

**Incidental Mortality of Mammals and Seabirds Associated with Fishing
(Extract from the Report of the ad hoc WG-IMAF to CCAMLR-XXIV:
RFMOs, Tuna Commissions and International Governmental organisations)**

CCAMLR Ad hoc Working Group – Incidental Mortality Associated with Fishing

EXTRACT

RFMOs, tuna commissions and international governmental organisations

155. The Working Group noted the review and analysis by BirdLife International (WG-FSA-05/P9), conducted during 2004 and launched at the FAO COFI meeting in March 2005, of the duties and performance of 14 RFMOs in reducing by-catch of albatross and other species. The evaluation criteria were based on the principles established in the Code of Conduct for Responsible Fisheries and the United Nations Fish Stock Agreement. Of the five RFMOs most important in terms of overlap with albatross distribution (in order of priority CCSBT, WCPFC, IOTC, ICCAT and CCAMLR), CCAMLR scored the most highly in almost every category (participation and transparency; target fish data and assessment; target fish management and status; combatting IUU fishing; commitment to reducing by-catch; by-catch data collection and by-catch mitigation).

156. The Working Group appreciated the value and importance of this independent external review and the testimony it provided to the effective, extensive and pioneering work of CCAMLR. The low performance levels of other RFMOs, especially the three tuna commissions, reinforced the concerns expressed by CCAMLR in recent years.

157. The Working Group recollected that for several years the Commission had strongly supported collaboration with those RFMOs with responsibilities for areas adjacent to the Convention Area where seabirds from the Convention Area, are, or may be, killed, in order to promote the adoption by these RFMOs of appropriate mitigation measures for the fisheries actually or potentially involved (e.g. CCAMLR-XXII, paragraph 5.17). The Working Group recollected its earlier advice, endorsed by the Commission, that the greatest threats confronting the conservation at sea of albatrosses and petrels breeding in the Convention Area are the levels of mortality likely to be associated with IUU longline fishing inside the Convention Area, and with longline fishing for species other than *Dissostichus* in areas adjacent to the Convention Area (CCAMLR-XX, paragraph 6.33, CCAMLR-XXIII, paragraph 5.22).

158. Last year, as a result of continuing failure to establish constructive dialogue with the main RFMOs responsible for regulating longline fishing (and associated by-catch of non-target species including seabirds) in areas adjacent to the Convention Area (CCAMLR-XXIII, paragraphs 5.26 to 5.29), the Commission adopted Resolution 22/XXIII:

- (i) requesting the relevant RFMOs to implement and develop mechanisms for collecting, reporting and disseminating data on seabird incidental mortality;
- (ii) urging CCAMLR Members also members of relevant RFMOs¹ (and especially new and developing ones) to ensure that the topic of seabird incidental mortality is placed on the agendas of the pertinent RFMO meetings, that areas of unknown or potential by-catch and the most effective mitigation measures to be used in these areas and circumstances are identified and that appropriate

¹ CCSBT: Australia, Japan, Republic of Korea and New Zealand.
WCPFC: Australia, European Community, France, Japan, Republic of Korea and New Zealand; USA as a Signatory; UK as a Participating non-member.
IOTC: Australia, European Community, France, India, Japan, Republic of Korea and the UK; South Africa as a Cooperating non-member.
ICCAT: Brazil, European Community, France, Japan, Republic of Korea, Namibia, Norway, Russia, South Africa, UK and the USA.
IATTC: France, Japan, Spain and the USA; European Community and the Republic of Korea as Cooperating non-members.

observer programs are in place to provide sufficient data for evaluation purposes.

159. To date (and since 18 November 2004) responses to the CCAMLR resolution and the accompanying letter from the Chair of the Commission have been received from CCSBT, IATTC and ICCAT.

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168. In respect of CCSBT, the Working Group noted that the report and tabled papers from the Fifth Meeting of the ERS WG (February 2004 in New Zealand) had been approved by the CCSBT Commission and made available to CCAMLR.

169. The Working Group thanked CCSBT for this and noted that the papers contained valuable data on the timing, area and extent of fishing effort and estimates (from reports by national observers) of seabird by-catch and on the nature of mitigation methods currently in use.

170. The annual report from Korea indicated that no data on seabird by-catch were reported and that there were no mandatory mitigation measures in use, though some vessels voluntarily used streamer lines. Some educational materials with respect to mitigation of by-catch of seabirds and sea turtles were in development.

171. The report from Taiwan indicated that there is currently no reporting of seabird by-catch data, but that use of streamer lines is mandatory on all vessels fishing for southern bluefin tuna south of 30°S. The report also noted the workshop convened jointly with BirdLife International on seabird by-catch and mitigation which was reported to CCAMLR last year (SC-CAMLR-XXIII, Annex 5, paragraph 7.176).

172. The reports from Japan were particularly commended for the provision of data on effort and by-catch and on extensive research to investigate the utility of various mitigation measures, especially dyed bait. The Japanese reports indicated that:

- (i) use of streamer lines (which may vary in design and detail of use) is mandatory on all vessels fishing for southern bluefin tuna south of 30°S;
- (ii) all vessels use thawed bait and bait-casting machines;
- (iii) virtually all vessels experience incidental mortality of seabirds;
- (iv) enforcement of compliance with mitigation measures involved enforcement vessels observing 637 fishing operations on 31 vessels in 2002;
- (v) observer coverage in 2001 and 2002 was 5.7–6.8% of cruises, 3.6–3.7% of sets and 2.9–3.2% of hauls.

173. The analysis of the level and rate of seabird by-catch indicates that in 2001 and 2002 respectively the estimated total seabird bycatch levels and rates were 6 516 (95% CI 3 376–10 378) birds (with an average rate of 0.139 birds/thousand hooks) and 6 869 (95% CI 3 811–10 213) birds (with an average rate of 0.181 birds/thousand hooks). The report suggests that the levels of by-catch have been broadly stable since 1995 at 6 000–9 000 birds per year with the estimated value of c. 14 000 birds in 2000 probably due to sampling error. Catch rates have varied by season and area and ranged from 0.026 to 0.312 birds/thousand hooks. The main areas fished in 2001 and 2002 were south of 40°S off South Africa (mainly in quarters 2 and 3), south of 40°S east of Australia (mainly in quarter 2) and from 25°S to 45°S west and southwest of Australia (mainly quarters 3 and 4). Seabird by-catch composition, based on a sample of 467 birds from 2001 and 2002 combined, comprised 74.1% albatrosses (amongst those identified to species (n = 281), 45.2% grey-headed albatross, 20.6% black-browed albatross, 10.0% shy albatross, 4.3% wandering albatross), 7.8% giant petrels and 13.7% smaller petrels (at least 50% of which were *Procellaria* species).

174. The Working Group expressed concern at the levels and rates of seabird (especially albatross) by-catch in the CCSBT fisheries. Given the low level of observer coverage and, that reports derived from birds brought on board vessels underestimate (sometimes substantially so) the number of birds actually killed, it is perfectly conceivable that if up to at least 9 000 seabirds are killed annually, this could represent 6 670 albatrosses (including c. 3 000 grey-headed albatrosses and 1 370 black-browed albatrosses), 690 giant petrels and at least 600 *Procellaria* petrels. Most of these birds are likely to be from populations breeding in the Convention Area.

175. Noting that the Japanese southern bluefin tuna fleet probably represents about two-thirds of the longline fishing effort in the overall CCSBT fishery, the total annual mortality of seabirds could approach, or even exceed, 13 500 seabirds including about 10 000 albatrosses.

176. The Working Group, while acknowledging the very approximate nature of these estimates and the substantial extrapolations involved, viewed these numbers with substantial concern. It re-emphasised the need for effective mitigation of seabird by-catch, not simply confined to the mandatory use of streamer lines but involving some combination of improved line weighting, night setting and offal management. Evaluation of the effectiveness of the improved mitigation, together with acquiring better estimates of seabird by-catch levels and rates, would require a more extensive and detailed program of data collection by observers.

177. In this context, the Working Group noted that the 26th Session of COFI (March 2005) had expressed strong support for a proposal by Japan that, with FAO technical cooperation, Japan and possibly other sponsors convene a joint meeting of the secretariats of the tuna RFMOs and their members. It had been agreed that the meeting should be held in January or February 2007 in Japan.

178. The Working Group noted that the provisional agenda for the meeting includes reviewing incidental catch-related measures and could be a valuable opportunity to explore implementation of consistent best-practice provisions for collection, analysis and dissemination of by-catch data, together with improved implementation of mitigation measures appropriate to the areas, times and target species involved. Members of CCAMLR, especially those also members of the participating RFMOs, were requested to support a thorough review of by-catch-related initiatives and requirements at this meeting. The Working Group also noted that it would be a valuable opportunity to promote knowledge of CCAMLR's work and concerns in this field.

179. Overall, the Working Group recognised that there had been a considerably enhanced level of interaction with tuna commissions during the last year and thanked all involved, especially Members of CCAMLR and NGOs for their role and assistance in achieving some progress in furthering the goals of CCAMLR. The importance of moving rapidly to interactive involvement in the collection of appropriate data and the application of appropriate mitigation throughout all relevant fleets was re-emphasised.