

Draft Resolution to Mitigate the Impact on Seabirds of Fishing for Southern Bluefin Tuna

The Extended Commission for the Conservation of Southern Bluefin Tuna,

Concerned that some seabird species, notably albatrosses and petrels, are threatened with extinction,

Mindful of the need to achieve reductions in levels of seabird bycatch across all fishing areas and seasons through the use of effective mitigation measures,

Mindful that fishing for southern bluefin tuna can also cause incidental harm to other ecologically related species such as marine turtles and sharks,

Determined to mitigate incidental harm to ecologically related species caused by fishing for southern bluefin tuna,

Recalling the definition of ecologically related species in Article 2 of the *Convention for the Conservation of Southern Bluefin Tuna* ('the Convention'),

Further recalling the requirement in Article 8(1) of the Convention that the Commission for the Conservation of Southern Bluefin Tuna ('the Commission') shall collect information and data on ecologically related species,

Taking into account the United Nations Food and Agriculture Organization (FAO) International Plan of Action for Reducing Incidental Catch of Seabirds in Longline Fisheries,

Affirming the importance of harmonising conservation and management measures with other organisations responsible for managing international fisheries, and noting that this is consistent with the course of actions jointly committed to at the Joint Meeting of Tuna Regional Fisheries Management Organisations, held in Kobe, Japan on 26 January 2007,

Reaffirming its support for the recommendation of the seventh meeting of the Commission's Ecologically Related Species Working Group (ERSWG) held in Tokyo from 3 to 6 July 2007, that Members and Cooperating Non-Members (CNMs) will provide national reports on their interactions with ecologically related species in southern bluefin fisheries to the ERSWG,

In accordance with paragraph 3(b) of Article 8 of the Convention, adopts the following resolution:

1. This Resolution shall apply to all vessels on the 'CCSBT Record of fishing vessels authorised to fish for southern bluefin tuna'.
2. Nothing in this Resolution shall affect the rights of Members and Cooperating Non-Members (CNMs) to apply additional or more stringent compatible measures to their flagged vessels.
3. Where a vessel fails to comply with the obligations contained in this Resolution, flag State Members and CNMs shall ensure that effective action is taken in response to the activities in question.
4. Members and CNMs are encouraged to adopt mitigation measures aimed at ensuring that seabirds captured alive during fishing operations are released alive and in as good condition as possible.
5. Members and CNMs shall ensure that all longline vessels fishing for southern bluefin tuna in the area south of 25 degrees South latitude use at least two of the three mitigation measures in **Table 1**. These measures should also be considered for implementation in other areas, as appropriate and consistent with scientific advice.
6. Mitigation measures used pursuant to paragraph 5 shall conform to the specifications for those measures, as shown in **Table 1**.

7. The design and deployment for bird-scaring lines should also meet the additional specifications provided in **Annex 1**.

Table 1. Seabird mitigation measures		
Mitigation measure	Description	Specifications
Night setting with minimum deck lighting	No setting between nautical dawn and before nautical dusk. Deck lighting to be kept to a minimum.	Nautical dusk and nautical dawn are defined as set out in the Nautical Almanac tables for relevant latitude, local time and date. Minimum deck lighting should not breach minimum standards for safety and navigation.
Bird-scaring lines (Tori lines)	Bird-scaring lines shall be deployed during the entire longline setting to deter birds from approaching the branch line.	<p>For vessels greater than or equal to 35 metres in length:</p> <ul style="list-style-type: none"> • Deploy at least 1 bird-scaring line. Where practical, vessels are encouraged to use a second tori line at times of high bird abundance or activity; both tori lines should be deployed simultaneously, one on each side of the line being set. • Aerial extent of bird-scaring lines must be greater than or equal to 100 metres. • Long streamers of sufficient length to reach the sea surface in calm conditions must be used. • Long streamers must be placed at intervals of no more than 5 metres. <p>For vessels less than 35 metres in length:</p> <ul style="list-style-type: none"> • Deploy at least 1 bird-scaring line. • Aerial extent must be greater than or equal to 75 metres. • Long and/or short (but greater than 1 metre in length) streamers must be used and placed at intervals as follows: <ul style="list-style-type: none"> – Short: intervals of no more than 2 metres. – Long: intervals of no more than 5 metres for the first 55 metres of bird scaring line. • Additional design and deployment guidelines for bird-scaring lines are provided in Annex 1 of this Resolution.

Line weighting	Line weights to be deployed on the snood prior to setting.	Greater than or equal to a total of 40 grams attached within 50 centimetres of the hook; or Greater than or equal to a total of 45 grams attached to within 1 metre of the hook; or Greater than or equal to a total of 60 grams attached to within 3.5 metres of the hook; or Greater than or equal to a total of 98 grams attached to within 4 metres of the hook.
----------------	--	---

Data collection and reporting

8. Members and CNMs shall collect and provide data on seabirds in accordance with the requirements of the ERSWG Data Exchange adopted at the Nineteenth Annual Meeting of the Commission.
9. In their annual report to the ERSWG, Members and CNMs shall collect and provide the data on seabirds specified in the template for the Annual Report to the Ecologically Related Species Working Group.
10. In their annual report to the Compliance Committee and Extended Commission, Members and CNMs shall report on their implementation of, and compliance with, the obligations contained within this Resolution. Where a vessel fails to comply with the obligations contained in this Resolution, the flag State Member or CNM shall also report on the actions taken pursuant to paragraph 3 of this Resolution.
11. Members and CNMs are encouraged to collect data and report to the ERSWG on successful mitigation measures and other impacts on seabirds while fishing for southern bluefin tuna.
12. Where appropriate, the Secretariat of the Extended Commission is authorised to exchange relevant data concerning seabirds with the Secretariat of the Indian Ocean Tuna Commission, the Secretariat of the Western and Central Pacific Fisheries Commission, the Secretariat of the International Commission for the Conservation of Atlantic Tunas, the Secretariat of the Inter-American Tropical Tuna Commission, the Secretariat of the Commission for the Conservation of Antarctic Marine Living Resources and the Secretariat of the Agreement on the Conservation of Albatrosses and Petrels. Where necessary and in accordance with Article 12 of the Convention, the Secretariat of the Extended Commission is authorised to investigate the possibility of entering into arrangements with these organisations to achieve this end.
13. The Extended Commission requests the Scientific Committee, or relevant subsidiary bodies including the ESRWG, to review the available information, including information reported by Members and CNMs pursuant to this Resolution and, as necessary, provide recommendations to the Extended Commission and relevant subsidiary bodies on ways to strengthen efforts to reduce interactions with seabirds by vessels on the 'CCSBT Record of fishing vessels authorised to fish for southern bluefin tuna'.
14. The Extended Commission may review the operation of this Resolution taking into account, *inter alia*, advice and recommendations from subsidiary bodies including the Scientific Committee, the Compliance Committee and the ERSWG, with a view to enhancing the protection of seabirds from the impacts of fishing for southern bluefin tuna.
15. This Resolution shall enter into force on [day month year].

Supplemental Guidelines for Design and Deployment of Tori Lines

Preamble

Minimum technical standards for deployment of tori lines are found in **Table 1** of this Resolution and are not repeated here. These supplemental guidelines are designed to assist in the preparation and implementation of tori line regulations for longline vessels. While these guidelines are relatively explicit, improvement in tori line effectiveness through experimentation is encouraged, within the requirements of **Table 1** of this Resolution. These guidelines take into account environmental and operational variables such as weather conditions, setting speed and ship size, all of which influence tori line performance and design in protecting baits from birds. Tori line design and use may change to take account of these variables provided that line performance is not compromised. On-going improvement in tori line design is envisaged and consequently review of these guidelines should be undertaken in the future.

Tori line design (see **Figure 1**)

1. An appropriate towed device on the section of the tori line in the water can improve the aerial extension.
2. The above water section of the line should be sufficiently light that its movement is unpredictable to avoid habituation by birds and sufficiently heavy to avoid deflection of the line by wind.
3. The line is best attached to the vessel with a robust barrel swivel to reduce tangling of the line.
4. The streamers should be made of material that is conspicuous and produces an unpredictable lively action (e.g. strong fine line sheathed in red polyurethane tubing) suspended from a robust three-way swivel (that again reduces tangles) attached to the tori line.
5. Each streamer should consist of two or more strands.
6. Each streamer pair should be detachable by means of a clip so that line stowage is more efficient.

Deployment of tori lines

1. The line should be suspended from a pole affixed to the vessel. The tori pole should be set as high as possible so that the line protects bait a good distance astern of the vessel and will not tangle with fishing gear. Greater pole height provides greater bait protection. For example, a height of around 7 m above the water line can give about 100 m of bait protection.
2. If vessels use only one tori line it should be set to windward of sinking baits. If baited hooks are set outboard of the wake, the streamer line attachment point to the vessel should be positioned several meters outboard of the side of the vessel that baits are deployed. If vessels use two tori lines, baited hooks should be deployed within the area bounded by the two tori lines.
3. Deployment of multiple tori lines is encouraged to provide even greater protection of baits from birds.
4. Because there is the potential for line breakage and tangling, spare tori lines should be carried onboard to replace damaged lines and to ensure fishing operations can continue uninterrupted. Breakaways can be incorporated into the tori line to minimize safety and

operational problems should a longline float foul or tangle with the in-water extent of a streamer line.

5. When fishers use a bait casting machine (BCM), they must ensure coordination of tori line and machine by: i) ensuring the BCM throws directly under the tori line protection, and ii) when using a BCM (or multiple BCMs) that allows throwing to both port and starboard, two tori lines should be used.
6. When casting branchline by hand, fishers should ensure that the baited hooks and coiled branchline sections are cast under the tori line protection, avoiding the propeller turbulence which may slow the sink rate.
7. Fishers are encouraged to install manual, electric or hydraulic winches to improve ease of deployment and retrieval of tori lines.

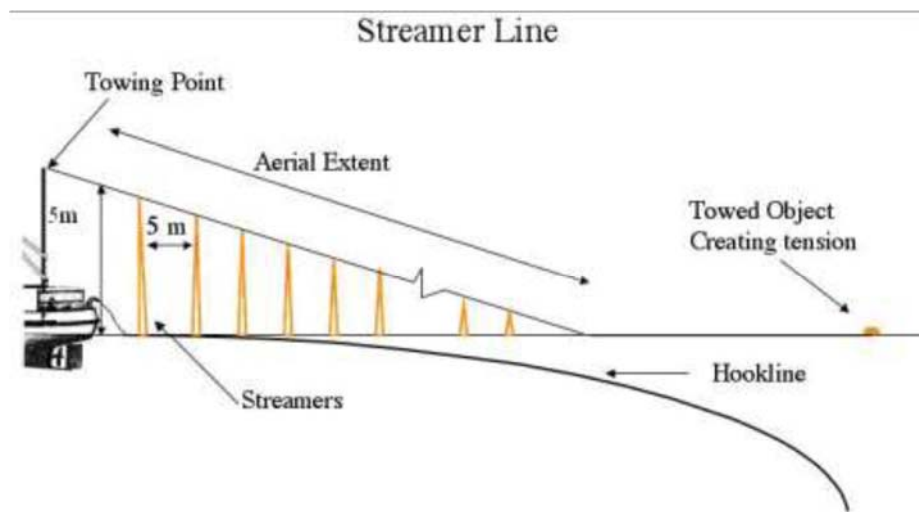


Figure 1. Diagram of Bird Scaring Streamer Line