximise sink rates close to the stern of the vessel to reduce the availability of bait to seabirds;
- actively deter birds from baited hooks by means of bird scaring lines, and
- setting at night.

We note that in 2019 SIOFA adopted the Conservation and Management Measure CMM 2019/13 on the Mitigation of Seabird Bycatch at its Sixth Meeting of Parties (MoP6). It is evident that CMM 2019/13 has been informed by ACAP's advice for reducing seabird bycatch in demersal longline gear, including the specifications for line-weighting regimes. However, CMM 2019/13 does not require all three of the above-mentioned measures to be used in combination.

We note also that CMM 2019/13 does not include any measures specifically to reduce bycatch associated with demersal and mid-water trawler vessels. Given that interaction with trawl gear has been identified as a major source of mortality for many albatrosses and

petrels, we encourage SIOFA to work towards a strengthened CMM for seabirds that includes measures to mitigate seabirds bycatch associated with trawl gear. ACAP's advice for mitigating seabird bycatch in trawl gear acknowledges and considers the complexity of this task, especially given the diversity of gear configurations and vessel characteristics of trawl vessels. A number of recommendations are provided that serve to minimise the general attractiveness of vessels to seabirds (by managing the release of offal and discards), reduce the frequency of birds colliding with warp and net monitoring cables, and finally to reduce the likelihood that birds become entangled in nets.

4. The collection, reporting and analysis of bycatch and associated data

The formal adoption of Conservation and Management Measures to reduce seabird bycatch is an important first step. However, the adoption of such measures needs to be translated into proper implementation of such measures by all vessels operating in the areas of application. It is also important that monitoring systems are established and implemented to routinely review and update information on the current levels and trends of incidental mortality of seabirds in fisheries and to assess the implementation and effectiveness of bycatch mitigation measures in those fisheries. One of the provisions of SIOFA CMM 2019/13 is that the Scientific Committee and the Compliance Committee will review the CMM every four years, unless the MoP decides otherwise. In most cases, RFMOs have been unable to undertake such assessments, due to a lack of sufficient data - both in terms of quantity and quality.

ACAP recommends that assessment and monitoring of seabird bycatch levels over time should include estimates of a) bycatch rates (i.e. number of birds killed per a given unit effort, for example birds per 1000 hooks set for longline fisheries) and b) the total number of birds killed per unit effort. The reason it is important to include both of these metrics as indicators is that although bycatch rates are suitable for direct comparisons over time or across strata or fisheries, they do not account for differences in fishing effort. Even if bycatch rates decline, impacts on seabird populations could increase if fishing effort increases. In some cases, changes in bycatch rates might also reflect declining/increasing seabird populations or shifts in fishing areas and seasons. Consequently, bycatch rates should be used in combination with estimates of the total number of birds killed per fleet as an overall indicator to monitor bycatch trends over time. These two indicators are recognised by the FAO as the primary approaches for monitoring seabird bycatch reduction goals (FAO 2009).

There are a number of factors that need to be considered when measuring and assessing seabird bycatch indicators. These include levels of observer coverage, representativeness of the sampling regime, undetected mortality (birds that are killed but not brought aboard), and seabird species identification. ACAP is in the process of developing advice and protocols

for observer programmes to collect information relevant to seabird bycatch, and is working with others, including RFMOs, to further develop a framework for the monitoring of seabird bycatch indicators.

5. The main outcomes of the latest (2019) ACAP meetings

In the first two weeks of May 2019, ACAP held in Florianópolis, Brazil, the 11th meeting of its Advisory Committee, preceded by meetings of its Working Groups on Seabird Bycatch and on Population and Conservation Status. These meetings considered activities undertaken since the last meeting of the Advisory Committee and the Meeting of the Parties, and discussed priorities for ACAP's work programme, including its engagement with RFMOs – a key element of ACAP's work. The reports of ACAP's Advisory Committee meeting and the meetings of the working groups are available on the ACAP website:

11th meeting of ACAP's Advisory Committee

Ninth meeting of ACAP's Seabird Bycatch Working Group

Fifth meeting of ACAP's Population and Conservation Status Working Group

In addition to the updated advice for reducing seabird bycatch in longline and trawl fisheries (see above), ACAP has also developed and made available guidelines for removing fishing hooks from bycaught seabirds. Informed by these ACAP guidelines, in December 2019 the WCPFC Commission adopted their own guidelines for the safe handling and release of caught seabirds. Intersessional work is underway to develop safe handling and release guidelines for birds entangled in nets. ACAP is also in the process of updating the ACAP-BirdLife bycatch mitigation fact sheets, prepared together with BirdLife International, and the Seabird Bycatch Identification Guide, current versions of which are available on the ACAP website. The updated versions will be made available on the website once they have been completed.

It was clear from the evidence discussed at the 2019 ACAP meetings that albatrosses and petrels continue to face a conservation crisis, with fisheries bycatch remaining a primary threat. ACAP Parties highlighted the need for urgent efforts by all to counter this crisis, with a change of focus in some cases and taking advantage of ongoing innovations in, for example, technology. Some of these efforts will be relevant to ACAP's interaction with RFMOs such as SIOFA, since the only way to tackle the crisis is by working together.

Some of the particular concerns and points of discussion at the meeting were:

- Disappointment that, despite all the research and attention devoted to the development of best practice bycatch mitigation measures, these have not been used sufficiently extensively to stop the decline in the numbers of many albatross and petrel species.
- The meeting considered it sufficiently important to spend considerable time discussing why there had been insufficient uptake of best practice or even implementation of required bycatch mitigation measures.
- The discussion acknowledged that many RFMOs and national authorities have put in place at least some measures to reduce seabird bycatch, but that compliance and enforcement were often inadequate.
- Within jurisdictions where enforcement had occurred, reductions in seabird bycatch were demonstrated, sometimes dramatically so and without the perceived detrimental consequences arising. This is a clear indication that the crisis can be successfully addressed.
- The need to develop innovative ways of addressing the crisis, by for example making use of new technologies.

Given these concerns and imperatives, ACAP is working towards new and augmented areas of focus and activities in the immediate and longer term. This includes an emphasis on ways in which we can continue working together 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 (e.g. RFMO, national, fishery, fleet, fishing operator, vessel and crew).

One of our immediate objectives is to communicate urgently the message that albatrosses and petrels are in a dire conservation state, and that urgent action is required to improve their status. ACAP is keen to work with all role players to support efforts in this regard, to overcome impediments to implementation. Unless the problem is understood and accepted, at all scales, it will not be solved.

ACAP has identified a number of ways in which it can work towards this aim. We will use our existing relationships and programmes to develop these activities, which include outreach to the broader community through an enhanced communication strategy, engagement with relevant fisheries certification schemes, especially as they update their standards, and continuing the updating and dissemination of ACAP's best practice guidelines.

Compliance with required seabird bycatch mitigation measures is an area that needs much greater attention. ACAP is keen to assist where it can to contribute ideas on how to improve monitoring and compliance, including through the development of innovative methods. Working together, we can make a difference.

The Twelfth meeting of ACAP's Advisory Committee (AC12) will be held from 31 August to 04 September 2020, in Manta, Ecuador. Meetings of the Seabird Bycatch Working Group and the Population and Conservation Status Working Group will precede AC12 from 24-28 August 2020.

TABLE 1. Summary of conservation status of ACAP species with significant distribution in SIOFA waters (for additional information see ACAP MoP6 Doc 13).

Species	IUCN Status 2018[1]	Number of sites (ACAP)[2]	Breeding (B) Foraging (F)	Single Country Endemic	Annual breeding pairs (last census) [3]	Current Population Trend 1996 -2016[4]
Diomedea dabbenena	CR	1	F	UK	1,455 (2015-2018)	↓
Diomedea amsterdamensis	EN	1	B-F	France	51 (2018)	↑
Diomedea antipodensis	EN	6	F	NZ	8,509 (1995-2019)	↓
Diomedea sanfordi	EN	5	F	NZ	5,135 (2017)	?
Thalassarche carteri	EN	6	B-F		33,974 (2003-2016)	↓
Thalassarche chrysostoma	EN	29	B-F		80,776 (1982-2019)	↓
Phoebetria fusca	EN	15	B-F		12,106 (1974-2019)	↓
Diomedea epomophora	VU	4	F	NZ	7,921 (1989-2019)	↔
Diomedea exulans	VU	28	B-F		9,278 (1982-2019)	↓
Procellaria aequinoctialis	VU	73	B-F		1,257,568 (1984-2015)	↓
Thalassarche impavida	VU	2	F	NZ	21,648 (2012)	↔
Phoebetria palpebrata	NT	71	B-F		14,067* (1954-2019)	?
Procellaria cinerea	NT	17	B-F		75,565 (1979-2017)	↓
Thalassarche cauta	NT	3	F	Australia	14,794 (2015-2019)	↓
Thalassarche steadi	NT	5	F	NZ	91,140 (1995-2019)	?
Macronectes giganteus	LC	119	B-F		46,505 (1958-2019)	↑
Macronectes halli	LC	50	B-F		10,670 (1973-2019)	↑
Thalassarche melanophris	LC	65	B-F		687,443 (1982-2019)	↑

* excluding Auckland estimates of 5,000 pairs – not reliable/supported

[1] *CR =Critically Endangered, EN = Endangered, VU = Vulnerable, NT = Near Threatened, LC = Least Concern.* The IUCN Red List of Threatened Species. Version 2019-3. <https://www.iucnredlist.org>.

[2] ***Site:*** *usually an entire, distinct island or islet, or section of a large island*

[3] ACAP database. <data.acap.aq>. 19 February 2020.

[4]***ACAP Trend:*** *↑ increasing, ↓declining, ↔ stable, ? unknown.* ***The overall trend for the species may not reflect particular regional or site trends.***

TABLE 2. Current ACAP cooperation arrangements with RFMOs and other Organisations.

Name of Organisation	Arrangement	Start-End Dates
Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR)	Memorandum of Understanding	Nov 2015 – 2021
Commission for the Conservation of Southern Bluefin Tuna (CCSBT)	Memorandum of Understanding	Oct 2015 - 2021
Indian Ocean Tuna Commission (IOTC)	Memorandum of Understanding	Jun 2015 - 2020
Inter-American Tropical Tuna Commission (IATTC)	Memorandum of Understanding	Jul 2017 - 2023
Inter-American Convention for the Protection and Conservation of Sea Turtles (IAC)	Memorandum of Understanding	Dec 2016 - 2022
International Commission for the Conservation of Atlantic Tunas (ICCAT)	Guidelines for Cooperation	Mar 2016 - 2022
South Pacific Regional Fisheries Management Organisation (SPRFMO)	Memorandum of Understanding	Oct 2014 - open
Western and Central Pacific Fisheries Commission (WCPFC)	Cooperation Arrangement	Dec 2007 - open
Southern Indian Ocean Fisheries Agreement (SIOFA)	Memorandum of Understanding	Oct 2018 - 2024
South East Atlantic Fisheries Organisation (SEAFO)	Memorandum of Understanding	Dec 2018 - 2024

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