

**A draft ERS WG recommendation on measures to reduce seabird bycatch in
CCSBT for discussion at CCSBT-ERS-7**

Delegations of Australia and New Zealand

Abstract

Noting the discussions at CCSBT ERS 6 (paragraph 50 of the meeting report) on measures to reduce seabird bycatch in CCSBT fisheries, Australia and New Zealand have further reviewed the draft recommendation developed at that meeting (CCSBT-ERS 6 Attachment 8a). The review highlighted several changes that were needed to develop an effective recommendation. These changes have been strongly endorsed by FAO COFI and UNGA in their work since February 2006. This paper provides rationale for the changes, a revised recommendation for consideration by CCSBT ERS 7 and recommendation to the CCSBT Extended Commission, and documentation of the changes from the ERS 6 resolution.

Introduction

This proposal recognises the CCSBT5 request to the ERS4 to provide specific advice about how the CCSBT might fulfil the FAO call for regional fisheries management bodies to cooperate in the implementation of the IPOA-SEABIRDS and is in accordance with the commitment expressed by the ERS at CCSBT13 to conclude agreements on advice to the CCSBT Extended Commission on reducing incidental seabird catch at ERS7 (in 2007).

This paper is structured as follows:

- An introduction and general comments (pages 1 - 2);
- A draft recommendation on reducing incidental bycatch of seabirds in CCSBT longline fisheries for the consideration of ERS 7 (pages 3 – 6);
- A version of the ERS 6 Attachment 8a recommendation annotated with comments to show the development of the ERS 7 draft recommendation (pages 7 – 8); and
- A copy of the ERS 6 Attachment 8a (pages 9 – 10).

We would expect the discussion of this paper to focus on the draft recommendation on reducing incidental bycatch of seabirds in CCSBT longline fisheries (pages 3 – 5). We have provided the background material so that all participants are aware of improvements made to the recommendation from the version discussed at ERS 6.

General Comments

In developing this recommendation, the need for text as preamble to the recommendation was identified. Text is proposed, outlining the clear justification for the draft recommendation.

It is recognised that considerable progress has been made by other RFMOs in developing Resolutions or Conservation and Management Measures since February 2006. In particular, the FAO IPOA-Seabirds emphasises the need for effective mitigation measures with proven performance to be taken up, and for multiple measures to be adopted depending on the fishing situation.

Further, the recognition of the utility of multiple measures in latitudes south of the equator was recognised in 2006 when the Western and Central Pacific Fisheries Commission adopted Conservation and Management Measure 2006-02 (CCSBT-ERS/0707/Info-04). Key concepts from that measure are carried through into the proposed text of this recommendation.

In other international agreements, there has been recognition of the need to put in place measures to reduce seabird bycatch in longline fisheries. Examples include the recent UNGA Sustainable Fisheries resolution, the report of the recent FAO-COFI meeting, and the Joint Meeting of Tuna RFMOs in Kobe, Japan in 2007 recognised the need for urgency in establishing effective measures and data collection systems for minimising adverse effects of fishing mortality on seabirds, and the need to implement and monitor best practice in tuna longline fisheries.

We have simplified the text in minor ways and introduced formatting changes, with the intention of making the recommendation clearer and easier to read.

We have separated the data provision requirements from this recommendation and addressed them in a separate data resolution. However we reiterate that in accordance with the CCSBT Convention, which acknowledges the importance of information and data collection related to ecologically related species (ERS) and states that the parties shall provide this to the Commission and cooperate in data collection (Article 5) and that the Commission shall collect and accumulate statistical data relating to ERS (Article 8). These data will be important for the effective implementation of this seabird recommendation.

We suggest three changes of substance to the recommendation, to reflect the urgency for results and to provide consistency with what other regional fishery organisations are currently putting into place as best practice:

1. A requirement of at least two mitigation measures;
2. A timeline for implementation of analysis and data review; and
3. A timeline for review of the effectiveness of the recommendation.

This recommendation would replace the agreement at CCSBT-4 (CCSBT-4 Attachment U).

REDUCING INCIDENTAL BYCATCH OF SEABIRDS IN CCSBT LONGLINE FISHERIES

The **ERSWG**:

Noting the Terms of Reference of the Ecologically Related Species Working Group: “To provide information and advice on issues relating to species associated with southern bluefin tuna (SBT) (ecologically related species), with specific reference to:

- a) Species (both fish and non-fish) which may be affected by SBT fisheries operations;
- b) Predator and prey species which may affect the condition of the SBT stock.

Further noting in the Terms of Reference of the Ecologically Related Species Working Group, with respect to species identified in a) above, “to monitor trends and review existing information and relevant research, including but not limited to studies on:

- a) The population biology of ecologically related species;
- b) The identification of factors affecting populations of ecologically related species;
- c) The assessment of the SBT and other fisheries effects on ecologically related species and of the proportion of the SBT and other fisheries effects to the overall effects;
- d) Modification to gear and operational aspects of the SBT fishery to minimise the effects on ecologically related species.

Recognising the importance of SBT habitat to albatrosses and petrels and the globally threatened status of many albatross and petrel species.

Recalling that CCSBT 4 agreed measures to mitigate seabird bycatch, including the use of tori lines and through the use of education.

Recognising that Western and Central Pacific Fisheries Commission Conservation and Management Measure 2006-02 requires more than one mitigation measure to be implemented at any time in fishery areas below 30 degrees south.

Noting that CCSBT-ERS 5 reported that the use of multiple mitigation measures was the most effective mode of mitigating seabird mortalities in pelagic longline fisheries (*Paragraphs 20, 33, 41*).

Recognising that New Zealand has increased its requirement for pelagic longline fisheries to use two mitigation measures when fishing in the New Zealand Economic Zone at all times, including mandatory use of tori lines and night setting.

Emphasising the concern expressed in the 2006 UNGA Resolution on sustainable fisheries over reports of continued losses of seabirds, particularly albatrosses and petrels as a result of incidental mortality in fishing operations, particularly longline fishing.

Noting the 2006 UNGA Sustainable Fisheries Resolution requests States and regional fisheries management organizations to urgently implement, as appropriate, the measures recommended in the International Plan of Action for Reducing Incidental Catch of Seabirds in Longline Fisheries in order to prevent the decline of seabird

populations by reducing bycatch and increasing post-release survival in their fisheries, including through research and development of gear and bait alternatives, promoting the use of available bycatch mitigation technology, and promotion and strengthening of data collection programs to obtain standardized information to develop reliable estimates of the bycatch of these species (OP62).

Recalling the agreed Course of Actions for RFMOs from the Kobe meeting of joint tuna RFMOs, January 26, 2007 which included reviewing the performance of tuna RFMOs, implementation of the precautionary approach and an ecosystem-based approach to fisheries management including improved data collection on incidental by-catch and non-target species and establishment of measures to minimize the adverse effect of fishing for highly migratory fish species on ecologically related species, particularly seabirds, taking into account the characteristics of each ecosystem and technologies used to minimize adverse effect.

Noting the FAO Committee on Fisheries (COFI) agreed in 2007 that the FAO, in collaboration with Birdlife International and other relevant organisations should develop best practice guidelines to assist RFMOs and flag States in the implementation of National Plans of Action – Seabirds.

Further noting that the FAO IPOA-Seabirds indicates that States implementing NPOA-SEABIRDS should prescribe appropriate mitigation methods, where assessment indicates that a seabird mortality problem occurs in their fisheries, “These measures should have a proven efficiency ... it is likely that each State will find it advantageous to implement a number of different measures that reflect the need and particular circumstances of their specific longline fishery.”.

Noting that the ultimate aim of the CCSBT and the Members and Cooperating Non-members is to achieve a near zero bycatch of seabirds, especially threatened albatross and petrel species in longline fisheries.

Recommends that the Commission adopt the following Recommendation to enter into force from 01 January 2008:

Recommendation ERSWG – 2007 - XX

Reducing incidental bycatch of seabirds

Goal

1. The Extended Commission agrees to the goal of significantly reducing seabird mortality by either continual substantive annual reductions in the level of seabird bycatch or substantive reductions in bycatch rates over intermediate time steps.

IPOA – Seabirds

2. All Members and Cooperating Non-Members of the Extended Commission shall implement the FAO International Plan of Action for Reducing Incidental Catch of Seabirds in Longline Fisheries and provide progress reports to the Commission, including, as appropriate, the status of their National Plans of Action for Reducing Incidental Catches of Seabirds in Longline Fisheries.

Information

3. Data on seabird interactions and mortalities and seabird bycatch mitigation measures in use shall be collected by observers and in logbooks and reported annually to CCSBT by Members and Cooperating Non-Members of the Extended Commission in accordance with the standards and specifications outlined in the agreed data collection and provision recommendation (Recommendation ERSWG – XXXX)].

Bycatch Mitigation Measures

4. All Members and Cooperating Non-Members of the Extended Commission shall require their longline vessels in areas south of 30°S to use tori lines. Further the Commission requests non parties to adopt mandatory use of tori lines in all longline SBT fisheries south of 30°S. Guidelines for the design and deployment of tori lines adopted by the Commission are provided in CCSBT-5 (Attachment 30).
5. All Members and Cooperating Non-Members of the Extended Commission shall encourage their vessels operating in all longline SBT fisheries to:
 - a) use a tori line in areas not covered by 4 above at times of high bird abundance or activity; and
 - b) carry back up tori lines, or materials necessary to make one, ready for immediate use.
6. All Members and Cooperating Non-Members of the Extended Commission shall encourage their vessels to undertake offal management to minimise offal discarding (including used bait, discards, fish waste) and eliminate the discharge of offal during line setting and hauling.
7. All Members and Cooperating Non-Members of the Extended Commission shall ensure that two or more measures that are effective in mitigating seabird bycatch are used in pelagic longline fishing operations below 30°S. In addition to the use of a tori line, fishermen shall use:
 - a) Night setting (longlines to be set after nautical dusk and before nautical dawn and with minimum deck lighting, noting requirements for safety and navigation); or
 - b) Line weighting (to enable the bait to be rapidly taken below the reach of most seabirds the minimum weighting regime is not less than 45 grams weight attached to all branch lines and if less than 60 grams weight it must be within 1 meter of the hook, if greater than 60 grams and less than 98 grams it must be within 3.5 meters of the hook, and if greater than 98 grams it must be within 4 meters of the hook); or
 - c) A second tori line, with the design conforming to the Guidelines adopted by the Commission at CCSBT-5 (Attachment 30).
8. All Members and Cooperating Non-Members of the Extended Commission shall take steps to ensure that seabirds captured alive during longlining are released alive and

in as good condition as possible and that wherever possible hooks are removed without jeopardizing the life of the seabird concerned.

9. All Members and Cooperating Non-Members of the Extended Commission shall as of 1 January 2008 initiate a process to ensure that vessels flying their flag are able to comply with the provisions of paragraphs 3 to 8.

Research

10. The Extended Commission should continue to encourage Members and Cooperating Non-Members to undertake research into new mitigation measures and their effectiveness.

Review

11. The Extended Commission encourages Members and Cooperating Non-Members of the Extended Commission to develop a seabird bycatch mitigation best practice guide for their SBT fleets, and audit implementation through the collection of observer information.
12. The Commission requests ERS to undertake biennial assessment, or more frequently where required, of bycatch data to estimate seabird mortality in all SBT longline fisheries and facilitate spatial and temporal management of seabird-fishery interactions in the SBT fishery, with the first assessment to be completed by August 2008.
13. The Commission requests ERS to undertake biennial review, or more frequently where required, of any new information on new or existing mitigation measures and where necessary provide the Commission with an updated suite of mitigation measures, specifications for mitigation measures, or recommendations for areas of application.

CCSBT-ERS-6 Report Attachment 8a - ANNOTATED

Reducing incidental bycatch of seabirds in CCSBT longline fisheries

Rationale

Draft recommendations on reducing seabird bycatch were considered by the ERSWG6, and all parties agreed that the following recommendations would be made to the Commission:

Recommendation ERSWG – XXXX
Reducing incidental bycatch of seabirds

1. The Extended Commission agree to a goal for the reduction of seabird mortality:

- To achieve a continual reduction in the level of seabird bycatch.

2. All Members and Cooperating Non-Members of the Extended Commission should develop and implement NPOAs, and provide progress reports to CCSBT on their implementation.

3. Until such time that agreement is reached on specifications for the collection and provision of ERS data to the Extended Commission, data on seabird interactions should be collected by observers and reported to CCSBT by CCSBT statistical area and quarter.

↓:

4. [As agreed at CCSBT-4 (Attachment U), CCSBT “requires mandatory use by all Commission parties of Tori poles in all long-line SBT fisheries below 30 degrees south” and “requests non parties to adopt mandatory use of Tori poles in all long-line SBT fisheries below 30 degrees south”. Guidelines for the design and deployment of tori lines adopted by the Commission are provided in CCSBT-5 (Attachment 30).

5. That vessels operating in all longline SBT fisheries:

- be encouraged to use a second tori pole at time of high bird abundance or activity;
- Carry back up Tori lines, or materials necessary to make one, ready for immediate use

6. New para on offal management

7. All Members and Cooperating Non-Members of the Extended Commission shall ensure that one or more measures that are effective in mitigating seabird bycatch are

Comment: The preamble has been substantively expanded.

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Deleted: <#>to reduce seabird bycatch mortality, to less than 0.05 birds/1000 hooks in all fishing areas (defined at a statistical reporting area spatial scale), seasons or fisheries within five years;

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OR ¶

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Comment: Reworded to reflect progress on data

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[Until such time that agreement is reached on specifications for the collection and provision of ERS data to the Extended Commission, data on numbers of species-specific seabird catches and interactions (e.g. entanglements and deck strikes) and the use of mitigation devices or practices shall be collected by observers at the level of fishery operation. These data shall be provided to the Extended Commission by CCSBT statistical area for (... [1]

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in use in pelagic longline fishing operations below 30 degrees south. If required, in addition to the use of Tori poles, fishermen may choose one or more effective measures depending on the area and / or fishing conditions. Possible options include, but are not limited to:

- Night setting (longlines are to be set after nautical dusk and before nautical dawn);
- Line weighting (enable the bait to be rapidly taken below the reach of most seabirds) ;
- Bait thawing (baits should be thawed baits prior to deployment on hooks);
- Avoid offal (including old bait, discards, fish waste) discharge during line setting and hauling.

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8. New para on live release of seabirds

9. New para on implementation of mitigation

Comment: Reformulated into two paragraphs to reflect progress in WCPFC, and other forums intersessionally. An additional para has been inserted after this to reflect best practice in the release of seabirds caught alive.

10. CCSBT should continue to encourage Members and Cooperating Non-Members of the Extended Commission to undertake research into new mitigation measures and their effectiveness.

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11. The Extended Commission encourage Members and Cooperating Non-members of the Extended Commission to develop a best practice guide for their SBT fleets, and audit implementation through the collection of observer information.

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Comment: Reworded

12 & 13. Biennial assessment of bycatch data and risk assessment to facilitate spatial and temporal management of seabird-fishery interactions in the SBT fishery.

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Comment: Reformulated and split into two paragraphs

CCSBT-ERS-6 Report Attachment 8a - ORIGINAL

Reducing incidental bycatch of seabirds in CCSBT longline fisheries

Rationale

Draft recommendations on reducing seabird bycatch were considered by the ERSWG6, and all parties agreed that the following recommendations would be made to the Commission:

Recommendation ERSWG – XXXX
Reducing incidental bycatch of seabirds

1. [[The Extended Commission agree to a goal for the reduction of seabird mortality:

- to reduce seabird bycatch mortality, to less than 0.05 birds/1000 hooks in all fishing areas (defined at a statistical reporting area spatial scale), seasons or fisheries within five years;

OR

- To achieve a continual reduction in the level of seabird bycatch.]]

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2. *All Members and Cooperating Non-Members of the Extended Commission, should develop and implement NPOAs, and provide progress reports to CCSBT on their implementation.*

3. Until such time that agreement is reached on specifications for the collection and provision of ERS data to the Extended Commission, data on seabird interactions should be collected by observers and reported to CCSBT by CCSBT statistical area and quarter.

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[Until such time that agreement is reached on specifications for the collection and provision of ERS data to the Extended Commission, data on numbers of species-specific seabird catches and interactions (e.g. entanglements and deck strikes) and the use of mitigation devices or practices shall be collected by observers at the level of fishery operation. These data shall be provided to the Extended Commission by CCSBT statistical area for all gears, by each quarter including available historic data.

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4. *[As agreed at CCSBT-4 (Attachment U), CCSBT “requires mandatory use by all Commission parties of Tori poles in all long-line SBT fisheries below 30 degrees south” and “requests non parties to adopt mandatory use of Tori poles in all long-line*

SBT fisheries below 30 degrees south". Guidelines for the design and deployment of tori lines adopted by the Commission are provided in CCSBT-5 (Attachment 30).

5. That vessels operating in all longline SBT fisheries:

- be encouraged to use a second tori pole at time of high bird abundance or activity;
- Carry back up Tori lines, or materials necessary to make one, ready for immediate use

6. All Members and Cooperating Non-Members of the Extended Commission shall ensure that one or more measures that are effective in mitigating seabird bycatch are in use in pelagic longline fishing operations below 30 degrees south. If required, in addition to the use of Tori poles, fishermen may choose one or more effective measures depending on the area and / or fishing conditions. Possible options include, but are not limited to:

- Night setting (longlines are to be set after nautical dusk and before nautical dawn);
- Line weighting (enable the bait to be rapidly taken below the reach of most seabirds) ;
- Bait thawing (baits should be thawed baits prior to deployment on hooks);
- Avoid offal (including old bait, discards, fish waste) discharge during line setting and hauling.

7. CCSBT should continue to encourage Members and Cooperating Non-Members of the Extended Commission to undertake research into new mitigation measures and their effectiveness.

8. The Extended Commission encourage Members and Cooperating Non-members of the Extended Commission to develop a best practice guide for their SBT fleets, and audit implementation through the collection of observer information.

9. Biennial assessment of bycatch data and risk assessment to facilitate spatial and temporal management of seabird-fishery interactions in the SBT fishery.

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[Until such time that agreement is reached on specifications for the collection and provision of ERS data to the Extended Commission, data on numbers of species-specific seabird catches and interactions (e.g. entanglements and deck strikes) and the use of mitigation devices or practices shall be collected by observers at the level of fishery operation. These data shall be provided to the Extended Commission by CCSBT statistical area for all gears, by each quarter including available historic data.

[Until such time that agreement is reached on specifications for the collection and provision of ERS data to the Extended Commission, data on numbers of species-specific seabird catches and interactions (e.g. entanglements and deck strikes) and the use of mitigation devices or practices shall be collected by observers at the level of fishery operation. These data shall be provided to the Extended Commission by CCSBT statistical area for all gears, by each quarter including available historic data.