

## Minimum Performance Requirements for Ecologically Related Species

### 1. Introduction

This document sets out minimum performance requirements for Members and Cooperating Non Members (CNMs) of the Commission to meet their obligations in relation to ecologically related species (ERS). All obligations are assumed to apply to both Members and CNMs. Unless otherwise stated, all references to “Members” include CNMs and all references to the “Commission” include the Extended Commission.

The CCSBT currently has a binding resolution requiring the mandatory use of tori poles in all longline SBT fisheries below 30 degrees south. CCSBT does not have a broader binding resolution aimed specifically at minimising the impacts of southern bluefin fishing on ERS. However, the *Recommendation to Mitigate the Impact on Ecologically Related Species of Fishing for Southern Bluefin Tuna*<sup>1</sup> recommends compliance by CCMs with the ERS measures of the International Commission for the Conservation of Atlantic Tunas (ICCAT), Indian Ocean Tuna Commission (IOTC) and Western and Central Pacific Fisheries Commission (WCPFC) when fishing for southern bluefin tuna within the convention areas of those commissions.

The ERS working group has also made recommendations in relation to best practice mitigation in high risk areas which were adopted at CCSBT19.

The minimum performance requirements presented here represent a compilation of these requirements.

This is a non-binding document. The original resolution, decision or recommendation should be consulted for an authoritative specification of the obligation. The original recommendation, resolution or decision prevails over these guidelines.

### 2. Purpose

The purpose of these guidelines is to provide Members with a comprehensive list of ERS related measures that are applicable to southern bluefin fisheries and an agreed understanding of how these obligations are to be met in a CCSBT context. They also aim to provide guidance as to how Members are to achieve best practice mitigation in areas deemed to be at higher risk of interactions.

Members are required to develop, document and implement rules, operating systems, and processes which demonstrate that the existing ERS obligations in these guidelines have been met. Reporting against these measures will be done, in the first instance, in the Member reporting presented as part of the ERS working group or in the ESC Member reports in years where the ERS working group is not convened.

### 3. Policy Statement

Members are expected to meet, or exceed, the minimum performance and reporting requirement set out in Appendix 1 of these guidelines as soon as possible.

All rules, operating systems, and processes must be implemented.

All documentation must:

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<sup>1</sup> Attachment 17 of CCSBT18 (2011)

- Specify how the obligations are being met
- Specify any sanctions for any breaches identified
- Assign responsibility to a competent authority or authorities for implementing all aspects of the operating systems and processes.
- Include criteria and procedures to assess the effectiveness of the rules, systems and processes in place in ensuring that obligations are being met.

Annual performance reports must:

- Set out how minimum performance requirements are met and monitored
- Evaluate the effectiveness of the rules, operating systems and procedures in meeting obligation and performance requirements
- Disclose any risks or deficiencies in the rules, operating systems or procedures.

Individual Members may propose variations to the minimum performance requirements for particular obligations. Variations must demonstrate that they are at least as rigorous as the minimum performance requirements in Appendix 1. Proposed variations must be submitted to the Commission for approval. Approved variations will be appended to this document and form part of these guidelines.

#### 4. Implementation

Once adopted by the Commission, these guidelines will be applied immediately and reporting to begin at the next meeting of the ERS working group.

#### 5. Roles and responsibilities

Who	Responsibility
Commission	<ul style="list-style-type: none"> <li>• Approve policy/guideline</li> <li>• Approve performance requirements</li> </ul>
ERS Working Group	<ul style="list-style-type: none"> <li>• Recommend performance requirements (updates to Appendix 1)</li> <li>• Review annual member reports</li> <li>• Review and recommend changes to these guidelines</li> <li>• Define areas of high risk where recommended best practices should be applied</li> </ul>
Extended Scientific Committee	<ul style="list-style-type: none"> <li>• Review annual member reports in years where ERS working group is not convened</li> </ul>
Members	<ul style="list-style-type: none"> <li>• Develop and implement rules, operating systems and processes</li> <li>• Report on progress and effectiveness</li> </ul>
Secretariat	<ul style="list-style-type: none"> <li>• Amend reporting templates as required</li> </ul>

#### 6. Review

These guidelines will be reviewed as a standing agenda item of the ERS working group to ensure that the minimum performance requirements relate to the most current obligations.

## **Appendix 1**

### **Measures Relating to Ecologically Related Species**

#### **Seabird Mitigation Measures in Longline Fisheries (Decision & Recommendations)**

**Title:** There is no official title for this measure as this is not a “single measure”, but instead is a collection consisting of a decision at CCSBT 4, a request at CCSBT 5 and a series of recommendations at CCSBT 3.

**Links:** Details of the requirement to use Tori poles are at Agenda Item 10.2 and Attachment U of the CCSBT 4 (part 1) report.

[http://www.ccsbt.org/userfiles/file/docs\\_english/meetings/meeting\\_reports/ccsbt\\_04/report\\_of\\_ccsbt4\\_part1.pdf](http://www.ccsbt.org/userfiles/file/docs_english/meetings/meeting_reports/ccsbt_04/report_of_ccsbt4_part1.pdf)

Details relating to the guidelines for design and deployment of tori lines are at Agenda Item 10.2 and Attachments 29 & 30 of the CCSBT 5 (part 1) report: [http://www.ccsbt.org/userfiles/file/docs\\_english/meetings/meeting\\_reports/ccsbt\\_05/report\\_of\\_ccsbt5\\_part1.pdf](http://www.ccsbt.org/userfiles/file/docs_english/meetings/meeting_reports/ccsbt_05/report_of_ccsbt5_part1.pdf)

Details of the other obligations below (obligations iii and iv) are at Agenda Item 5 and Attachment E of the CCSBT 3 (part 2) report.

[http://www.ccsbt.org/userfiles/file/docs\\_english/meetings/meeting\\_reports/ccsbt\\_03/report\\_of\\_ccsbt3\\_part2.pdf](http://www.ccsbt.org/userfiles/file/docs_english/meetings/meeting_reports/ccsbt_03/report_of_ccsbt3_part2.pdf)

**Title:** Recommendation to Mitigate the Impact on Ecologically Related Species of Fishing for Southern Bluefin Tuna.

**Link:** [http://www.ccsbt.org/userfiles/file/docs\\_english/operational\\_resolutions/Recommendation\\_ERS.pdf](http://www.ccsbt.org/userfiles/file/docs_english/operational_resolutions/Recommendation_ERS.pdf)

**Title:** Report of the Ninth Meeting of the Ecologically Related Species Working Group (adopted at CCSBT19)

**Link:** [http://www.ccsbt.org/userfiles/file/report\\_of\\_ERSWG9.pdf](http://www.ccsbt.org/userfiles/file/report_of_ERSWG9.pdf)

**Notes:** Members are not bound by a CCSBT resolution in the case of the Recommendations, but Members are expected to comply with them.

1.1 Seabird Mitigation Measures in Longline Fisheries	
Obligations	Minimum performance requirements
<p>i. Mandatory use of Tori poles is required by all Members in all longline SBT fisheries below 30° south.</p>	<p>1. Operating systems and processes to:</p> <ul style="list-style-type: none"> <li>a. ensure tori poles are used in all longline SBT fisheries below 30° south;</li> <li>b. encourage design and deployment of tori poles to be consistent with the guidelines in Attachment 30 of the CCSBT 5 (part 1) report, or any revised or amended guidelines.</li> </ul>
<p>ii. Members are requested to use the guidelines for the design and deployment of tori poles for tuna longline fisheries as specified in Attachment 30 of the CCSBT 5 (part 1) report.</p>	
<p>iii. Members shall:</p> <ul style="list-style-type: none"> <li>o Exchange information concerning new or refined techniques to reduce incidental catch of seabirds and cooperate in developing and assessing the effectiveness of such techniques, including those with the objective of preventing the approach of seabirds to fishing vessels or restraining the feeding activities of seabirds. In introducing a technique, a Member will consider its effectiveness in reducing the incidental catch of ERS, and the costs and benefits, including possible impacts on harvesting of tuna</li> <li>o Continue to assess the effectiveness of the measures described in the points above.</li> <li>o Promote, among the fishers concerned, understanding about the incidental capture of seabirds and measures which can be implemented to reduce seabird capture in longline operations.</li> </ul>	

<p>iv. Members should:</p> <ul style="list-style-type: none"> <li>○ Continue existing information collection on the nature and extent of ERS captures in southern bluefin tuna fishing operations.</li> <li>○ Collect data concerning the incidental catch of seabirds and information concerning the state and trend of the seabird population subjected to incidental catch in cooperation with appropriate international organisations, other States and entities concerned.</li> <li>○ Promote the use of appropriately designed and deployed tori lines in SBT longline fishing operations.</li> <li>○ Take the following measures, as appropriate, in longline fisheries while taking southern bluefin tuna: <ul style="list-style-type: none"> <li>▪ avoid the dumping of offal as far as possible while longlines are being set or hauled; and</li> <li>▪ use thawed baits.</li> </ul> </li> <li>○ Make every effort to ensure that birds captured alive during longlining are released alive and that wherever possible hooks are removed without jeopardising the life of the bird concerned.</li> </ul>	<p>1. Encourage adoption of methods and tools to mitigate incidental catch of seabirds, including:</p> <ul style="list-style-type: none"> <li>a. collecting information on incidental catch of seabird;</li> <li>b. collecting information on mitigation use and effectiveness;</li> <li>c. using best practice mitigation such as offal management and the use of thawed baits;</li> <li>d. using handling methods that increase the likelihood of survival, and;</li> <li>e. developing, trialling and implementing improved measures to reduce incidental seabird catch and mortality.</li> </ul>
<p>v. Members will, to the extent possible, implement the International Plan of Action for Reducing Incidental Catches of Seabirds in Longline Fisheries (IPOA-Seabirds), the International Plan of Action for the Conservation and Management of Sharks (IPOA-Sharks), and the FAO Guidelines to reduce sea turtle mortality in fishing operations (FAO-Sea turtles), if they have not already done so.</p>	<p>1. Operating systems and processes established to:</p> <ul style="list-style-type: none"> <li>a. comply with measures to protect ecologically related species (including seabirds, sea turtles and sharks) set by the IOTC, the WCPFC or the ICCAT when fishing in their Convention areas;</li> </ul>

<p>vi. Members will comply with all current binding and recommendatory measures aimed at the protection of ecologically related species, including seabirds, sea turtles and sharks, from fishing, which are adopted from time to time:</p> <ul style="list-style-type: none"> <li>o by the Indian Ocean Tuna Commission, when fishing in its Convention area,</li> <li>o by the Western and Central Pacific Fisheries Commission, when fishing in its Convention area, and</li> <li>o by the International Commission for the Conservation of Atlantic Tunas, when fishing in its Convention area</li> </ul> <p>irrespective of whether the Member concerned is a member of the relevant Commission or otherwise cooperates with it.</p>	<p>b. comply with data requirements adopted by the IOTC, WCPFC or ICCAT for incidental catch while fishing in their Convention areas; and</p> <p>c. report data to:</p> <ul style="list-style-type: none"> <li>i. Extended Commission and Ecologically Related Species Working Group and</li> <li>ii. IOTC, WCPFC or ICCAT where SBT fishing occurs in their Convention areas.</li> </ul>
<p>vii. Members will collect and report data on ecologically related species to the Extended Commission and/or its subsidiary bodies as appropriate, including the Ecologically Related Species Working Group. Further, the undertaking described in paragraph “ii.” will include a commitment to comply with measures adopted by the Indian Ocean Tuna Commission, the Western and Central Pacific Fisheries Commission and the Commission for the Conservation of Atlantic Tunas on the collection and reporting of data in relation to ecologically related species.</p>	
<p>viii. The ERSWG agreed that the current scientific advice on what constitutes best practice mitigation measures is to use all three mitigation measures, namely line weighting, night setting (i.e. setting after nautical twilight and before nautical dawn) and bird streamer lines.</p>	<ol style="list-style-type: none"> <li>1. Operating systems and processes established to ensure that bird streamers, night setting and line weighting are used in high risk areas.</li> <li>2. Encourage the development of methods and tools aimed at enhancing the safety and practicality of mitigation measures.</li> </ol>
<p>ix. The ERSWG agreed that, currently, no single mitigation measure can reliably prevent the incidental mortality of seabirds in pelagic longline fisheries. The ERSWG recognised that all three measures (bird streamer lines, night setting and line weighting) should be applied in high risk areas, to reduce the incidental mortality of seabirds to the lowest possible levels. The ERSWG recognised that other factors such as safety, practicality and the characteristics of the fishery should also be recognised.</p>	