

出國報告(出國類別：其他)

出席「信天翁與水薙鳥保育協定第七屆會員大會會議」視訊報告

服務機關：海洋委員會海洋保育署
姓名職稱：黃向文署長、郭庭羽科長、
許明雄專員、范怡均科員
派赴國家/地區：台灣，中華民國
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摘要

信天翁與水糶鳥保育協定（ACAP）第七次會員大會（MoP7）於 2022 年 5 月 9-13 日由澳洲主辦，以視訊方式舉行，與會者包含阿根廷、澳洲、巴西、智利、厄瓜多、法國、紐西蘭、挪威、秘魯、南非、西班牙、英國等會員國，我國以亞太經濟合作(APEC)經濟實體之觀察員身份出席。會議主要討論 2023-2025 之工作計畫、預算及各會員國會費、優先保育行動，並回顧過去協定執行成效。秘書處及諮詢委員會(AC)之未來三年工作計畫包含更新優先保育物種名錄，另仍以漁業相關保育行動為主，包含積極與區域性漁業組織（RFMOs）互動、處理混獲資料並進行混獲估計等。考量 COVID-19 疫情造成的經濟影響，本次決議未來三年之預算及各會員國會費將不因考量通膨而增加，但仍鼓勵各會員國自願性捐獻。

Abstract

The 7th Meeting of Parties (MoP7) of the Agreement on the Conservation of Albatrosses and Petrels was held online over 9-13 May, 2022, with Australia acting as host and Meeting Chair. Parties participated including Argentina, Australia, Brazil, Chile, Ecuador, France, New Zealand, Norway, Peru, South Africa, Spain, and United Kingdom. We participated in the meeting as an APEC economy, acting as an observer. In the meeting, the discussion focused on the workplan of 2023-2025, budget and contribution, priority conservation actions, as well as reviewing the effectiveness of the Agreement. The workplan of the Secretariat and the Advisory Committee include: update the Species on Annex 1, and fisheries-related conservation actions, including participating in the Regional Fisheries Management Organizations, analyzing bycatch data and conducting bycatch estimates. Considering the impacts of COVID-19 on economics, the budget of 2023-25 and contributions will not increase with annual inflation applied. However, it is still encouraging each Party to voluntarily contribute.

壹、目的

信天翁與水薙鳥保育協定(Agreement on the Conservation of Albatrosses and Petrels, ACAP)為聯合國環境規劃署(United Nations Environment Programme, UNEP)支持「野生動物遷徙物種保育公約」(Convention on the Conservation of Migratory Species of Wild Animals, CMS)下之協定,旨在促進信天翁及水薙鳥之保育。信天翁及水薙鳥皆為管鼻目(Procellariiformes)之鳥類,由於其生活史特性及分佈廣泛,易受棲地破壞及漁業的干擾,目前 22 種信天翁中,有 15 種被認為有瀕危之危機,而水薙鳥中,有一半以上的物種生存亦受威脅。其中,延繩釣漁業的混獲被認為是信天翁與水薙鳥的最大威脅。

目前 ACAP 有 13 個會員國,我國於 2019 年以亞太經濟合作(Asia-Pacific Economic Cooperation, APEC)經濟實體的身份,成為觀察員,參加第 11 屆諮詢委員會(Advisory Committee 11, AC11),並持續以觀察員身份,參與 2021 年第 12 屆諮詢委員會(Advisory Committee 12, AC12)(視訊會議)。此次第 7 屆會員大會(Seventh Session of the Meeting of the Parties, MoP7)為我國成為觀察員後首次會員大會,由於 COVID-19 疫情改為線上舉行,會議內容包括討論秘書處、諮詢委員會、各工作小組過去三年之工作成效、未來工作計畫、預算及其它相關事務。本次會議舉行時間為 2022 年 5 月 9-13 日(12 日休會),由海洋保育署黃向文署長領隊、外交部陳言楷科長、周黎薇科員、國立台灣海洋大學郭庭君助理教授、海洋保育署郭庭羽科長、許明雄專員、范怡君科員等共 7 人參與。

貳、過程

海洋保育署 2022 年 4 月 12 日邀請外交部及行政院農業委員會漁業署等機關，以及南華大學葉裕民副教授與國立台灣海洋大學郭庭君助理教授 2 位學者召開籌備會議，決議比照正式國際會議，組代表團出席 MoP7 會議，並於 4 月 14 日向 ACAP 秘書處報名參加本屆會議，經該處 4 月 15 日電郵回復完成報名。

ACAP 於會議前將 MoP7 相關會議報告 (Meeting Documents) 及資訊報告 (Information Papers) 公布於 ACAP 官網(<https://www.acap.aq/>)，供與會者下載，計有會議報告 17 件、資訊報告 3 件，共 20 件相關資料。

為使代表團人員出席 ACAP MoP7 會議前，得以充分掌握會議各項議程涉及我國之相關議題，以利與其他國家代表交流與經驗分享，海保署於 5 月 4 日召開工作會議，與外交部、漁業署及與會學者研商各項議程所需相關資訊。

以下係各日會議討論紀錄

一、111 年 5 月 9 日

副主席 Michael Double 歡迎大家參與這次會員大會(MoP7)，接著由澳洲塔斯馬尼亞總督 Barbara Baker 開場。澳洲提名 Gaia Puleston 作為主席。接著由各國代表自我介紹，本次參與之會員國包括阿根廷、澳洲、巴西、智利、厄瓜多、法國、紐西蘭、挪威、秘魯、南非、西班牙及英國，烏拉圭未出席，觀察員包含加拿大、美國、納米比亞、我國、美洲保護海龜公約(IAC)、國際鳥盟(BLI)及 Projeto Albatroz。

我國海保署黃向文署長發言：感謝澳洲主辦這次會議，並恭喜主席任用。我們很榮幸能參與這次會議。台灣有許多海洋的議題需要努力，因此我們的漁船有配置海上觀察員收集海鳥混獲資訊，並使用海鳥忌避措施。亦有國家海鳥保育行動計畫。非常期待這次的參與，希望與大家共同交流，獲取更多海鳥保育相關資訊。

主席：本次會議的目標，包含確認 2023-2025 年計畫之預算、2023-2025 年計畫之會員國會費、諮詢委員會 2023-2025 年計畫內容、秘書處 2023-2025 年計畫之內容、秘書處外部審計任用及決定是否任命新的秘書長等。

議程 2.2 修正通訊投票機制：通訊投票機制原由秘書處於 7 天內將提案翻譯，傳送給各會員國，請各國於 45 天內發表意見。澳洲及英國提案，因應現在電子通訊技術發達，為加快決策速度，希望由原規定 45 天縮短為 21 天。法國提議為 30 天，巴西、厄瓜多、阿根廷及智利表示支持。

議程 2.3 全權證書委員會設立：英國、厄瓜多、澳洲自願擔任委員。有十國已繳交全權證書，一國格式有問題，一國尚未繳交。由於會議需在所有會員之全權證書皆繳交後才可召開，**全權證書**委員會決議，格式有誤的會員國需於會議結束 28 日內補件，未繳交全權證書之會員國需於會議結束前，提供書面證明確定出席者代表該國，並於會議結束後 28 日內補件。

議程 3.2 協定保管方匯報：澳洲表示協定目前無異動。

議程 7.8 財務匯報：秘書處提議塔斯馬尼亞政府繼續擔任外部審計，與會者無異議；提醒多年未繳會費的國家，可能會失去投票權。

議程 7.9 2023-2025 預算：預算討論時，因通膨是否要納入考量而意見分歧，澳洲提議要納入通膨，紐西蘭也同意考量通膨以利計畫執行，英國支持紐澳意見。法國表示近年因應疫情召開線上會議已減少許多開支，而增加許多備用款，建議近三年期預算不應考慮通膨，秘魯表示支持，巴西、西班牙因經濟因素不佳也支持法國提議。秘書處說明目前備用款比起類似規模的非政府組織（NGOs）並不算多，主席決議會後組成專案小組，進行會外討論，列出兩種情境下的預算分配。

議程 7.10 各國會費：由於涉及預算是否要考慮通膨，故決定在前述專案小組會外會議時一併討論。

二、111 年 5 月 10 日

議程 4.1 秘書處報告、議程 4.2 秘書處工作計畫：本日會議討論秘書處報告及秘書處三年期計畫。法國詢問秘書處的工作計畫中，如何提供混獲工作小組協助，以及旅費的運用，秘書處回應將依據 ACAP 參與 RFMO 之策略，派人或協助諮詢委員會成員參與相關 RFMO 會議；若是秘書處出席，則該筆預算編列在秘書

處的工作計畫內。澳洲補充，混獲工作小組主席 Igor Debski 先前曾針對南印度洋漁業協定準備一份文件，包含現行海鳥保育與混獲管理相關措施及未來可改進部份，供南印度洋漁業協定會員參考，與會成員接受本報告及工作計畫。

議程 4.3 職員規範審視：進行職員規範之修正，由於現行的績效評估委員會要求成員需橫跨三個區域，澳洲呼籲應該遵守性別多樣性，關於績效評估委員會成員，英國提名 Mark Tasker、阿根廷提名 Marco Favero。

議程 4.5 執行秘書職務：與會會員國均同意依工作人員組織章程，延長現任執行秘書 Christine Bogle 女士之任期(至 2022 年 11 月止)，自 2022 年 12 月起再延長合約 2 年半。

議程 7.2 將物種列入或除名至附錄一(優先保育物種名錄)的準則：更新用來決定保育層級的物種分類列表，因為去(2021)年海鳥混獲工作小組(Seabird Bycatch Working Group, SBWG)、族群及保育狀態工作小組(Population and Conservation Status Working Group, PaCSWG)聯合會議因疫情未舉行，故更新優先保育物種名錄的進度尚未完成，秘書處表示，若希望提名新的物種列入附錄，下一次諮詢委員會是好時機，厄瓜多表示可能會提列一個物種，目前正在商討中。

議程 6.1 諮詢委員會報告：由 MoP 副主席 Michael Double(新任 AC 主席)簡報 2019-2022 四年期工作進展，主要內容包含

- 1、工作計畫，包含 4 個主題，分別為 ACAP 專家建議之製定和審查、專家建議之溝通和宣傳、協定成功指標以及協定之實施。
- 2、持續開發 ACAP 資料庫以促進諮詢委員會及其工作小組。
- 3、持續審查 ACAP 物種的種群趨勢。
- 4、確認 ACAP 物種追蹤和繁殖地點監測數據的差距。
- 5、審查和更新 ACAP 物種評估。
- 6、促使區域漁業管理組織(Regional Fisheries Management Organizations, RFMOs)參與，並協助制定和實施與 ACAP 物種相關的保護措施。
- 7、與 RFMOs 發展 ACAP 最佳實踐建議海鳥保護措施。
- 8、持續審查表層、底延繩釣和拖網漁業減少混獲最佳做法建議。
- 9、更新遠洋延繩釣作業中起鉤時提高安全性的建議。
- 10、以工具箱法(toolbox approach)為小規模漁業及圍網制定減少混獲建議。審查國際鳥盟-ACAP 忌避措施，以多種語言幫助漁業管理者減少延繩釣和拖

網漁業混獲。

- 11、為觀察員計畫制定數據收集和電子監測指南，提高各漁業對 ACAP 物種影響的了解。
- 12、完成 ACAP 海鳥繁殖地的生物安全、族群監測、外來種移除和移地復育、海鳥糞便中 DNA、食性分析採樣，以及除鈎和海鳥混獲物種辨別指南。
- 13、制定 ACAP 物種採樣指南，以評估塑料攝入（大量塑料和微塑料）以及化學污染物。
- 14、支持澳洲制定野生動物光害指南中增加海龜、海鳥和遷徙水鳥。

針對議程 6.1 各與會國家相關回應如下

- 1、阿根廷表示該國和烏拉圭自 2019 年起合作降低漁業混獲，希望能在下一次諮詢委員會議發表該行動計畫。
- 2、紐西蘭同意 AC11 提出之遵循和監測的重要性，認為缺乏漁業資料會阻礙瞭解保育海鳥的進度，故紐西蘭支持於 SBWG11 前開啟討論此議題，並發展回報工具和指引的工作坊，紐西蘭和（Southern Seabirds）慈善基金會正在發展一項讓供應鏈廠商用以審核其產品供應時是否考慮忌避、監測和遵循的工具集，這個工作將於 AC13 發表，近期紐西蘭嘗試使用社會科學的工具，瞭解忌避措施的使用以及進行經濟分析，後續可用於 ACAP 相關工作。
- 3、紐西蘭、智利、澳洲近期也將安島信天翁列入 CMS，並針對其為 ACAP 優先物種提交重點行動計畫。
- 4、智利表示將在 AC13 發表更新的海鳥國家行動計畫，包含針對拖網的忌避措施，及於所有商業漁船加裝攝影機並觀測混獲情形等。
- 5、法國支持世界信天翁日有更多活動。

議程 6.1.1 RFMO 參與策略：澳洲認為這是此協定重要的元素，於下一個三年期將放更多的重心於此。然而目前經費規劃很難擴張此項行動，需於 MoP7 討論。阿根廷則提醒，南極海洋生物資源保育委員會(Commission for the Conservation of Antarctic Marine Living Resources, CCAMLR)是否定義為 RFMO 有爭議，希望修正。

議程 6.2 諮詢委員會 2023-2025 工作計畫：秘書處強調啟動處理混獲資料狀況的工作坊的重要。法國詢問：1.報告中多次強調信天翁的保育危機，AC 在後續的工作計畫針對此問題的作為？ 2.希望可以獲得 ACAP 如何與 RFMO 互動的更

多細節。另外法國將派員參加 SBWG。3.計畫保留款應用於支持更多相關的保育計畫。紐西蘭回應法國第一個問題，關於處理保育危機的行動中，由於漁業是非常重要的威脅，工作計畫中很多項目都在處理漁業混獲問題，其中關於市場認證機制，在上一次的三年期計畫有一些進展，未來若有經費，可能會持續朝這方向努力。另外強調出席 RFMO 會議之重要，提到若有會員國本來就會參加某些 RFMO 會議，可能可以合作以降低旅費。智利表達支持持續參與 RFMO。副主席感謝法國願意參加 SBWG，也很歡迎參加 PaCSWG。關於處理保育危機方面，目前很多項目都在處理此一議題；而關於參與 RFMO 的深度和廣度，因與預算有關，希望持續收集會員的意見。

澳洲提議應於 AC 工作計畫中，增加瞭解離岸風機（浮動或基樁式）對信天翁和水薙鳥（特別針對南半球物種）影響之項目。針對此一提議，阿根廷表示，考慮前一日討論的經費問題，建議到 2025 年以前維持最低工作項目。

紐西蘭和挪威支持澳洲，然而紐西蘭表示應先討論應該是屬於哪個工作小組 (SBWG 或 PaCSWG) 的工作項目，因為 SBWG 的工作已非常多，建議放到議程 5，主席表示，因為此項目尚無共識，澳洲將提供修改建議，請各國考慮後於次日再討論。

三、111 年 5 月 11 日

議程 7.4 確認保育措施之優先行動：更新十年前的保育行動優先順序，並考慮增加物種，2023-2025 年之目標是能讓目前高度滅絕風險的物種族群能降低威脅。海域威脅為漁業混獲(主要是區域管理組織漁業)，陸域威脅為棲息地喪失或外來物種（嚙齒動物和貓）捕食的威脅。此處優先順序之決定，主要依據會員繳交的資料，故強調會員繳交資料的重要性。另外強調非會員國—美國，亦定期地提交其漁業的混獲資訊給予 ACAP，故能協助其做出保育決定。厄瓜多提議未來的行動中能加入其對於布拉塔島(Isla de la Plata)的保育建議，因為其為加拉巴哥信天翁的重要棲地。秘書處回應優先保育行動的增列會考量許多標準，包括族群大小、威脅程度等，並表示可於會後和厄瓜多代表討論。

議程 7.1 2018-2021 協定執行報告：協定執行報告係根據協定締約方提供秘書處的報告彙編而成，紐西蘭敦促所有締約方應及時提供報告。智利致歉並解釋其遲交的原因，智利表示過去較大的威脅（如延繩釣）已列為優先處理威脅，建立追蹤和管理機制並實施忌避措施，其追蹤機制包含電子漁撈日誌及電子觀察員，其

圍網漁業目前是海鳥最大的威脅，此部分將在 AC13 時提出，希望能提供有效的忌避措施和最佳實踐。

議程 7.5 協定成效指標：指標建立基於 ACAP 資料庫的資訊。既有指標包括繁殖地狀況、族群狀態及趨勢、數據取得等，因此鼓勵締約方持續推動計畫，包括 ACAP 物種的棲地經營管理、族群監測，未來考慮增加能力建構指標。秘書處呼籲締約方及科學家將資料上傳到資料庫，以便評估物種狀態及估算族群趨勢，後續再建立海鳥混獲指標。秘書處表示，將可能在 AC13 前辦理工作坊，討論由會員國提交的混獲資料中，決定保育狀況指標，並鼓勵大家上傳資料到由鳥盟管理的追蹤資料庫。有關福克蘭群島(阿根廷稱馬爾維納斯群島)、南喬治亞島及南桑威奇群島，阿根廷及英國各自主張擁有主權，主席決議按 2016 年第 2.9 號決議以註解方式來修訂文件。紐西蘭表示應提高海域保育行動的優先順序，亦補充因為 COVID-19，許多調查點在過去兩年難以進行調查。

議程 5(會員大會會議運作)、議程 7.6(能力建構)及議程 3.3(觀察員報告)：無議題提出。

議程 7.7 與其它組織之合作：秘書處報告與其他國際組織及國家在簽署備忘錄(MoU)或合作協議之狀況，國際組織部分包含南極海洋生物資源保育委員會(Convention for the Conservation of Antarctic Marine Living Resources, CCAMLR)、南方黑鮪保育委員會(Commission for the Conservation of Southern Bluefin Tuna, CCSBT)、印度洋鮪魚委員會(Indian Ocean Tuna Commission, IOTC)、美洲海龜保育公約(Inter-American Sea Turtle Convention, IAC)、美洲間熱帶鮪魚委員會(Inter-American Tropical Tuna Commission, IATTC)、大西洋鮪類保育委員會(International Commission for the Conservation of Atlantic Tunas, ICCAT)、南太平洋區域漁業管理組織(South Pacific Regional Fisheries Management Organisation, SPRFMO)、中西太平洋漁業委員會(Western and Central Pacific Fisheries Commission, WCPFC)、東南大西洋漁業組織(South East Atlantic Fisheries Organisation, SEAFO)、南印度洋漁業協定(Southern Indian Ocean Fisheries Agreement, SIOFA)。國家單位有澳洲塔斯馬尼亞州發展部、美國加州大學戴維斯分校 Karen C 野生動物健康中心獸醫學院。其中與 SEAFO 和 SIOFA 的 MoU 是 MoP6 之後(2018 年)簽訂的，去年與 IOTC、CCAMLR 及 CCSBT 更新 MoU，目前正與其它組織討論更新 MoU 事宜。法國表示想更瞭解 CCSBT 中 ACAP 的作為，秘書處表示，CCSBT 是一個以物種為基礎而非以區域為基礎的組織，ACAP

與其下成員合作交流資訊，後續會進行海鳥辨識手冊印尼版的翻譯工作。澳洲補充 CCSBT 正在研擬多年期海鳥計畫，預計今年年底大會接受後會公開。智利詢問 ACAP 在南太平洋相關 RFMO 的參與情形。秘書處表示該處曾參與 SPRFMO（SPRFMO 不是鮪類 RFMO），並分享最佳忌避措施指南，詳情可見當時的會議紀錄。IAC 希望 ACAP 可以分享其混獲紀錄格式，另外該組織也在 IATTC 發表兩篇評估海龜混獲脆弱度的研究報告，ACAP 成員可能有興趣。

議程 7.11 國家行動計畫：法國表示要針對極危物種阿姆斯特丹信天翁訂定國家行動計畫，智利提到已有針對延繩釣漁業的行動計畫，預計在近期納入拖網漁業。

議程 7.9 & 7.10 2023-2025 預算及各國會費：依 5 月 9 日**議程 7.9** 決議分成工作小組進行會外討論結果，在不考量通膨零成長的前提下，ACAP 可能有 300,000 澳幣可以動用，後續將修正預算表。巴西等國提議修正財務規範，明訂結餘款的使用方式，此項無法即時討論完，決定會後以通訊討論，秘書處表示有不考量通膨零成長版本的預算，若要準備其它情境，考慮不同通膨率的規劃也可以，但希望各國先確定要討論這些版本，他們再準備，主席裁定各國離線後繼續討論，在次日早上提出一個版本。

本日澳洲決定先撤回將風機部份納入**議程 6.2** 工作計畫之提議，讓該版本的工作計畫先通過，另於下屆 AC 提出。紐西蘭決定參與**議程 4.3** 之績效評估委員會。

四、111 年 5 月 13 日

議程 8 第八屆會員大會期程及地點：因為此次是視訊會議，所以下一屆澳洲有優先權，但澳洲表示沒有意願主辦 MoP8，紐西蘭表示有主辦意願，將在 AC13 前確認，英國亦爭取主辦 AC13。阿根廷表示未來可考慮在非會員國舉辦 AC 或 MoP 的可能性。澳洲表示 AC 可以，但 MoP 必須在會員國舉辦。

議程 7.12 接受非會員國加入協定：秘書處曾接洽墨西哥，墨西哥表示尚未決定是否參加 ACAP，但有意願成為觀察員。納米比亞、美國、加拿大及我國在此次會議提交觀察員聲明，另外秘書處亦於去年接觸葡萄牙及韓國，秘書處持續鼓勵有興趣的國家參與 ACAP，其中，為了促進美國成為正式會員，秘書處鼓勵各會員國駐美代表與美方議會聯繫，美方代表表示，現在法案在眾議院，預計送交國

會這次的會期討論，國會會期將在今年底結束，因此若各會員國及秘書處預計進行任何聯繫及推廣，可把握時間。

議程 9.1 媒體披露：秘書處：將會於 2022 年 5 月 16(週一)前發新聞稿，歡迎與會成員對外廣為宣傳。

議程 10 確認決議：在確認決議的過程中，討論重點為未來三年期預算及其相關決議內容，在專案小組進行會外討論後，該小組提出三個預算設定方向

- 1、針對預算和各國會費皆考量通膨，即每年提高 4.5%的金額。
- 2、針對預算考慮通膨，但各國會費不考慮。
- 3、針對預算和各國會費皆不考量通膨。

考量 COVID-19 對各國經濟帶來的影響，小組於會場外討論之共識，針對預算和各國會費皆不考量通膨，並以 ACAP 保留款支應不足的部份。挪威表示應思考是否下半年經濟會重回軌道，且需考慮再下一個三年通膨率會更高，另外挪威可支持考量通膨之預算。澳洲表示各國應依能力進行自願性捐款。澳洲、英國、法國建議未來的預算表和工作計畫包含三種情境：不考慮通膨、考慮通膨及考慮一定程度的通膨率，另外秘書處應在未來的經費表後，將附上目前保留款金額。

其次，依據這次新修正的各會員國繳交會費之計算公式，秘魯 2023 年的會費將比 2022 躍升八千多澳幣，秘魯表示無力負荷。因此，此次會議亦討論 ACAP 及其會員可能如何幫秘魯分擔此突發性的會費提升。巴西提議由保留款支應，英國等支持其它國家依比例協助分擔增加經費的一半，最後無法達成決議，秘魯表示仍會支付其應付之會費。

另外，本日會議關於未來三年預算之其他重要決議內容尚有

- 1、敦促所有會員國考慮自願捐款至特別基金，以支持 ACAP 的活動。
- 2、邀請分布範圍之非會員國家、政府、政府間和非政府組織及其他機構捐款至特別基金或特定活動。
- 3、要求秘書處盡最大努力尋求外部資金並確定降低成本的創新機制。

會後成立財務監督小組討論財務規範及會費的修正，表達有意願參與此討論的會員國包含巴西、紐西蘭、法國、澳洲、英國、阿根廷及秘魯。

議程 3 其它事項：澳洲提及，由於 2024 年為 ACAP 成立 20 週年，建議比照 10 週年時之方式，發表 20 週年年報(2004-2024)，紀錄 ACAP 過去 20 年的成就，此刊物可於 2024 年的世界信天翁日（6/19）發表。

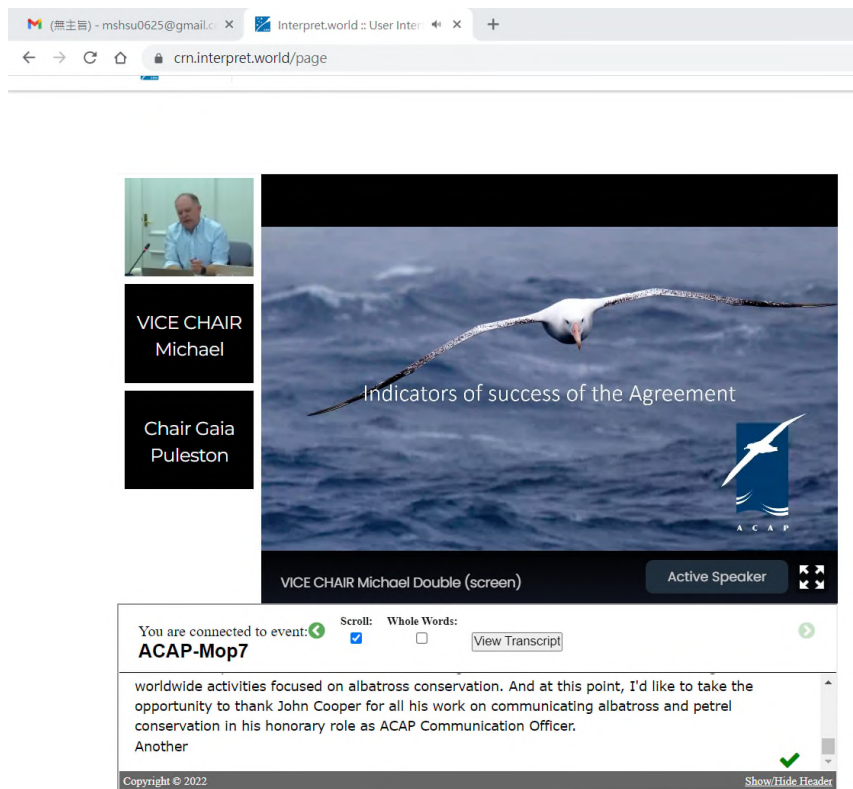
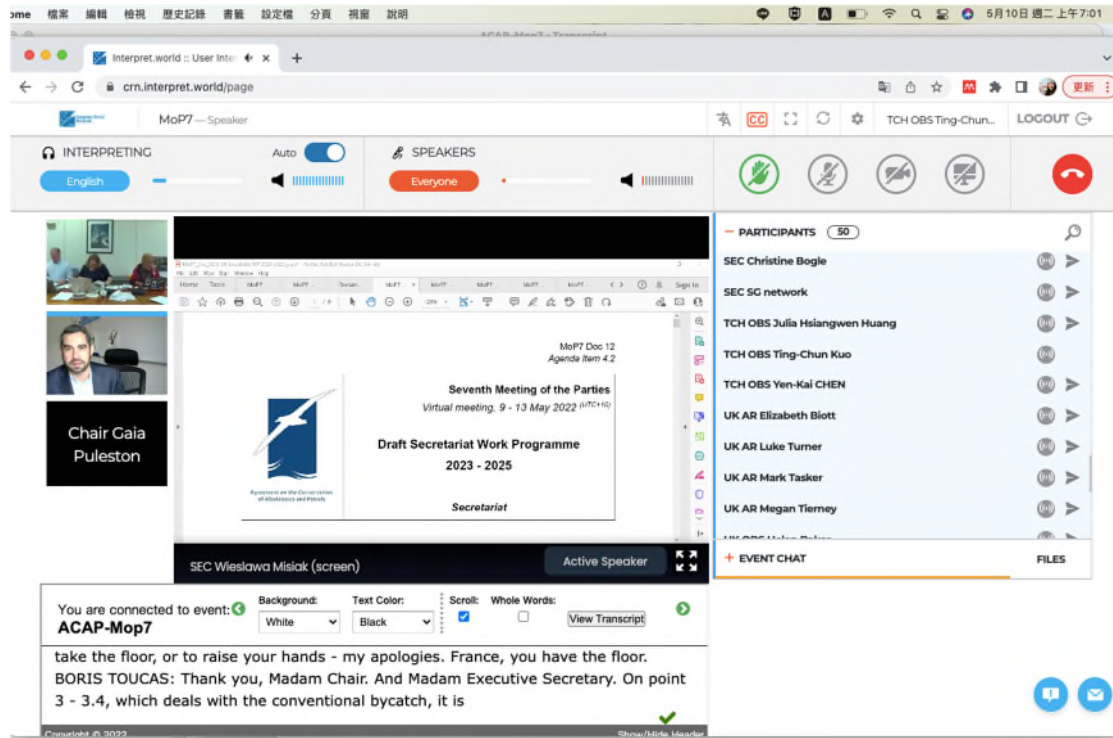
本次 MoP 於澳洲時間 13:43 結束

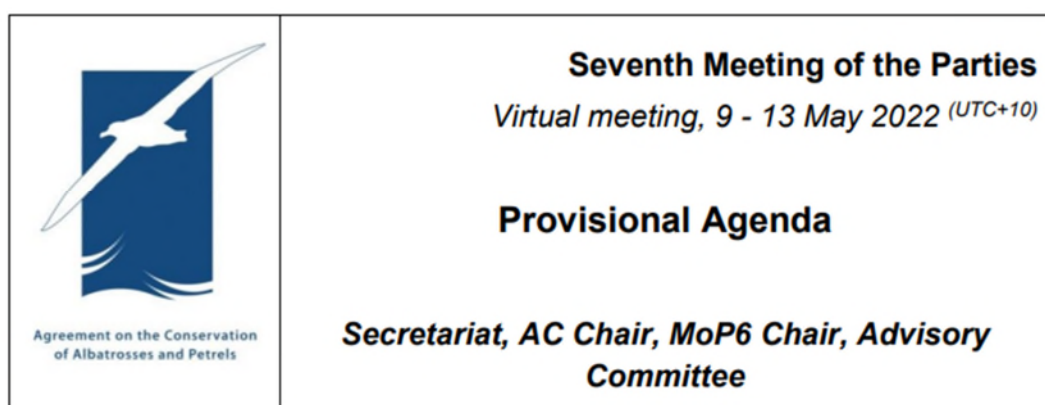
參、心得及建議事項

本次為我國首次以觀察員身份參加 ACAP 會員大會，與前兩次參與 ACAP 工作小組會議及諮詢委員會相較，會員大會較著重於確認秘書處及諮詢委員會的決議，以及討論預算與會費金額，以觀察員的身份來說，透過參與會員大會，瞭解各會員國對於後續海鳥保育參與及執行計畫規劃，且會員大會出席者多為各國政府相關部門成員，未來待 COVID-19 疫情趨緩，會議有望恢復實體舉行，屆時可促進更多交流與意見交換，故應持續參與。同時，若後續我國海鳥國家行動方案等重要計畫更新，或海鳥忌避措施實施上有重大進展，亦可於會員大會分享，提升我國海鳥保育國際形象。

此外，為增進我國海鳥保育國際交流參與，建議可將參與重心放在各工作小組之科學技術交流，以及諮詢委員會，我國代表團組成除政府相關部門成員外，亦邀請國內海鳥混獲相關專家學者共同參與。建議相關機關適時投入經費預算，進行之遠洋混獲忌避措施及電子觀察員相關調查與研究計畫內容於會議中分享，以充分反映我國研究成果，加強我國海鳥保育國際形象參與，以達實質交流之目的。

附錄一、視訊會議照片





SUMMARY

A provisional agenda for the Seventh Session of the Meeting of the Parties (MoP7) has been prepared in accordance with Rule 14 (1) & 14 (2) of the MoP rules of procedure.

RECOMMENDATION

The Meeting of the Parties is requested to examine the provisional agenda, together with any supplementary provisional agenda submitted prior to the opening of the Session and to adopt an agenda for the Seventh Session of the Meeting of the Parties.

1. PREPARATION OF THE PROVISIONAL AGENDA FOR MOP7

1.1. Requirements of the MoP Rules of Procedure

Rule 14 (1) of the rules of procedure for the Meeting of the Parties requires the Secretariat to prepare a provisional agenda for each Session, in consultation with the Chairperson of the Meeting of the Parties and the Chairperson of the Advisory Committee.

Rule 14 (2) d) provides that the provisional agenda of each ordinary Session of the Meeting of the Parties should include, as appropriate, any item proposed by the Advisory Committee.

The following provisional agenda has been prepared in accordance with the requirements of Rule 14 (1) & 14 (2).

Provisional Agenda	
Seventh Session of the Meeting of the Parties to ACAP	
1. Official Opening	
1.1	Official Opening and Opening Statements
2. Procedural Issues	
2.1	Adoption of Agenda
2.2	Amendments to the MoP Rules of Procedure
2.2.1	Rules for intersessional process
2.3	Establishment of Credentials Committee
3. Reports	
3.1	Report of Credentials Committee
3.2	Report of the Depositary
3.3	Reports of Observers
4. Operation of the Secretariat	
4.1	Report of the Secretariat
4.2	Secretariat Work Programme 2023 - 2025
4.3	Review of Staff Regulations
4.4	Review of Financial Regulations
4.5	Executive Secretary position
5. Operation of the Meeting of the Parties	
6. Operation of the Advisory Committee	
6.1	Report of the Advisory Committee
6.1.1	RFMO Engagement Strategy
6.2	Advisory Committee Work Programme 2023 - 2025
7. Operation of the Agreement	
7.1	Report on Implementation of the Agreement
7.2	Criteria for listing and de-listing species in Annex 1
7.3	Proposed Amendment to Annex 1 - listing of new species
7.4	Identification of Priority Actions for Conservation Measures
7.5	Indicators to Measure the Success of the Agreement
7.6	Capacity Building
7.7	Arrangements with Other Organisations
7.8	Financial Report
7.9	Agreement Budget 2023 - 2025
7.10	Scale of Contributions
7.11	National Plans of Action
7.12	Accession of non-Party Range States to the Agreement

8. Provisional Date and Venue of the Eighth Meeting
9. Other Business 9.1 Media Release
10. Adoption of MoP7 Report
11. Closing Remarks

附錄三、ACAP MoP7 會議報告



**Agreement on the Conservation of
Albatrosses and Petrels**

**REPORT OF
THE SEVENTH SESSION OF
THE MEETING OF THE PARTIES**

*Virtual Meeting
9 - 13 May 2022*

LIST OF ACRONYMS

AC	Advisory Committee (AC1, AC2 etc refer to the first, second, etc meetings of the Advisory Committee)
ACAP	Agreement on the Conservation of Albatrosses and Petrels
AKP	Abercrombie & Kent Philanthropy
APEC	Asia Pacific Economic Cooperation forum
CCAMLR	Commission for the Conservation of Antarctic Marine Living Resources
CCSBT	Commission for the Conservation of Southern Bluefin Tuna
CMS	Convention on the Conservation of Migratory Species of Wild Animals
FAO	Food and Agriculture Organisation of the United Nations
IOTC	Indian Ocean Tuna Commission
IAC	Inter-American Convention for the Protection and Conservation of Sea Turtles
ICCAT	International Commission for the Conservation of Atlantic Tunas
IUCN	International Union for Conservation of Nature
MoP	Meeting of the Parties (MoP1, MoP2 etc refer to the first, second etc Sessions of the Meeting of Parties)
MoU	Memorandum of Understanding
NGO	Non-Governmental Organisation
NPOA-S	National Plan of Action – Seabirds
PaCSWG	Population and Conservation Status Working Group
RCBs	Regional Conservation Bodies
RFMO	Regional Fisheries Management Organisation
RoP	Rules of Procedure
SBWG	Seabird Bycatch Working Group
SEAFO	South East Atlantic Fisheries Organisation
SIOFA	Southern Indian Ocean Fisheries Agreement
SPRFMO	South Pacific Regional Fisheries Management Organisation
TWG	Taxonomy Working Group
UK	United Kingdom of Great Britain and Northern Ireland
UN	United Nations
USA	United States of America
WP	Work Programme
\$	Australian Dollars (AUD)
€	Euro

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1. OFFICIAL OPENING AND OPENING REMARKS

- 1.1 The Seventh Session of the Meeting of the Parties (MoP7) to the Agreement on the Conservation of Albatrosses and Petrels (ACAP) met online from 9 to 13 May 2022 (UTC+10), with Australia as host. The meeting was officially opened by Dr Michael Double as acting Chair of the session in accordance with Rule 12(2) of the Rules of Procedure (RoP).
- 1.2 The following Parties to the Agreement were represented at the session: Argentina, Australia, Brazil, Chile, Ecuador, France, New Zealand, Norway, Peru, South Africa, Spain, and the United Kingdom of Great Britain and Northern Ireland (UK). Uruguay presented its apologies.
- 1.3 Three non-Party Range States: Canada, Namibia, and the United States of America (USA) attended the meeting in an observer capacity, as did an Asia Pacific Economic Cooperation forum (APEC) member economy, Chinese Taipei.
- 1.4 The Inter-American Convention for the Protection and Conservation of Sea Turtles (IAC) also attended the meeting in an observer capacity, as did Australasian Seabird Group - Birdlife Australia, Birdlife International, Humane Society International – Australia, and Projeto Albatroz.
- 1.5 The List of Participants is provided in **ANNEX 6**. The List of Documents is provided in **ANNEX 8**.
- 1.6 The Governor of Tasmania, Her Excellency the Honourable Barbara Baker AC, formally welcomed all delegates and observers to the Seventh Session of the Meeting of the Parties to the Agreement on behalf of the Government of Australia.
- 1.7 Her Excellency congratulated all Parties on their commitment and success in conserving albatrosses and petrels since the Agreement was signed over 20 years ago in Canberra, Australia. She noted that the signing of this Agreement represented a clear and cogent response to the shared concern among nations about the significant losses of albatrosses and petrels as a result of incidental mortality in fishing operations, and threats facing these species at their breeding sites.
- 1.8 Her Excellency noted the role of Australia and Tasmania in conserving albatrosses and petrels since the commencement of the Agreement. She recalled the importance of albatrosses and petrels to the biodiversity of Tasmania in particular. She emphasised Australia's commitment to the conservation, protection and recovery of its threatened albatross and petrel populations.
- 1.9 Her Excellency reminded the Parties that the world is watching how they work together to conserve imperilled albatrosses and petrels. The future of these species depends on collective efforts.

- 1.10 Her Excellency wished all participants every success in ensuring there is a secure foundation upon which to advance the work of ACAP in the coming triennium.
- 1.11 The acting Chair, on behalf of all delegations, thanked Her Excellency for her welcoming remarks.
- 1.12 The acting Chair then called for nominations for the position of Chairperson of the Meeting. Australia proposed the election of Ms Gaia Puleston (*pro temp* Representative for Australia) as Chairperson (Chair) of the Seventh Session of the Meeting of the Parties. This was accepted by acclamation of the Meeting. The acting Chair of the session (Advisory Committee Chair), Dr Michael Double, became the Vice-chairperson (Vice-chair) of the Meeting of the Parties, in accordance with Rule 12(2) of the MoP Rules of Procedure.

2. PROCEDURAL ISSUES

2.1 Adoption of Agenda

- 2.1.1 The provisional agenda (**MoP7 Doc 01**), was adopted by the MoP and is provided in **ANNEX 7**.

2.2 Amendments to the MoP Rules of Procedure

- 2.2.1 The MoP adopted the Ad Hoc Guidelines that had been developed specifically for MoP7 to complement but not supersede the MoP Rules of Procedure. The meeting stressed that these Ad Hoc Guidelines were specific to MoP7, given the circumstances of the COVID-19 pandemic, and would not become an ongoing adjunct to the MoP Rules of Procedure.

Rules for Intersessional process

- 2.2.2 Australia introduced **MoP7 Doc 17**, prepared by Australia and the UK, proposing an amendment to the intersessional voting procedure in Rule 24(3) of the MoP Rules of Procedure. Australia observed that Rule 24 of the MoP Rules of Procedure provides a mechanism for intersessional voting which is not expeditious, particularly when electronic communication channels were now ordinarily commonplace between Parties.
- 2.2.3 Parties agreed to reduce the timeframe for intersessional voting from 45 days to 30 days and adopted **Resolution 7.1** (provided in **ANNEX 1**) which amends Rule 24 (3) of the Rules of Procedure for the Meeting of the Parties.

2.3 Establishment of Credentials Committee

- 2.3.1 A Credentials Committee was established in accordance with Rule 5(3) of the Rules of Procedure, consisting of representatives from Australia, Ecuador and the UK.

3. REPORTS

3.1 Report of Credentials Committee

- 3.1.1 The Credentials Committee reported that, by the deadline set out in Rule 5(2) of the Rules of Procedure, the credentials of 11 Parties had been received. Of the credentials received, 10 were in order. One was received not in the form required by the RoP and Ad Hoc Guidelines. One Party did not provide credentials.
- 3.1.2 While the MoP Rules of Procedure require that credentials be submitted within 24 hours of the commencement of the meeting, the Credentials Committee proposed an inclusive approach to enable the two Parties that had not yet provided sufficient credentials to participate in the session. The Credentials Committee proposed that the Party whose credentials were not in order provide an assurance that their credentials would be sent to the ACAP Secretariat within 28 days of the closure of the meeting. The Credentials Committee also proposed that the Party that did not provide credentials provide something in writing by the end of the meeting to confirm the representatives speaking on the Party's behalf were duly authorised to do so, and that the Party provide their formal credentials (as set out in Rule 5 of the Rules of Procedure and Ad Hoc Guidelines) to the ACAP Secretariat within 28 days of the closure of the meeting.
- 3.1.3 The Party whose credentials had not been in order provided assurances in accordance with paragraph 3.1.2 above, and the Party that had not provided credentials provided written authorisation in accordance with paragraph 3.1.2 above.
- 3.1.4 Parties were strongly encouraged to ensure suitable credentials were in place within the deadlines required by the Rules of Procedure'
- 3.1.5 The Committee's report was accepted by the Parties.

3.2 Report of the Depositary

- 3.2.1 Australia, in its role as Depositary, presented its report ([MoP7 Doc 06](#)). The report notes there had been no new accessions to the Agreement since the most recent report of the Depositary government (of 15 June 2021) circulated as **AC12 Doc 06 Rev 1** at the Twelfth Meeting of the Advisory Committee, which took place as a virtual meeting from 31 August to 2 September 2021.

3.3 Reports of Observers

- 3.3.1 Statements from Canada, Namibia, USA, Chinese Taipei, Australasian Seabird Group - Birdlife Australia, Birdlife International, and Humane Society International - Australia, were provided prior to the meeting and are attached as **ANNEXES 11 to 17**.
- 3.3.2 Australia welcomed the ongoing participation of Observers, as this helps in providing transparency about activities concerning the Agreement. In particular, Australia welcomed Chinese Taipei's participation for the first time in a Meeting of the Parties.
- 3.3.3 The Chair, on behalf of the Meeting of the Parties, thanked observers for their reports and for their commitment to working with ACAP to achieve the objectives of the Agreement.

4. OPERATION OF THE SECRETARIAT

4.1 Report of the Secretariat

- 4.1.1 The Executive Secretary reported on the operation of the Secretariat ([MoP7 Doc 07](#)), commenting that the main activity over the last few months had been organising virtual meetings of the Advisory Committee and Working Groups in August-September 2021, and, once the Parties were not able to agree on holding MoP7 as an in-person meeting, arrangements for this meeting. The Secretariat and AC officials also continued representing the Agreement at various meetings, in accordance with the RFMO Engagement Strategy.
- 4.1.2 The report noted that John Cooper, honorary Information Officer for many years, was going to retire from this position at the end of June this year (2022). He was however keen to remain involved in some activities. The Executive Secretary stressed the outstanding contribution by John to ACAP's work ever since its inception.
- 4.1.3 The Executive Secretary advised that the Secretariat had engaged under contract a temporary, part time Communications Adviser, Bree Forrer, to assist in the communications area.
- 4.1.4 France acknowledged this important report and requested more information on progress with a seabird bycatch workshop which France supported with a voluntary contribution of € 16,000.
- 4.1.5 The Secretariat clarified that since **MoP7 Doc 07** reflected only the most recent six-monthly Secretariat Report (provided intersessionally to the Parties, ending December 2021). France's contribution had not been included here, but was acknowledged in earlier reports.

- 4.1.6 New Zealand advised that good progress was being made with colleagues in French Polynesia and BirdLife International to develop a work programme to be funded by France's voluntary contribution, despite delays and changes in scope due to the COVID-19 pandemic and limited data on the species of interest.
- 4.1.7 The Executive Secretary highlighted the ongoing support provided to the Secretariat by the Tasmanian Government.
- 4.1.8 MoP7 noted the activities undertaken by the Secretariat during the quadrennium, thanked the Secretariat for its work, and acknowledged the significance of the assistance provided by the Tasmanian Government.

4.2 Secretariat Work Programme 2023 - 2025

- 4.2.1 The Executive Secretary introduced **MoP7 Doc 12** detailing the proposed Work Programme for the Secretariat for the 2023 – 2025 triennium. She noted that the Work Programme was based on the functions assigned to the Secretariat under the Agreement, and on specific tasks allocated to it by the MoP and the AC.
- 4.2.2 In response to an inquiry from France regarding task 3.4, the Secretariat clarified that Secretariat attendance at RFMO meetings was funded from the Secretariat appropriation in the Budget (Appropriation 1), while attendance by AC officials was funded from the relevant allocation in the Advisory Committee Work Programme (Appropriation 4).
- 4.2.3 Chile emphasised the value of ACAP representation at RFMO meetings.
- 4.2.4 Australia noted that the Seabird Bycatch Working Group Co-convenor, Dr Igor Debski, recently authored a document for a meeting of the Southern Indian Ocean Fisheries Agreement (SIOFA) which outlined how existing conservation and management measures could be better aligned with ACAP Best Practice Advice on bycatch mitigation. The document was useful in demonstrating the value of ACAP in advancing and improving best practice and Australia encouraged the development of complementary documents for use by ACAP's representatives to RFMO meetings.
- 4.2.5 The Meeting of the Parties adopted **Resolution 7.2** on the Secretariat Work Programme (provided in **ANNEX 2**) acknowledging that budgetary restrictions might prevent complete implementation of the Work Programme.

4.3 Review of Staff Regulations

- 4.3.1 The Executive Secretary introduced **MoP7 Doc 15**, which was prepared with input from the AC Chair and following consultation with the Tasmanian

Department of State Growth. The Regulations were largely based on similar regulations in the Tasmanian state sector. The proposed amendments aimed to correct inconsistencies and provide clarification in some areas. The review included textual changes and clarifications to align other rules with the changes that were made to Regulation 5.1 at MoP5, and various updates of language that was now outdated or where the Tasmanian state service provisions have changed. In addition, further updates were proposed to the criteria for recruitment of the Executive Secretary, as a consequence of changes made during the intersessional decision-making process in 2021.

- 4.3.2 The Meeting of the Parties adopted **Resolution 7.3** on Staff Regulations (provided in **ANNEX 3**). This included agreement by the Parties to the establishment of a Performance Assessment Subcommittee, to assist the AC Chair in assessing the performance of the Executive Secretary.
- 4.3.3 The Chair thanked Argentina, New Zealand, and the UK for nominating to participate in the Performance Assessment Subcommittee.

4.4 Review of Financial Regulations

- 4.4.1 No issues were raised by Parties under this agenda item, however, subsequent discussions on the Agreement Budget and Scale of Contributions under Agenda Item 7.9 and 7.10 led to a decision by the Parties to review the Agreement's Financial Regulations ([Resolution 4.5](#)) and the formula for calculating the Scale of Contributions, with input to be provided by the Secretariat as required. The Parties agreed to form an intersessional group, consisting of Argentina, Australia, Brazil, France, New Zealand, Peru and the UK, to undertake this work and report back to MoP8. It would be the responsibility of the intersessional group to nominate its leadership and refine its Terms of Reference.

4.5 Executive Secretary position

- 4.5.1 The Chair thanked the Executive Secretary for her work during the past four years and reminded the Parties that the Executive Secretary's contract was due to end later this year. The Chair noted that, in accordance with the Staff Regulations, Parties could agree to extend the contract by another four years, and that the Executive Secretary, Dr Christine Bogle, had expressed interest in continuing in the position for up to 2.5 years from December 2022 if the Parties so wished.
- 4.5.2 Parties expressed their appreciation for the work of the Executive Secretary during her current term, especially her flexibility in adapting to the limitations imposed by the COVID-19 pandemic, and supported the extension of her contract for another 2.5 years.

- 4.5.3 Noting the extension of 2.5 years, the MoP recognised the need to appoint a Recruitment Subcommittee at this meeting to commence the process to appoint a new Executive Secretary towards the end of the next intersessional period. The MoP thanked Argentina, New Zealand, and the UK for nominating their Advisory Committee members to participate in the Recruitment Subcommittee representing the Americas, Australasia/Africa and Europe, as required by the Staff Regulations.
- 4.5.4 The Executive Secretary thanked the Parties for their support and stated she was looking forward to another term.

5. OPERATION OF THE MEETING OF THE PARTIES

- 5.1 No issues were raised for discussion under this agenda item.

6. OPERATION OF THE ADVISORY COMMITTEE

6.1 Report of the Advisory Committee

- 6.1.1 The Vice-chair (and Chair of the Advisory Committee) introduced the Report of the Advisory Committee for the 2019 – 2022 quadrennium ([MoP7 Doc 09](#)).
- 6.1.2 The Vice-chair noted that two Advisory Committee meetings had been held since MoP6 – [AC11](#) in 2019 in Florianópolis, Brazil, and [AC12](#), held online in 2021. Both were chaired by Nathan Walker, with Tatiana Neves as Vice-chair. Nathan Walker stepped down as Chair after AC12 and the current Chair (Dr Michael Double) was elected.
- 6.1.3 The Advisory Committee's Seabird Bycatch (SBWG), Population and Conservation Status (PaCSWG) and Taxonomy (TWG) Working Groups reported to the Advisory Committee meetings.
- 6.1.4 Key activities of the Advisory Committee included: the further development and review of ACAP's expert advice; communication and advocacy of ACAP advice; development of indicators of the success of the Agreement; and reviewing progress in the implementation of the Agreement. Communication and advocacy activities included ACAP's engagement with RFMOs and the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), and the launching of World Albatross Day on 19 June 2020. The Vice-chair acknowledged the valuable work of ACAP's honorary Information Officer, John Cooper, in communicating albatross and petrel conservation.
- 6.1.5 The Vice-chair emphasised the comprehensive expert advice developed by ACAP's Working Groups and Advisory Committee since the inception of the Agreement and the importance of increasing the awareness of this information

and the implementation of ACAP advice to progress the Agreement. He also recalled that AC11 highlighted the importance of ACAP's engagement with RFMOs extending to the area of compliance and monitoring. Since AC11, ACAP had provided input to reviews of seafood certification schemes and begun the development of a communications strategy to highlight the conservation crisis facing ACAP species. This led to a review of ACAP's communication platforms and highlighted the need for greater capacity in the Secretariat in the communications area.

- 6.1.6 The Vice-chair summarised ACAP's work on indicators of the success of the Agreement and implementation of the Agreement, which the Meeting of the Parties considered in greater detail under Agenda items 7.5 and 7.1. He noted how challenging it was to develop seabird bycatch indicators given the low reporting on bycatch. Both AC11 and AC12 highlighted the importance of Parties reporting bycatch and bycatch estimates, even where data are poor or lacking. He noted that a workshop would be held just before the next meeting of the SBWG to address data submission issues and the development of performance indicators. He urged all Parties to work towards implementing the priority conservation actions of the Agreement.
- 6.1.7 In conclusion, the Vice-chair noted that the Advisory Committee continued to recommend: that Parties, Range States and RFMOs promote and implement best practice seabird bycatch mitigation measures; improvement in the collection and reporting of seabird bycatch data; and implementing priority monitoring and tracking studies and schemes to eradicate detrimental non-native species at breeding sites.
- 6.1.8 MoP7 recalled that the members of the Working Groups do not represent their countries but are experts in their field, who may be nominated by their country or invited by the Working Group Convenors.
- 6.1.9 Argentina advised that Argentina and Uruguay had begun work in 2019 to put together a regional Plan of Action to mitigate seabird interaction with fisheries within the framework of the Comisión Técnica Mixta del Frente Marítimo (PAR-AM CTMFM), and hoped to present the plan to the next Advisory Committee meeting.
- 6.1.10 New Zealand highlighted the Antipodean Albatross Action Plan developed by New Zealand, Australia and Chile as another example of cooperative projects between Parties.
- 6.1.11 France, New Zealand, and Projeto Albatroz recognised the importance of the focus on communications to raise awareness of ACAP's priorities. New Zealand mentioned its work with a charitable trust, Southern Seabirds, to develop a mitigation, monitoring and compliance tool kit to assess whether a product is seabird-safe. This would be presented to AC13. New Zealand also endorsed AC11's recognition of the importance of ACAP's engagement with RFMOs including the area of compliance and monitoring. France commented on the

importance of the AC Chair's recommendation related to biosecurity and suggested that this be highlighted further in the AC Work Programme.

- 6.1.12 Chile informed MoP7 about the current updating of Chile's National Plan of Action to incorporate trawl fisheries, and the already established legal requirements for the compulsory use of mitigation measures and best practice in Chile's fisheries. Chile had also introduced the use of video cameras on all commercial fishing vessels.

RFMO Engagement Strategy

- 6.1.13 Australia had requested consideration at MoP7 of the RFMO Engagement Strategy (see [SBWG10 Doc 07 Rev 1](#)) to ensure that a discussion occurred among Parties on ways to support the ongoing implementation of the strategy, and to ensure there was adequate financial support for effective engagement by ACAP with RFMOs into the future. Australia saw the RFMO engagement strategy as a crucial element of the extension work of ACAP and noted that the scope and scale of the proposed actions under the strategy would increase over the triennium 2023 – 2025. Australia saw the MoP as best positioned to consider enhancing international collaboration among Parties in advancing ACAP's engagement with RFMOs, and to discuss ways to better support the implementation of the RFMO engagement strategy.
- 6.1.14 The MoP recognised the need to give priority to the RFMO Engagement Strategy during 2023 - 2025.
- 6.1.15 New Zealand agreed with Australia that it was important to ensure that adequate resources were available for the RFMO engagement work. In addition, New Zealand noted the value of the cooperation of ACAP Parties who were members of the various RFMOs.
- 6.1.16 Argentina reminded the meeting that CCAMLR, despite featuring in the Strategy, was not in fact an RFMO, so that the Strategy should be understood as being a strategy for engagement with RFMOs and CCAMLR.
- 6.1.17 Chile made the following statement about the importance of ACAP's engagement with RFMOs:
"We should like to recall that AC11 decided that ACAP should engage with certification schemes and that our engagement with RFMOs should be expanded to include compliance bodies. In response, the report mentioned that ACAP representatives who attended these RFMO meetings have made statements focused on the conservation crisis faced by albatrosses and petrels and the availability of solutions, and our having begun to attend meetings of compliance committees of the respective RFMOs.

In this regard, Chile thanks the Chair and Vice-chair of the Advisory Committee, as well as the Secretariat of the Agreement, for preparing this document and in relation to the above-mentioned engagement with the relevant RFMOs. Chile

notes and welcomes the achievements in relation to the relative progress in the adoption of seabird conservation measures by the relevant RFMOs, which are based on ACAP's best practice advice. Finally, as an example, we would like to highlight the MOU between the South Pacific Regional Fisheries Management Organisation (SPRFMO) and the ACAP Secretariat, to facilitate cooperation between the two secretariats to support the efforts to minimise bycatch of seabirds listed in ACAP's Annex 1, signed originally in 2014. This organisation (SPRFMO) has a Conservation Management Measure (CMM) on minimising seabird bycatch in the Convention Area (CMM 09 -2017). In this regard, we would like to add that in Chile's opinion, examples like these could be explored to advance our contribution to albatross conservation."

6.2 Advisory Committee Work Programme 2023 - 2025

- 6.2.1 The Vice-chair presented the Advisory Committee's 2023 - 2025 Work Programme (**MoP7 Doc 11**) for adoption by the MoP. The Work Programme was drafted by the Advisory Committee at its 12th Meeting (AC12).
- 6.2.2 The Vice-chair noted that many tasks in the Work Programme were associated with ensuring that ACAP's Best Practice Advice was current and reflected in the resources developed by ACAP and provided to Parties and external organisations. The Vice-chair highlighted in particular task 3.1 (RFMO Engagement Strategy), and task 3.5 on improving ways to encourage the uptake of best practice mitigation measures, including the further development and refinement of a communications strategy.
- 6.2.3 France suggested that if sufficient savings were available in the General Fund, some could be assigned to projects in the Work Programme (see discussion of the ACAP Budget under agenda item 7.9) and sought more information about proposed actions to be taken to address the conservation crisis.
- 6.2.4 New Zealand responded that there were several elements of the Work Programme addressing seabird bycatch in fisheries, which remains a persistent and constant threat. This was an area where ACAP's work could be well-targeted, particularly in international fisheries that were not under any single jurisdiction. Other Work Programme elements that tackle the conservation crisis include the engagement with RFMOs, the engagement with fishery certification schemes, and improved coordination with Parties who are members of RFMOs and who attend meetings.
- 6.2.5 France advised that it was in an internal consultation process about nominating Dr Christophe Barbraud as a member of the SBWG.
- 6.2.6 The Vice-chair welcomed France's interest in participation in the SBWG and highlighted the multifaceted approach in the AC Work Programme to addressing the conservation crisis, together with actions by the Parties themselves. He

noted the success stories in the eradication of non-native species as well as new and on-going efforts, such as the Mouse Free Marion project by South Africa.

- 6.2.7 The Meeting of the Parties endorsed the 2023 – 2025 AC Work Programme and adopted **Resolution 7.4** (provided in **ANNEX 4**).

7. OPERATION OF THE AGREEMENT

7.1 Report on Implementation of the Agreement

- 7.1.1 The Secretariat presented the 2018 – 2021 Report on Progress with the Implementation of the Agreement ([MoP7 Doc 10 Rev 1](#)) compiled by the Secretariat and the Advisory Committee, and thanked all Parties who provided information for this purpose in a timely manner. The report provides Parties with an overview of progress made with implementation of the Agreement since MoP6, and recommends a set of actions that should be undertaken in the next triennium to advance the Agreement's objective.
- 7.1.2 The report synthesises information provided by Parties, non-Party Range States and ACAP's Advisory Committee and its subsidiary bodies. It includes information on changes in the conservation status of ACAP species and a review of difficulties encountered in the implementation of the Agreement.
- 7.1.3 Section 1 of the document provides a summary of the information included in the individual Implementation Reports submitted by Parties. [MoP7 Inf 01 Rev 1](#) provides detailed information on implementation by five Parties which were not presented at AC12.
- 7.1.4 Section 2 of the document reports on items in Section 5.1 of the Agreement's Action Plan regarding the conservation status of ACAP species and changes that have occurred since MoP6 in respect of population sizes and trends, identification of important breeding sites, review of at-sea distribution, and the identification and assessment of known and suspected threats affecting albatrosses and petrels, both on land and at sea.
- 7.1.5 The Secretariat emphasised that many outputs presented in this document (and elsewhere) are based on information submitted to the Secretariat through the ACAP database or other reporting processes, but also acknowledged working with organisations such as BirdLife International who manage the Seabird Tracking Database.
- 7.1.6 ACAP has now produced a considerable amount of material that summarises the state of knowledge about our species. It is important to ensure that this information is adequately communicated in other fora.
- 7.1.7 The challenges ahead remain unchanged since MoP6: improving the collection of data on seabird bycatch in relevant fisheries, implementation of best practice

seabird bycatch mitigation measures in domestic and high seas fisheries, and filling significant data gaps relating to population status and trends.

- 7.1.8 Parties were encouraged to continue providing the Secretariat with suggestions for improvements to the reporting templates and presentation of the information at any time.
- 7.1.9 New Zealand reported that it was actively implementing fisheries bycatch mitigation standards that closely aligned with ACAP best practice.
- 7.1.10 Chile noted that it was now putting highest priority on addressing the threats from purse seine fishing, and would like to see the next meeting of the Advisory Committee (AC13) discuss the need for effective best practice mitigation for this type of fishery.
- 7.1.11 BirdLife International advised that they were about to launch a new website for their Seabird Tracking Database. The database currently includes tracks from 147 species, 321 colonies, and 253 data contributors.
- 7.1.12 The MoP noted progress with implementation of the Agreement. Concerns were expressed that only half of the Parties provided their reports on time, many Parties had reported late, and two had not reported at all. Parties were urged to ensure timely reporting to enable fully-informed decision-making. Parties were also urged to address the conservation crisis and demonstrate global leadership through the use of ACAP best-practice advice.
- 7.1.13 The MoP endorsed all the recommendations in **MoP7 Doc 10 Rev 1**, that Parties, and, where appropriate, participating non-Party Range States and APEC Member Economies, continue to:
- i. address at-sea threats, especially those associated with high priority fisheries (see Table 6), and informed by ACAP best practice advice for mitigating seabird bycatch;
 - ii. address high priority land-based threats in accordance with the conservation priorities (see Table 9);
 - iii. ensure that appropriate mechanisms are established/maintained to identify and robustly assess seabird bycatch in relevant fisheries, and to monitor the implementation of effective bycatch mitigation strategies;
 - iv. actively support and participate in the ACAP process to enhance implementation of best practice seabird bycatch mitigation strategies;
 - v. review, based on the information provided by the Seabird Bycatch Working Group, the efficacy of seabird bycatch mitigation measures used in the fisheries that they manage, and explore the performance of new mitigation technologies and related safety and other operational issues;

- vi. monitor and provide information on the fisheries that they manage, and the associated seabird bycatch, as part of annual reporting to the Advisory Committee, to enable the assessment and reporting of performance indicators on seabird bycatch;
- vii. support the collection and provision of seabird bycatch data by Regional Fisheries Management Organisations (RFMOs) and Regional Conservation Bodies (RCBs) that they are members of;
- viii. support their priority population monitoring programmes, including the maintenance of long-term monitoring (see [AC12 Doc 11](#));
- ix. implement best practice monitoring practices that include censuses of breeding sites conducted at a minimum of 10 year intervals, and annual monitoring of population trend and demography at a minimum of one representative site for each island group;
- x. conduct priority tracking programmes to enable a better understanding of at-sea distribution of albatrosses and petrels (see [AC12 Doc 11](#));
- xi. update the ACAP database on an ongoing basis to maintain the currency of information underpinning analyses;
- xii. support the allocation of funds for the operation of the Advisory Committee to enable its effective operation, taking into account the growth in the complexity and number of matters it now addresses;
- xiii. provide the necessary resources for the conduct of the research and conservation programmes identified by the Advisory Committee's Working Groups; and
- xiv. engage in domestic processes to facilitate the effective implementation of the Agreement.

7.2 Criteria for Listing and De-listing Species on Annex 1

- 7.2.1 The Secretariat referred to [MoP7 Inf 02](#), which provides a list of candidate species according to the agreed taxonomy, sorted by the suitability of species for inclusion in Annex 1 of the Agreement.
- 7.2.2 The Secretariat advised that the Seabird Bycatch Working Group and the Population and Conservation Status Working Group were planning a joint session during the Working Group meetings that would precede the next meeting of the Advisory Committee. Discussion in the joint session would include reviewing the criteria used to rank species in this list.

7.2.3 The Chair of the Taxonomy Working Group, Mark Tasker, informed the meeting that the Working Group kept a watch on all relevant taxonomic changes in the International Ornithological Congress (IOC) list. The TWG was currently examining two queries and would present a paper on those issues to the Advisory Committee in due course.

7.2.4 MoP7 thanked the Taxonomy Working Group for its work.

7.3 Proposed Amendment to Annex 1 – listing of new species

7.3.1 No proposals were submitted by Parties for the listing of new species on Annex 1 of the Agreement.

7.3.2. The Secretariat recalled a recommendation from the Advisory Committee that proposals for listing of new species be presented to the meeting of the Advisory Committee immediately after the Meeting of the Parties, to allow sufficient time for consideration of the nomination ahead of the following MoP.

7.3.3. Ecuador informed the meeting that it had been working with different national agencies to collate information on species that it would nominate to the next meeting of the Advisory Committee.

7.4 Identification of Priority Conservation Actions

7.4.1 The Secretariat reported on the update of the conservation priorities following the framework developed by the Agreement to address land-based and at-sea threats. This update is included in the Implementation Report ([MoP7 Doc 10 Rev 1](#), **Table 6 and 9**), addressed under agenda item 7.1 above.

7.4.2 The Secretariat thanked all Parties for their Implementation reports and reminded the MoP that the prioritisation framework is a guiding tool that should be used in conjunction with other information where such information is available. The Secretariat also acknowledged the valuable input of non-Party Range States in contributing their data to this process.

7.4.3 Land-based priorities continue to be largely the eradication of alien species, which prey upon on albatrosses and petrels or cause habitat destruction. Despite the considerable number of eradications over the last decade challenges remain in this area. The review of at-sea threats identified a number of fisheries and seabird populations as priority targets for action by the Agreement. RFMO-managed fisheries impact many populations of ACAP-listed species and this highlights the importance of ACAP's RFMO Engagement Strategy.

7.4.4 New Zealand thanked the Advisory Committee and the Secretariat for their work on this item and noted the importance of providing guidance on actions to

address the current conservation crisis, in particular helping to prioritise RFMO engagement. New Zealand urged all Parties to ensure that their respective at-sea data was reported promptly and in full.

- 7.4.5 The Parties endorsed the list of conservation priorities to address at-sea and land-based threats impacting ACAP-listed species.

7.5 Indicators to Measure the Success of the Agreement

- 7.5.1 The Secretariat introduced [MoP7 Doc 16 Rev 1](#), which presents a suite of ‘State-Pressure-Response’ indicators in respect of breeding sites, population status and trends, tracking data availability, and capacity building, as well as a summary of progress on the proposed seabird bycatch indicators. An IUCN Red List indicator is also included.
- 7.5.2 Overall, the Red List Index (RLI) indicates a deterioration in the status of ACAP species since 1988 for the 26 species originally listed on Annex 1 of the Agreement in 2004, as well as the 31 species currently listed. The species that have driven the negative trends are: Waved Albatross *Phoebastria irrorata*, Tristan Albatross *Diomedea dabbenena*, Sooty Albatross *Phoebetria fusca*, Balearic Shearwater *Puffinus mauretanicus*, Antipodean Albatross *D. antipodensis*, and Westland Petrel *Procellaria westlandica*.
- 7.5.3 The finer scale indicators show a slow and steady decrease in the number of islands and breeding sites where introduced feral vertebrate species are present. In contrast, momentum has recently stalled on population monitoring, even if an expected lag in data submission and disruptions caused by the COVID-19 pandemic are taken into consideration. The availability of tracking data for juvenile/immature birds has improved slightly in the past 4 years, but gaps remain for many island groups and life stages.
- 7.5.4 The seabird bycatch indicators continue to be unpopulated due to scarcity of suitable data being submitted to the Secretariat, and lack of agreement on how to utilise the data that is available. A workshop prior to the next Advisory Committee meeting (AC13) is planned to address this issue.
- 7.5.5 Two capacity building indicators were investigated for the first time, since they were approved at MoP6, but are inconclusive. It appears that Parties find it difficult to report the information in the format envisaged and more work will be required to be able to use these indicators.
- 7.5.6 Parties thanked the Secretariat for the detailed report. Parties welcomed the improvements in breeding site indicators, but expressed their concern that the headline indicators were continuing to show a declining status of ACAP species, and that the Agreement was not yet able to populate the at-sea indicators. The MoP welcomed the planned workshop on seabird bycatch data to be held before

AC13, and urged Parties and cooperating Range States to report the data required to populate the seabird bycatch indicators.

- 7.5.7 Argentina read out a statement which is attached as **ANNEX 9**.
- 7.5.8 The UK responded with a statement which is attached as **ANNEX 10**.
- 7.5.9 It was agreed that the Secretariat would issue a revised **MoP7 Doc 16 Rev 1**.
- 7.5.10 The MoP endorsed the recommendations in the document and encouraged Parties and cooperating Range States to continue to invest in eradication of feral species from ACAP islands, in population monitoring and tracking programmes, as well as in comprehensive management plans for breeding sites of ACAP species.

7.6 Capacity Building

- 7.6.1 The Chair recalled that MoP6 had agreed that MoP7 would review the capacity building indicators (as discussed in [MoP7 Doc 16 Rev 1](#) and presented by the Secretariat under agenda item 7.5).
- 7.6.2 The Secretariat updated the meeting on planning for the next Secondments Programme round. The Grants Subcommittee would be meeting soon after the conclusion of MoP7 to discuss a secondments round to be held later this year.
- 7.6.3 The Meeting of the Parties welcomed the efforts by the Secretariat and the Parties in the provision and management of the capacity building programme, which provided valuable opportunities to Parties.

7.7 Arrangements with Other Organisations

- 7.7.1 The Executive Secretary provided a report on the current status of arrangements with other organisations. She advised that since MoP6 the Secretariat had entered into two new MOUs – one with the South East Atlantic Fisheries Organisation (SEAFO) and one with the Southern Indian Ocean Fisheries Agreement (SIAFO) – both signed in late 2018. In addition, in February 2021, the Secretariat renewed the arrangement with the Indian Ocean Tuna Commission (IOTC) for another 5 years.
- 7.7.2 The Executive Secretary noted that in intersessional [Resolution 6.11](#) the Parties (in May 2021) authorised the Secretariat to renew or amend existing arrangements if there were no significant changes in the text. Since then, the Secretariat had renewed the arrangements with CCAMLR and with the Commission for the Conservation of Southern Bluefin Tuna (CCSBT). The Secretariat was currently engaged in discussions about renewing arrangements

with the International Commission for the Conservation of Atlantic Tunas (ICCAT), the IAC, and the Karen C. Drayer Wildlife Health Centre (UC Davis). The Secretariat noted that it had also begun discussions with the Tasmanian Department of State Growth about renewing the invaluable MOU with the Government of Tasmania.

7.7.3 The IAC noted that it would be pleased to continue the collaboration with ACAP with the renewal of the MoU that was signed in 2016.

7.7.4 Ecuador was pleased to support the renewal of this MoU.

7.7.5 The meeting expressed its appreciation for the significant progress made in implementing the various arrangements and noted the benefits that had been achieved from them in advancing the Agreement's objectives.

7.8 Financial Report

7.8.1 The Executive Secretary introduced the interim financial report for the 2022 financial year ([MoP7 Doc 08 Rev 1](#)), which is dated as at 31 December 2021. MoP6 had decided that the Secretariat should not produce more than two reports per year, and that the most recent such report would be presented to the relevant AC or MoP.

7.8.2 The report was updated just before the MoP, to reflect the current status of Parties' contributions. The level of arrears remained concerning. Four Parties were more than a year behind in paying their contributions and so were not eligible to vote at this session, as per Rule 20 (2) of the Rules of Procedure.

7.8.3 The Executive Secretary advised that, as was possible in accordance with Financial Regulation 4.4, the Secretariat had made a transfer of \$20,000 from Appropriation 1 into Appropriation 4, enabling some of the savings in operational costs to go towards the Advisory Committee Work Programme.

7.8.4 Furthermore, ACAP would soon receive a contribution of around \$30,000 from Abercrombie and Kent Philanthropy (AKP) from their most recent fund-raising efforts during the Antarctic summer season. This substantial contribution would support the Small Grants Programme.

7.8.5 The MoP welcomed the generous contribution from AKP, a long-standing contributor to the Agreement.

7.8.6 Chile thanked the Secretariat for the report and reaffirmed the commitment of the newly elected Chilean administration to the Agreement, and to paying any outstanding contributions.

7.8.7 The UK expressed their appreciation for Chile's commitment.

- 7.8.8 Ecuador thanked the Secretariat for the report and stated that contributions to multilateral agreements also remained important to Ecuador. Since a new administration last year there had been changes regarding national contact points and internal communications were now underway, aimed at ensuring that outstanding contributions would be paid.
- 7.8.9 Australia welcomed the contribution by New Zealand for the production of an infographic about the Antipodean Albatross *Diomedea antipodensis*.
- 7.8.10 The MoP noted that Financial Regulation 11.1 required the Parties to appoint an external auditor at each ordinary session of the Meeting of the Parties. The Executive Secretary recommended that the Government of Tasmania be requested to continue providing the external audit services, noting that the renewal process for the MOU with Tasmania was likely to suggest the Tasmanian Audit Office as the appropriate body to provide this service. If this were to be the case, the costs incurred would be met from the budget allocation for consultancy services.
- 7.8.11 The MoP noted the Financial Report and agreed to reappoint the Government of Tasmania as the Agreement's external auditor for the 2023 – 2025 triennium.

7.9 Agreement Budget 2023 – 2025

- 7.9.1 The Executive Secretary presented a draft Agreement budget for the 2023 - 2025 triennium (**MoP7 Doc 13**), which applied an annual inflator of 4.5%. She recalled ACAP Principles agreed at MoP3, which state that the overall Budget and Parties' contributions should as a minimum achieve 0% real growth, and preferably better. Given the inflation for Hobart for the year ending March 2022 was 5.8%, many of the fixed costs for the Secretariat and for meetings were likely to be even higher than estimated in this draft. The Executive Secretary stressed that the proposed Budget was very lean, and highly dependent on the carryover of unspent funds from the General Fund from previous years to make up for these shortfalls.
- 7.9.2 Some Parties suggested that given the recent exceptional circumstances arising from the COVID-19 pandemic, a zero nominal growth budget would be more desirable, supplemented by one-off allocations from General Fund savings to meet any shortfalls.
- 7.9.3 The Secretariat developed a zero nominal growth budget in response to Parties' requests.
- 7.9.4 Some Parties expressed concern that key activities would not be achieved under a zero nominal growth scenario, and about the implications for future funding beyond this triennium, given the exceptional approach of relying on savings. Considerable cost increases based on inflation were likely to be identified in

three years' time which would make steering the budget back to zero real growth or better much more challenging at MoP8.

- 7.9.5 Australia, France, Norway, and the UK indicated that they would be considering providing voluntary contributions towards the Advisory Committee Work Programme (Appropriation 4).
- 7.9.6 Argentina expressed concern about reliance on voluntary contributions funding the AC Work Programme, rather than a dedicated budget.
- 7.9.7 The MoP agreed to a zero nominal growth budget supported by a one-off draw down of \$550,000 in savings from the General Fund to support the work of the Agreement in the 2023 – 2025 triennium and adopted **Resolution 7.5** (provided in **ANNEX 5**).

7.10 Scale of Contributions

- 7.10.1 The Secretariat presented a scale of contributions for the 2023 - 2025 triennium (**MoP7 Doc 14 Rev 1**), which proposed a scenario of 4.5% increase per annum. The Executive Secretary pointed out that the 4.5% increase in proposed contributions from 2022 to 2023 was in fact well below a 4.5% annual increase, since the 2022 Budget had been a mere repeat of the 2021 Budget, with no provision for inflation.
- 7.10.2 In response to Parties' suggestions, the Secretariat also developed a zero nominal growth scale of contributions to support the zero nominal growth budget requested (7.9.2), bearing in mind that Parties' contributions constitute by far the largest share of the Agreement's income.
- 7.10.3 There was a divergence in initial views expressed by Parties on the preferred option for overall contribution totals. Of the Parties that expressed an opinion, the majority preferred a zero nominal growth increase of the Scale of Contributions through the triennium.
- 7.10.4 The MoP recognised the exceptional circumstances arising from the COVID-19 pandemic. All ACAP Parties had experienced and continued to experience significant economic and social disruption due to the pandemic. Such circumstances had not previously been experienced since the entry into force of the Agreement. As such, the Meeting of the Parties agreed to zero nominal growth in all Parties' contributions for the next triennium.
- 7.10.5 Parties noted that the agreed formula for calculating Parties' share of the overall contributions contained the risk of sudden jumps in the contributions of the smaller economies, specifically for those moving from Category 1 in the formula to Category 2, notwithstanding the agreed Principles which stated, *inter alia*, that budgets should avoid "excessive fluctuations for individual Parties" (MoP3

Report, 7.9.2). The application of the formula for the 2023 - 2025 contributions resulted in a sharp increase in the contribution of Peru.

- 7.10.6 Parties discussed various options for retaining zero nominal growth in overall contributions while avoiding the sudden growth in the contribution of Peru. Some Parties suggested increasing the share of the other Parties in order to provide a smaller increase for Peru, but other Parties could not consider any increase in their own contributions. France stressed that if Parties accepted that the scale of contributions calculation was valid, then each Party should pay its contribution as assessed. No agreement was reached on special arrangements for Peru's contribution.
- 7.10.7 Peru, while committing to pay its assessed contribution, expressed concern that the rapid increase in Peru's contribution might affect the punctuality with which it could make payments. This was particularly distressing to Peru since it had made every effort over the past year to pay off the majority of its arrears to ACAP. The meeting warmly thanked Peru for its flexibility.
- 7.10.8 The MoP requested that for the consideration of future MoPs, the Secretariat should prepare a Draft Agreement Budget and Draft Scale of Contribution with at least three different options, namely, 0% real growth, better than 0% real growth, and 0% nominal growth, as well as noting potential savings available.
- 7.10.9 In the light of issues raised during discussion of the draft budget and scale of contributions, the MoP invited Parties to participate in an intersessional group to review the Scale of Contributions formula and the Financial Regulations, and report back to MoP8 (see Agenda item 4.4, above).
- 7.10.10 The MoP adopted the Scale of Contributions for the 2023 - 2025 triennium in **Resolution 7.5 (ANNEX 5)**.

7.11 National Plans of Action

- 7.11.1 The Chair introduced this agenda item to give Parties the opportunity to report briefly to MoP7 on actions relevant to their National Plans of Action – Seabirds (NPOA–S) that were not included in the implementation reports.
- 7.11.2 Australia reported that it had finalised the National Plan of Action for minimising the incidental catch of seabirds in Australian capture fisheries (2018), adding that the NPOA–Seabirds is a voluntary measure that provides a comprehensive and nationally consistent approach to reducing the impact of fishing on seabirds. It draws together existing regulatory and voluntary management arrangements into one document and provides additional guidance for future management decisions around seabird mitigation measures. Australia reported that it continues to implement the Threat Abatement Plan for the incidental catch (or bycatch) of seabirds during longline fishing operations (2018), noting that the threat abatement plan is implemented in close collaboration with the fishing

industry, and successive threat abatement plans have been very successful at reducing seabird bycatch in Australia's longline fisheries.

- 7.11.3. New Zealand advised that it released the third iteration of a National Plan of Action to Reduce the Incidental Mortality of Seabirds in Fisheries (NPOA Seabirds) in 2020. The NPOA-Seabirds vision is "New Zealanders work towards zero fishing-related seabird mortalities". Guided by this vision, the NPOA-Seabirds has four goals focused on: avoiding bycatch; healthy seabird populations; research and information; and international engagement. A number of tools are used by New Zealand to avoid bycatch, including both legislative requirements and collaborative approaches such as fishery liaison programmes. A key development in this NPOA-Seabirds was the introduction of Mitigation Standards, closely aligned to ACAP best practice bycatch mitigation advice, implemented through vessel-specific management plans. Each NPOA goal has objectives to be achieved over a five-year period, and 36 performance measures have been developed and are now being reported on. New Zealand advised that it has recently completed the first full year of implementation and is seeing clear progress towards the uptake and implementation of improved vessel bycatch management plans, although more work remains. Ongoing progress will be reported in a Seabird Annual Report and New Zealand will be pleased to provide ongoing updates to future ACAP Working Group and AC meetings.
- 7.11.4 France reported on its "National Action Plans" (NAPs) for the Amsterdam Albatross, a species classified as "Critically Endangered" by the International Union for Conservation of Nature (IUCN). The NAPs are strategic tools that aim to ensure the maintenance or restoration in a favourable conservation status of threatened species of wild fauna and flora. The first NAP for the Amsterdam Albatross (2011-2015) extended until 2017, and its implementation has improved French knowledge of the biology of the species and the threats likely to impact it. These results have made it possible to secure new conservation measures, on fisheries and on pathogens. The maintenance of an unfavourable conservation status and the persistence of strong threats justify the continuation of major efforts for the conservation of the Amsterdam Albatross. Therefore, a second NAP will take place over 10 years (2018 - 2027) and will be based on the schedule and actions of the second management plan for the French Southern Territories National Nature Reserve.
- 7.11.5 Chile reported that initially it had a Plan of Action that was only focused on longline fisheries in Chile, but it recently expanded the plan to include all trawl fisheries. The Plan of Action will also be extended to purse seine fisheries.
- 7.11.6 Argentina reported that it is continuing to implement its National Action Plan to reduce the interaction of seabirds with fisheries in its territory.
- 7.11.7 MoP7 welcomed the progress reported by Parties.

7.12 Accession of Non-Party Range States to the Agreement

- 7.12.1 The Executive Secretary referred to the report of the Secretariat ([MoP7 Doc 07](#)) which includes a summary of actions taken with regard to the accession of new Parties.
- 7.12.2 The Executive Secretary noted that planned liaison visits to non-Party Range States were interrupted by the COVID-19 pandemic, with only a visit to Mexico in 2019 possible before COVID-19 struck.
- 7.12.3 The Executive Secretary reported that, during the past quadrennium, the Secretariat had also taken other opportunities (including in the margins of international meetings) to engage with a number of Range States to raise their awareness about ACAP and encourage their possible accession to the Agreement, or as a first step their consideration of participation in ACAP meetings as observers. The Executive Secretary had presented statements at meetings of the Convention on the Conservation of Migratory Species of Wild Animals (CMS), the Regional Secretariats Network and RFMOs, making a general call to others to join ACAP.
- 7.12.4 The Executive Secretary made special reference to the ongoing engagement with Namibia, Canada, and the USA, and also noted engagement with Portugal through correspondence. She also encouraged the Parties to, as relevant, make contact with their own neighbours and close contacts amongst Range States, to encourage them to participate in ACAP meetings as observers and eventually to consider becoming Parties.
- 7.12.5 There was some discussion of the potential for engagement with the USA to encourage its accession to the Agreement. The Executive Secretary observed that a joint approach by Parties' embassies in Washington to their Congress and Senate staffer contacts might be useful. The USA commented that, as reported in its Observer Statement to MoP7, a bill was currently before the House of Representatives for consideration by the current session of Congress, which ends at the end of this year.
- 7.12.6 Australia indicated that it would be pleased as Depositary to assist any non-Party Range State, and the Secretariat, concerning any queries about accession to the Agreement.
- 7.12.7 The MoP commended the work of the Secretariat in engaging with Range States and supported the continuation of efforts in this respect.

8. PROVISIONAL DATE AND VENUE OF THE EIGHTH MEETING OF THE PARTIES

- 8.1 New Zealand advised that pending internal confirmation, it would be pleased to host the Eighth Session of the Meeting of the Parties in 2025 at a date and

location to be decided, and expects to provide more information at the next meeting of the Advisory Committee.

8.2 The UK announced that it was making arrangements to host the 13th Meeting of the Advisory Committee in 2023 at a date and location to be confirmed.

8.3 Argentina suggested future Meetings of the Advisory Committee be held from time to time in Non-Party Range States interested in joining the Agreement.

8.4 MoP7 warmly welcomed the offers by New Zealand and the UK.

9. OTHER BUSINESS

9.1 Media Release

9.1.1 The Secretariat advised that it would prepare a media release and circulate it as appropriate.

9.2 Achievements in the First Twenty Years 2004 - 2024

9.2.1 Australia noted that the Agreement will have been in force for 20 years on 19 June 2024. Australia proposed that the Secretariat prepare, in consultation with Parties, an updated document on ACAP's Achievements in the First Twenty Years 2004 - 2024. Australia proposed that this update be developed intersessionally and released on World Albatross Day 2024.

9.2.2 The MoP expressed support for the Australian proposal, with Ecuador and the UK indicating their willingness to be involved in this initiative.

10. ADOPTION OF MOP7 REPORT

10.1 The Secretariat advised that the draft meeting report would be prepared following the close of the meeting, translated into French and Spanish, and sent to Parties for their comments. Any subsequent versions resulting from these comments would be circulated until the report is adopted.

11. CLOSING REMARKS

11.1 The Chair summarised the meeting outcomes, in relation to the objectives agreed at the start of the meeting. She noted that MoP7:

- adopted a resolution on the Budget and Scale of Contributions

- adopted resolutions endorsing the Advisory Committee Work Programme and the Secretariat Work Programme
 - adopted a resolution amending the ACAP staff regulations
 - appointed the Government of Tasmania as the External Auditor for the ACAP Budget over the coming three years
 - decided to renew the Executive Secretary's salary by 2.5 years from December 2022
 - formed a recruitment subcommittee for the next recruitment of an Executive Secretary
 - formed a performance assessment subcommittee to assist the Advisory Committee Chair with the annual performance assessment of the Executive Secretary
 - established an intersessional group to review the financial regulations
- 11.2 The Chair thanked the Governor of Tasmania for officially opening the meeting. She also thanked the Vice-chair, the Secretariat team, the interpreters, the stenographers, and the technical support (Congress Rental). She made a special mention of John Cooper, ACAP's honorary Information Officer, for his many years of dedication to the Agreement (see 4.1.2, above).
- 11.3 The meeting participants echoed these thanks to John Cooper. In addition, Parties thanked the Chair and Vice-chair, the Secretariat, the host country (Australia) and the interpreters.
- 11.4 The Chair then closed the Seventh Session of the Meeting of the Parties.

ANNEX 1. RESOLUTION 7.1 AMENDMENT TO THE RULES OF PROCEDURE

AGREEMENT ON THE CONSERVATION OF ALBATROSSES AND PETRELS

Resolution 7.1

Amendment to the Rules of Procedure

Adopted by Seventh Session of the Meeting of the Parties, Virtual meeting,
9 - 13 May 2022

Recalling that, in accordance with Article VIII(11)(a) of the Agreement, the first Session of the Meeting of the Parties adopted its rules of procedure, contained in Annex 4 of the report of that Session;

Further recalling that Article VIII(13)(a) provides that the Meeting of the Parties may amend the Rules of Procedure at any session;

Aware that the Rules of Procedure were amended at the Sixth Session of the Meeting of the Parties, contained in Annex 5 of the report of that Session;

Recognising the benefit of reducing the timeframe for intersessional voting in Rule 24(3) from 45 days to 30 days;

The Meeting of the Parties to the Agreement on the Conservation of Albatrosses and Petrels

Agrees:

1. to adopt the attached Rules of Procedure in Appendix A.

RESOLUTION 7.1 APPENDIX A

**RULES OF PROCEDURE FOR THE MEETING OF THE
PARTIES TO THE AGREEMENT ON THE CONSERVATION OF ALBATROSSES
AND PETRELS****PART I****ADMINISTRATION****Rule 1 – Purpose**

(1) Unless otherwise stated, these rules of procedure shall apply to any Session of the Meeting of the Parties to the Agreement on the Conservation of Albatrosses and Petrels, convened in accordance with Article VIII of the Agreement.

(2) Unless specified to the contrary in a relevant instrument, these rules shall apply *mutatis mutandis* to any other meeting held within the framework of the Agreement on the Conservation of Albatrosses and Petrels, except for the Advisory Committee, which has established its own rules of procedure.

(3) Where any inconsistency between these Rules and the Agreement arises, the Agreement shall prevail.

Rule 2 – Date and Place of Sessions

(1) Ordinary Sessions of the Meeting of the Parties shall be at intervals of not more than three years, unless the Meeting of the Parties decides otherwise.

(2) In accordance with Article VIII (9) and (12)(g), each ordinary Session of the Meeting of the Parties shall decide on the time and venue of the next Session by consensus, or if consensus cannot be achieved, by a two-thirds majority of the Parties present and voting. Such a vote shall take place by a secret ballot.

(3) Any extraordinary Session of the Meeting of the Parties shall be convened not more than 90 days after the date at which the request is made to the Secretariat. The Secretariat shall notify Parties of the date, location and duration of the Session not more than 30 days after such a request.

Rule 3 – Representation

(1) A Party to the Agreement (hereafter referred to as a "Party") shall be entitled to be represented at the Session by a delegation consisting of a Representative and such other accredited Alternative Representatives and Advisers as the Party may deem necessary.

(2) Subject to the provisions of Rule 20 paragraph 2, the Representative of a Party shall exercise the voting rights of that Party. In the Representative's absence, an Alternative Representative of that Party shall act in the Representative's place over the full range of functions.

Rule 4 – Observers

(1) All signatories to the Agreement, other States which are not Parties, any member economy of the Asia Pacific Economic Co-operation Forum in respect of Article VIII, paragraph 15 of the Agreement, the United Nations, any specialised agency of the United Nations, any regional economic integration organisation, any Secretariat of a relevant international convention, particularly regional fisheries management organisations, may send observers to the Sessions of the Meeting of the Parties, who shall have the right to participate but not vote.

(2) Any international scientific, environmental, cultural or technical body concerned with the conservation and management of marine living resources or the conservation of albatrosses and petrels may request admittance to Sessions of the Meeting of the Parties and its subsidiary bodies. Such participation may include submitting documents to the Secretariat for distribution to the Parties as information documents and addressing the Sessions of the Meeting of the Parties.

(3) Written applications for attendance from such international bodies (described in paragraph 2) should be received by the Secretariat at least 90 days before the relevant Session, and circulated forthwith by the Secretariat to Parties. Parties shall inform the Secretariat of their acceptance or rejection of all applications no less than 60 days before the Session. An applicant shall be permitted to attend as a non-voting observer unless one third of the Parties object to their application.

(4) Any other scientific, environmental, cultural or technical body concerned with the conservation and management of marine living resources or the conservation of albatrosses and petrels may request admittance to Sessions of the Meeting of the Parties and its subsidiary bodies. Such participation may include submitting documents to the Secretariat for distribution to the Parties as information documents and addressing the Sessions of the Meeting of the Parties.

(5) Written applications for attendance from such other bodies (described in para 4) should be received by the Secretariat at least 60 days before the relevant Session, and circulated forthwith by the Secretariat to Parties. Parties shall inform the Secretariat of their acceptance or rejection of all applications no less than 30 days before the Session. An applicant shall be permitted to attend as a non-voting observer provided no objection is received.

(6) Prior to the Session, the names of Representatives of observers shall be submitted to the Secretariat by the State, agency, organisation or body invited to attend.

(7) In relation to Article XI of the Agreement, the Secretariat shall be bound by the above procedures.

Rule 5 – Credentials

(1) The Representative and any Alternative Representative of a Party shall have been granted powers by, or on behalf of, the Head of State, the Head of Government or the Minister of Foreign Affairs, the head of a relevant government department or the head of an executive body of any regional economic organisation, enabling them to represent the Party at the Session and to vote.

(2) Such credentials shall be submitted to the Secretariat no later than 24 hours after the Session commences. Any later change in the composition of the delegation affecting voting rights shall also be contingent on submission of revised credentials to the Secretariat.

(3) A Credentials Committee of three Representatives of Parties shall examine the credentials and shall report thereon to the Session. Pending a decision by the Parties on their credentials, Representatives may participate in the Session.

(4) If credentials are submitted in a language other than one of the working languages of the Session, they shall be accompanied by a suitable translation into one of these languages to permit efficient validations of the credentials by the Credentials Committee.

PART II

LANGUAGES, DOCUMENTS AND RECORDS

Rule 6 – Official and Working Languages

(1) English, French and Spanish shall be the official and working languages of the Sessions.

(2) Speeches made in any of the working languages shall be interpreted into the other working languages.

(3) The official documents of the Sessions shall be distributed in the working languages. Information papers will not normally be translated, with the exception of information papers commissioned by either the Advisory Committee or the Meeting of the Parties.

Rule 7 – Other Languages

(1) A speech may be made in a language other than a working language if the speaker provides for interpretation into a working language. Interpretation by the Secretariat into the other working languages may be based upon the first interpretation.

(2) Any document submitted to the Secretariat in any language other than a working language shall be accompanied by an accurate translation into one of the working languages.

Rule 8 – Documents

(1) The documents for each ordinary Session of the Meeting of the Parties, and proposals received from the Parties, subject to Rule 18 of the Rules of Procedure, shall be distributed to the Parties in the working languages by the Secretariat at least 60 days before the opening of the Session.

(2) At the discretion of the Chairperson, and only under exceptional circumstances, documents may be accepted after this deadline but shall be submitted by the Party in all working languages.

(3) Wherever practicable, documents shall be circulated electronically.

Rule 9 – Records

(1) Summary records of the Sessions of the Meeting of the Parties shall be circulated to all Parties in the official languages of the Session within 60 days.

(2) Committees and working groups shall decide upon the form in which their records shall be prepared.

(3) Sound recordings of the Sessions of the Meetings of the Parties, and whenever possible its subsidiary bodies, shall be kept by the Secretariat. Such recordings shall be kept by the Secretariat for the purposes of verification and shall not be retained beyond the end of the next Session. Access to recordings shall be limited to the Secretariat and the Representatives of those delegations present at the Session, and shall be subject to a written request.

PART III

OFFICERS

Rule 10 – Secretariat

(1) The Head of the Agreement Secretariat (the Executive Secretary) shall be the Secretary at the Sessions of the Meeting of the Parties.

(2) At such Sessions, the Executive Secretary shall provide and direct the staff of the Secretariat as required by the Meeting of the Parties.

Rule 11 – Responsibilities of Secretariat

(1) In addition to the functions specified in Article X of the Agreement, the Secretariat shall:

a) arrange for interpretation at the Sessions of the Meeting of the Parties;

b) prepare, receive, translate, reproduce and distribute the documents of the Meeting of the Parties;

- c) draft the report of the Session, for consideration by the Meeting of the Parties;
- d) arrange for the custody and preservation of the documents of the Meeting of the Parties; and
- e) perform such other duties as the Meeting of the Parties may require.

Rule 12 – Chairpersons

- (1) This Rule applies at all times, including between Sessions of the Meeting of the Parties.
- (2) At the beginning of each ordinary Session, the Meeting of the Parties shall elect a Chairperson from among the Representatives of the Parties. The Chairperson of the Advisory Committee shall serve as Vice-Chairperson of the Meeting of the Parties, and shall fulfil the role of the Chairperson should the Chairperson not be available. The term of office of the Chairperson shall commence straight away.
- (3) The Chairperson shall remain in office until a new Chairperson is elected.

Rule 13 – Presiding Officer

- (1) The Chairperson shall preside at all Sessions of the Meeting of the Parties.
- (2) If the Chairperson is absent or is unable to discharge the duties of Presiding Officer, the Vice-Chairperson shall deputise.
- (3) In the absence of both the Chairperson and the Vice-Chairperson, a Representative of the Party providing the Chairperson shall deputise in their temporary absence.
- (4) The Presiding Officer shall not vote but may designate an Alternative Representative from their delegation.
- (5) The terms of the Chairperson shall be limited to a maximum of two ordinary Sessions.

PART IV

AGENDA, COMMITTEES AND WORKING GROUPS

Rule 14 – Agenda

- (1) The Secretariat shall prepare the provisional agenda for each Session, in consultation with the Chairperson of the Meeting of the Parties and the Chairperson of the Advisory Committee.
- (2) The provisional agenda of each ordinary Session of the Meeting of the Parties shall include, as appropriate:
 - a) items arising from the articles or the Annexes of the Agreement;
 - b) items, the inclusion of which has been decided at a previous Session or which emanate from decisions taken at a previous Session;
 - c) items referred to in paragraph 6 of this Rule; and
 - d) any item proposed by a Party, the Advisory Committee or the Secretariat. Requests for additional items shall be made in writing, giving the rationale for the request.
- (3) The Secretariat shall, in consultation with the Chairperson of the Meeting of the Parties and the Chairperson of the Advisory Committee, include any item that has been proposed by a Party and has been received by the Secretariat after the provisional agenda has been produced, but before the opening of the Session, in a supplementary provisional agenda.
- (4) The Meeting of the Parties shall examine the provisional agenda together with any supplementary provisional agenda. When adopting the agenda, it may add, delete, defer or amend items. Only items which are considered by the Meeting of the Parties to be urgent and important may be added to the agenda at this stage.

(5) The provisional Agenda for an extraordinary Session of the Meeting of the Parties shall consist only of those items proposed for consideration in the request for this Session. The provisional agenda and any necessary supporting documents shall be distributed to the Parties at the same time as the invitation to the extraordinary Session, at least 60 days before the Session.

(6) Any item of the agenda of an extraordinary Session of the Meeting of the Parties, consideration of which has not been completed at the Session, shall be included automatically in the agenda of the next Session, unless otherwise decided by the Meeting of the Parties.

Rule 15 – Establishment of Committees and Working Groups

(1) The Meeting of the Parties may establish such committees and working groups as may be necessary for it to carry out its functions. The Meeting of the Parties shall define the terms of reference and composition of each committee and working group. The Meeting of the Parties may decide that any such committee and working group may meet in the period between ordinary Sessions.

(2) Each committee and working group shall elect its own officers.

PART V

RULES OF ORDER AND DEBATE

Rule 16 – Powers of Presiding Officer

(1) In addition to exercising powers conferred elsewhere in these Rules, the Presiding Officer shall at each Session of the Meeting of the Parties:

- (a) open and close the Session;
- (b) direct the discussions;
- (c) ensure the observance of these Rules;
- (d) accord the right to speak;
- (e) put questions to the vote and announce decisions;
- (f) rule on points of order; and
- (g) subject to these Rules, have complete control of the proceedings of the Session and the maintenance of order.

(2) The Presiding Officer may, in the course of discussion at each Session of the Meeting of the Parties, propose to the Session:

- (a) time limits for speakers;
- (b) limitation of the number of times the members of a delegation or an observer may speak on any question;
- (c) the closure of the list of speakers;
- (d) the adjournment or the closure of the debate on the particular subject or question under discussion; and
- (e) the suspension or adjournment of the Session.

(3) The Presiding Officer shall exercise their powers of office in accordance with customary practice and, in the exercise of that office, remain under the authority of the Meeting of the Parties.

Rule 17 – Seating, Quorum

- (1) Delegations shall be seated in accordance with the alphabetical order of the names of the Parties in the language of the meeting host.
- (2) No Session of the Meeting of the Parties shall take place in the absence of a quorum. A quorum for Sessions of the Meeting of the Parties shall consist of four Parties or one-half of the Parties having delegations at the Session, whichever is the greater.

Rule 18 – Submission of Proposals for Amendment of the Agreement and its Appendices

- (1) In accordance with Article XII of the Agreement:
 - a) proposed amendments shall be communicated to the Secretariat at least 150 days before the opening of a Session of the Meeting of the Parties, which shall transmit them forthwith to all Parties in the working languages of the Session;
 - b) any comments on a proposed amendment by the Parties shall be communicated to the Secretariat no less than 60 days before the opening of the Session. The Secretariat shall, as soon as possible after the last day for submission of comments, communicate to the Parties all comments submitted by that day.
- (2) In exceptional circumstances, the Presiding Officer may also permit the discussion and consideration of proposals arising after the period prescribed in subparagraph 1b) of Rule 18 provided that they relate to proposed amendments which have been circulated in accordance with paragraph 1a) of Rule 18 and that their consideration will not unduly inhibit the proceedings of the Session. The Presiding Officer may also permit the discussion of motions as to procedures, even though such motions have not been circulated previously.
- (3) After a proposal has been adopted or rejected by the Meeting of the Parties in accordance with Article XII of the Agreement, it shall not be reconsidered unless a two-thirds majority of the Parties participating in the Session so decides.

Rule 19 – Procedural Motions

- (1) During the discussion of any matter, a Representative may rise to a point of order, and the Presiding Officer, in accordance with these Rules, shall immediately decide the point of order. A Representative may appeal against any ruling of the Presiding Officer. The appeal shall immediately be put to the vote, and the Presiding Officer's ruling shall stand unless a simple majority of the Parties present and voting otherwise decides. A Representative rising to a point of order may not speak on the substance of the matter under discussion.
- (2) Any motion calling for a decision on the competence of the Meeting of the Parties to discuss any matter or adopt a proposal or an amendment to a proposal submitted to it shall be put to the vote before the matter is discussed or a vote is taken on the proposal or amendment in question.
- (3) In cases where the votes are equal, a second vote shall be taken. If the second vote is also equal, the motion, or amendment shall not be carried.
- (4) The following motions shall have precedence in the following order over all other proposals or motions before the Session:
 - (a) to suspend the Session;
 - (b) to adjourn the Session;
 - (c) to consider a motion in accordance with Rule 19(2) above;
 - (d) to adjourn the debate on the particular subject or question under discussion; and
 - (e) to close the debate on the particular subject or question under discussion.

PART VI VOTING

Rule 20 – Voting

(1) Without prejudice to the provisions of Rule 3, paragraph 2, each accredited Party shall have one vote.

(2) Parties which are more than one year behind in paying their budget contributions on the date of the opening of any Session of the Meeting of the Parties shall not be eligible to vote at that Session. However, the Meeting of the Parties may allow such Parties to continue to exercise their right to vote if it is satisfied that the delay in payment arises from exceptional and unavoidable circumstances. The Meeting of the Parties shall receive advice in this regard from the Secretariat.

(3) The Meeting of the Parties shall normally vote by a roll-call vote. The first voter shall be drawn by lot; voting will then proceed as determined by the alphabetical order set forth in Rule 17(1). A Party may request voting to be conducted by secret ballot. Such a request shall require support from at least one-third of Parties present and voting.

(4) Voting by roll-call shall be expressed by "Yes", "No" or "Abstain". Only affirmative and negative votes shall be counted in calculating the number of votes cast.

(5) The Presiding Officer shall be responsible for the counting of the votes and shall announce the result. Tellers appointed by the Secretariat may assist the Presiding Officer.

(6) After the Presiding Officer has announced the beginning of the vote, it shall not be interrupted except by a Representative on a point of order in connection with the actual conduct of the voting. The Presiding Officer may permit Representatives to explain their votes either before or after the voting, and may limit the time to be allowed for such explanations.

Rule 21 – Taking of Decisions

(1) The Chairperson shall put to the Parties, all questions, proposals and actions requiring decisions. In accordance with Article VIII (9), unless provided otherwise in the Agreement or in Rules 4(5), 19, 20, 21, 22, 23, 24, 25 and 26, decisions of Parties shall be adopted by consensus or, if consensus cannot be achieved, by a two-thirds majority of the Parties present and voting.

(2) In accordance with Article VIII(11)(a), (11)(b), (12)(d) and (15), decisions about rules of procedure, financial matters, and provisions for the relationship to the Agreement by any member economy of the Asia Pacific Economic Co-operation forum whose vessels fish within the range of albatrosses and petrels, shall be adopted by consensus.

Rule 22 – Procedure for Voting on Motions and Amendments

(1) A Representative may move that parts of a proposal or of an amendment be voted on separately. If objection is made to the request for such division, the motion for division shall be voted upon first. Permission to speak on the motion for division shall be accorded only to a Representative from each of two Parties wishing to speak in favour of and a Representative from each of two Parties wishing to speak against the motion. If the motion for division is carried, those parts of the proposal or amendment, which are subsequently approved, shall be put to the vote as a whole. If all operative parts of the proposal of the amendment have been rejected, the proposal or the amendment shall be considered to have been rejected as a whole.

(2) When an amendment is moved to a proposal, the amendment shall be voted on first. When two or more amendments are moved to a proposal, the Meeting of the Parties shall vote first on the amendment furthest removed in substance from the original proposal and

then on the amendment next furthest removed, and so on until all amendments have been put to the vote. When, however, the adoption of one amendment necessarily implies the rejection of another amendment, the latter amendment shall not be put to the vote. If one or more amendments are adopted, the amended proposal shall then be voted upon. A motion is considered an amendment to a proposal if it merely adds to, deletes or revises part of that proposal.

(3) If two or more proposals relate to the same question, the Meeting of the Parties shall, unless it decides otherwise, vote on the proposals in the order in which they have been submitted. The Meeting of the Parties may, after voting on a proposal, decide whether to vote on the next proposal.

Rule 23 – Elections

(1) Elections to office shall be by secret ballot. If, when one person or one delegation is to be elected to a position, no candidate obtains the required majority in the first ballot, a second ballot shall be taken between the two candidates obtaining the largest number of votes. If in the second ballot the votes are equally divided, the Presiding Officer shall decide between the candidates by drawing lots.

(2) If in the first ballot there is a tie amongst candidates obtaining the second largest number of votes, a special ballot shall be held amongst them to reduce the number of candidates to two.

(3) In the case of a tie amongst three or more candidates obtaining the largest number of votes in the first ballot, a special ballot shall be held amongst them to reduce the number of candidates to two. If a tie then results amongst two or more candidates, the Presiding Officer shall reduce the number to two by drawing lots, and a further ballot shall be held in accordance with paragraph 1 of this Rule.

Rule 24 – Intersessional Voting

(1) This Rule applies between Sessions of the Meeting of the Parties.

(2) Where, in the view of any Party, the Executive Secretary or the Chair of the Advisory Committee there are exceptional circumstances that require a decision to be taken in advance of the next ordinary Session of the Meeting of the Parties, any one of them may submit a proposal for such a decision to the Executive Secretary. This proposal for decision may be submitted electronically. Within 7 days, the Executive Secretary shall communicate the proposal to all Parties, together with any additional information that may assist Parties.

(3) Parties shall respond to the Secretariat's communication as soon as possible, but within 30 days of the date of distribution of the proposal, indicating whether they wish to support it, reject it, abstain on it, require additional time to consider it, or whether they consider it is not necessary for the vote to be taken during the period between Sessions of the Meeting of the Parties.

(4) If more than two-thirds of Parties consider it is not necessary for the vote to be taken during the period between Sessions, the Secretariat shall inform all Parties and shall include the proposal on the agenda of the next Session.

(5) Notwithstanding Rule 20, the adoption of any decision between Sessions of the Meeting of the Parties shall be by consensus. For the purposes of this Rule, consensus shall mean that all the responses received by the Secretariat within the time frame specified in paragraph 3 of this Rule either support the decision or abstain. The result shall be promptly communicated by the Secretariat to all Parties. If consensus is not obtained, the matter will be placed on the agenda of the next Session of the Meeting of the Parties.

(6) In so far as they are applicable, these Rules of Procedure shall apply *mutatis mutandis* to any intersessional voting held within the framework of the Agreement on the Conservation of Albatrosses and Petrels.

PART VII

PUBLICITY OF DEBATES

Rule 25 – Public Access

(1) All parts of a Session of the Meeting of the Parties held in plenary shall be open to the public unless two-thirds of the Parties present and voting at the Session decide otherwise.

(2) All committees and working groups shall, in the absence of separate rules for those bodies, be open to the public unless two-thirds of the Parties present and voting at the Session decide otherwise.

PART VIII

AMENDMENT

Rule 26 – Amendment

As provided in Article VIII(13)(a), these rules may be amended by the Meeting of the Parties.

ANNEX 2. RESOLUTION 7.2 SECRETARIAT WORK PROGRAMME 2023 - 2025

AGREEMENT ON THE CONSERVATION OF ALBATROSSES AND PETRELS

Resolution 7.2

Secretariat Work Programme 2023 - 2025

Adopted by the Seventh Session of the Meeting of the Parties, Virtual meeting,
9 – 13 May 2022

Recalling Article VIII(11)(c) of the Agreement, which required that the first Session of the Meeting of the Parties establish the Secretariat to perform the functions listed in Article X of the Agreement;

Further recalling that Article X of the Agreement notes that a function of the Secretariat shall be to execute the decisions addressed to it by the Meeting of the Parties;

Further recalling Resolution 1.1, on the Secretariat of ACAP, which established an Interim Secretariat pending the negotiation of a Headquarters Agreement with the Government of Australia;

Noting that the Headquarters Agreement entered into force on 2 December 2008 and that the Secretariat is thereby established;

The Meeting of the Parties to the Agreement on the Conservation of Albatrosses and Petrels

Decides:

to approve the Secretariat Work Programme in Appendix A.

RESOLUTION 7.2 APPENDIX A - SECRETARIAT WORK PROGRAMME 2023 – 2025

Task No.	Topic/Task	Mandate	Officer	2023		2024		2025		Action/Details
				Time (days)	Funds (AUD)	Time (days)	Funds (AUD)	Time (days)	Funds (AUD)	
1	SUPPORT FOR MoP, AC & WG MEETINGS			AC13 + WGs	AC14 + WGs	MoP8				
1.1	Undertake meeting arrangements. <ul style="list-style-type: none"> ▪ selection of venue ▪ organise contracts, venue/equipment ▪ liaison with host government 	Article X.a	Exec Secretary	3	3,682	3	3,778	3	3,876	Travel costs
			Exec Secretary	5		5		5		
			Exec Secretary	2		2		2		
1.2	Preparation of meeting papers <ul style="list-style-type: none"> ▪ writing of meeting documents ▪ co-ordination of meeting documents ▪ drafting of implementation report 	Article X.a	Exec Secretary, Sci Officer, Contract	35		35	1,500	35	1,500	Cost for assistance with Budget preparations
			Sci Officer, Exec Secretary,	10		10		5		
			Sci Officer, Exec Secretary			20		10		
1.3	Support the attendance of sponsored experts and delegates	Article VII 5	Exec Secretary	10		10		5		Correspondence, organise travel, acquittal of accounts
1.4	Organise the translation and posting of meeting documents and provision of interpretation services <ul style="list-style-type: none"> ▪ coordination with service provider ▪ posting of documents 	AC RoP 17 (1)	Exec Secretary, Sci Officer	5		5		5		Within 30 days of meeting
			Sci Officer	5		5		3		
1.5	Support & operation of meetings	Article X.a								

Task No.	Topic/Task	Mandate	Officer	2023		2024		2025		Action/Details
				Time (days)	Funds (AUD)	Time (days)	Funds (AUD)	Time (days)	Funds (AUD)	
	<ul style="list-style-type: none"> ▪ travel for meetings ▪ travel for meetings ▪ attendance at meeting ▪ attendance at meeting 		Exec Secretary, Sci Officer Contract Exec Secretary, Sci Officer Contract	8 4 32 12	6,312 3,156 7,890 7,364	8 4 32 12	6,476 3,394 8,095 7,555	8 4 16 6	6,644 3,482 4,416 4,416	4 days per meeting, airfares Airfares Accommodation and allowances Contract costs, accommodation
1.6	Prepare meeting report and distribute to all Parties	Article X.a	Exec Secretary, Sci Officer	10		10		10		
2	MANAGEMENT OF SECRETARIAT									
2.1	Administer the budget for the Agreement and the Special Fund provided for in Article VII (3) in accordance with the Agreement's Financial Regulations; <ul style="list-style-type: none"> ▪ payment of accounts ▪ preparation of invoices and receipts ▪ preparation of financial statements ▪ maintain advance & assets registers 	Article X.g	Exec Secretary Exec Secretary Exec Secretary Exec Secretary	15 4 4 1		15 4 4 1		15 4 4 1		
2.2	Prepare biannual financial reports for the information of the Parties and the Chair of the Advisory Committee	AC2, MoP2	Exec Secretary	4		4		4		
2.3	Provide information to the general public concerning the Agreement and its objectives, and promote the objectives of this Agreement <ul style="list-style-type: none"> ▪ preparation of ACAP Latest News for website 	Article X.h	Info Officer, Comms Contract	90		90		90		

Task No.	Topic/Task	Mandate	Officer	2023		2024		2025		Action/Details
				Time (days)	Funds (AUD)	Time (days)	Funds (AUD)	Time (days)	Funds (AUD)	
	<ul style="list-style-type: none"> ▪ maintain/update website links and publications ▪ management of ACAP Facebook page ▪ preparation of scientific material 		Sci & Info Officers, Comms Contract	5		5		5		
			Info Officer, Comms Contract	5		5		5		
			Sci Officer, Comms Contract	10		10		10		
2.4	Update and maintain the ACAP website	Article X.h	Sci Officer & Contracts	20	8,416	20	8,635	20	8,860	
2.5	Collate as appropriate synthesized information provided by Parties on the implementation and effective functioning of the Agreement with particular reference to the conservation measures undertaken <ul style="list-style-type: none"> ▪ review data, liaise with stakeholders, amend database, collate information and draft consolidated reports 	Article X.j;								
		Article VII (1 c); Article VIII (10)	Sci Officer, Exec Secretary			20				
2.6	Prepare a report on Secretariat activities for AC and MoP meetings	Article X f)	Exec Secretary	2		2		2		
2.7	Recruit and manage the Secretariat's staff in accordance with the Staff Regulations and the directions of the Meeting of the Parties	Staff Regs	Exec Secretary	5		5		5		
3	FACILITATE THE WORK OF THE ADVISORY COMMITTEE									
3.1	Assist the Chair of the Advisory Committee as required to facilitate the work of the Advisory Committee	Article X k)	Exec Secretary, Sci Officer	25		25		25		

Task No.	Topic/Task	Mandate	Officer	2023		2024		2025		Action/Details
				Time (days)	Funds (AUD)	Time (days)	Funds (AUD)	Time (days)	Funds (AUD)	
3.2	Assist the Chair of the Advisory Committee in preparing a report to the MoP on the activities of the Advisory Committee	Article IX 6.e)	Exec Secretary, Sci Officer			2		1		
3.3	Assist the Convenors of the Population and Conservation Status Working Group as required to facilitate the work of the Group	Article X k)								
	<ul style="list-style-type: none"> Consider gaps in population, tracking, breeding site management, threats and regulatory protection data submitted to ACAP; request any outstanding data and incorporate changes 	AC WP Task 2.1	Sci Officer	25		25		25		
	<ul style="list-style-type: none"> Review and refine standardised queries and outputs for analysis and interpretation. Continue to improve data portal structure and queries 	AC WP Task 2.2	Sci Officer & Contract	25	5,260	25	5,397	25	5,537	Consultant database programmer/ developer
	<ul style="list-style-type: none"> Assess and update global population trends 	AC WP Task 2.3	Sci Officer	10		10		10		
	<ul style="list-style-type: none"> Update ACAP Species Assessments 	AC WP Task 2.4	Sci Officer	31		31		31	4,000	Cost for map updates
	<ul style="list-style-type: none"> Translate updates to Species Assessments and ACAP guidelines into Spanish and French 	AC WP Task 2.5	Sci Officer & Contract	3	4,000	3	4,000	3	4,000	
	<ul style="list-style-type: none"> Identify priorities for monitoring of numbers, trends and demography 	AC WP Task 2.6	Sci Officer	5		5		5		
	<ul style="list-style-type: none"> Review availability of albatross and petrel tracking/distribution data to ensure representativeness of species/age classes. Prioritise gaps and encourage studies to fill gaps 	AC WP Task 2.7	Sci Officer			5	1,000			

Task No.	Topic/Task	Mandate	Officer	2023		2024		2025		Action/Details
				Time (days)	Funds (AUD)	Time (days)	Funds (AUD)	Time (days)	Funds (AUD)	
	<ul style="list-style-type: none"> Identify and review Priority Populations for conservation actions Review and prioritise the threats to breeding sites and identify gaps in knowledge Review and update best-practice guidelines Provide reports on activities to AC meetings Develop new guidelines for priority issues 	AC WP Task 2.8	Sci Officer	5		5		5		
		AC WP Task 2.9	Sci Officer	5		5		5		
		AC WP Task 2.10	Sci Officer	10		10		10		
		AC WP Task 2.11	Sci Officer	30		30				
		AC WP Task 2.12	Sci Officer	2		2		2		
3.4	Assist the Convenor of the Seabird Bycatch Working Group as required to facilitate the work of the Group	Article X k)								
	<ul style="list-style-type: none"> Continue to implement the RFMO and CCAMLR engagement strategy for ACAP (SBWG10 Doc 07) and review at each SBWG meeting. Relevant Parties to engage and assist RFMOs and other relevant international bodies in assessing and minimising bycatch of albatrosses and petrels. Refine ACAP specific products on best practice bycatch data collection and reporting and present to RFMOs. Finalise ACAP guidelines for removing entangled seabirds from nets (purse-seine and trawl) 	AC WP Task 3.1	Exec Secretary, Sci Officer, Contracts	70		70		70		Attend all relevant meetings as per RFMO Interaction Plan.
					30,000		30,000			30,000
									1,000	1,000
				5	1,000					1,000
		AC WP Task 3.3	Sci Officer	5	1,000					Design and translation costs.

Task No.	Topic/Task	Mandate	Officer	2023		2024		2025		Action/Details
				Time (days)	Funds (AUD)	Time (days)	Funds (AUD)	Time (days)	Funds (AUD)	
	<ul style="list-style-type: none"> Continue to update Mitigation Fact Sheets using new simplified format in a phased approach: 1) line weighting safety practices 2) updated advice on bird scaring lines for pelagic and demersal LL, and 3) fact sheets dealing with ACAP Best Practice measures. 	AC WP Task 3.4	Sci Officer	5		5	10,000	5		Design and translation costs.
	<ul style="list-style-type: none"> Further pursue approaches to improve the uptake of best practice seabird bycatch mitigation measures. Continue to develop and refine communication strategy and products to: <ul style="list-style-type: none"> ⇒ Reinvalidate advice ⇒ Communicate with different audiences (e.g. presentations, videos, other multi-media) to include success stories and information aimed at overcoming impediments to implementation <p>Model bycatch threat to seabird populations to communicate the extinction risk to ACAP Species.</p> <p>Continue to engage with certification schemes, by:</p> <ul style="list-style-type: none"> ⇒ Contributing to reviews of standards on bycatch considerations to encourage these to be informed by ACAP advice. 	AC WP Task 3.5	Sci Officer, Exec Secretary, Contracts	10		10		10		<p>Possible secondment to investigate further specific communication areas and to supplement work of any part-time consultant that the Secretariat might employ as communications adviser</p> <p>Secretariat to continue to engage as required consultant who has already provided advice on this process.</p> <p>Secretariat will continue to receive notifications from fishery certification schemes and will share these as relevant with the SBWG sub-group.</p>

Task No.	Topic/Task	Mandate	Officer	2023		2024		2025		Action/Details
				Time (days)	Funds (AUD)	Time (days)	Funds (AUD)	Time (days)	Funds (AUD)	
	⇒ Providing information to Parties and others to enable comment on individual fisheries assessments									
	<ul style="list-style-type: none"> ▪ Reporting of bycatch indicators and associated data, refine methodological approaches and reporting as required ▪ Maintain bibliography of relevant bycatch information 	AC WP Task 3.7	Sci Officer, Contract	20	10,000	20	10,000	20	10,000	Need for contract support as this is a key element of work (0.25 FTE?)
		AC WP Task 3.14	Sci Officer	5		5		5		
3.5	Assist the Convenor of the Taxonomy WG as required to facilitate the work of the Group <ul style="list-style-type: none"> ▪ Continue the establishment of a morphometric and plumage database 	Article X k)								
		AC WP Task 1.2	Sci Officer	1		1		1		
3.6	Review, refine and standardise criteria to include new species on Annex 1	AC WP Task 5.3	Sci Officer	3		3		3		
3.7	Review and update any publications not already specified in the Work Programme	AC WP Task 5.4	Sci Officer	5		5		5		
3.8	Implement system of indicators for the success of the ACAP Agreement	AC WP Task 5.5	Sci Officer	5		2		2		
3.9	Review ACAP performance indicators	AC WP Task 5.6	Sci Officer			5		5		
3.10	Manage database of relevant scientific literature	AC WP Task 5.7	Sci Officer	10		10		10		
3.11	Manage directory of relevant legislation	AC WP Task 5.8	Sci Officer	1		1		1		Parties to supply further information as available

Task No.	Topic/Task	Mandate	Officer	2023		2024		2025		Action/Details
				Time (days)	Funds (AUD)	Time (days)	Funds (AUD)	Time (days)	Funds (AUD)	
3.12	Manage a list of authorities, research centres, scientists and non-government organisations relevant to ACAP	AC WP Task 5.9	Sci & Info Officers, Comms Contract	2		2		2		Parties to supply further information as available
3.13	Support for World Albatross Day	AC WP Task 5.12	Info Officer, Comms Contract	20	3,000	20	3,000	20	3,000	Funds for developing, producing and distributing WAD material
4	IMPLEMENTATION OF THE AGREEMENT									
4.1	Assist Parties in providing training, technical and financial support to other Parties on a multilateral or bilateral basis to facilitate implementation of the Agreement.	Article VIII 14	Exec Secretary, Sci Officer	5		5		5		
4.2	Promote and coordinate activities under the Agreement, including the Action Plan, in accordance with decisions of the Meeting of the Parties	Article X c)	Exec Secretary	15		15		15		
4.3	Liaise with non-Party Range States and regional economic integration organisations to facilitate coordination between Parties and non-Party Range States, and international and national organisations and institutions whose activities are directly or indirectly relevant to the conservation of albatrosses and petrels.	Article X d)	Exec Secretary	15	10,520	15	10,704	15	11,075	Airfares, accommodation, allowances
4.4	Consult with and enter into arrangements, with the approval of the Meeting of Parties, with other organisations and institutions, and as appropriate exchange information and data.	Article XI 2 c), 3 & 4	Exec Secretary	10	15,780	10	16,190	10	16,611	Airfares, accommodation, allowances
4.5	Facilitate the accession of non-Party Range States to the Agreement	Article X d), k)	Exec Secretary	5		5		5		Work with lead Parties and other Parties as needed.

Task No.	Topic/Task	Mandate	Officer	2023		2024		2025		Action/Details
				Time (days)	Funds (AUD)	Time (days)	Funds (AUD)	Time (days)	Funds (AUD)	
4.6	Compilation of the triennial implementation report.	Article IX 6 d)	Sci Officer, Exec Sec			10		10		
5	CAPACITY BUILDING									
5.1	Assist the Advisory Committee and Parties with technical cooperation and capacity building	Article IV (2)	Exec Sec, Sci Officer	20		20		20		
5.2	Support secondments programme to aid capacity building	MoP2	Exec Secretary, Sci Officer	10		10		10		

ANNEX 3. RESOLUTION 7.3 STAFF REGULATIONS FOR ACAP SECRETARIAT

AGREEMENT ON THE CONSERVATION OF ALBATROSSES AND PETRELS

Resolution 7.3

Staff Regulations for ACAP Secretariat

Adopted by Seventh Session of the Meeting of the Parties, Virtual meeting,
9 - 13 May 2022

Recalling Article VIII 11(c) of the Agreement, which required the first Session of the Meeting of the Parties to establish a Secretariat to perform secretariat functions, including those listed in Article X of the Agreement;

Noting paragraph 7 of Resolution 2.1 adopted at the Second Session of the Meeting of the Parties on the Headquarters Agreement;

Further noting that Resolution 2.2 adopted staff regulations for the ACAP Secretariat;

Further recalling Resolution 5.3 adopted at the Fifth Session of the Meeting of the Parties and amended intersessionally by the Sixth Meeting of the Parties as set out in the Record of Decisions;

The Meeting of the Parties to the Agreement on the Conservation of Albatrosses and Petrels

Decides:

1. to repeal Resolution 5.3 of the Fifth Session of the Meeting of the Parties;
2. to adopt the ACAP Secretariat Staff Regulations set out in Appendix A.

RESOLUTION 7.3 APPENDIX A**AGREEMENT ON THE CONSERVATION OF ALBATROSSES AND PETRELS
SECRETARIAT STAFF REGULATIONS****REGULATION 1 – PREAMBLE**

These staff regulations establish the fundamental principles of employment, regulate the working relationships and establish the rights and duties of staff members of the Secretariat for the Agreement on the Conservation of Albatrosses and Petrels (the Secretariat), which includes the staff members who render their services in and receive remuneration from the Secretariat.

REGULATION 2 – DUTIES, OBLIGATIONS AND PRIVILEGES

- 2.1 Staff members, upon accepting their appointments, shall pledge themselves to discharge their duties faithfully and to conduct themselves solely with the interests of the Secretariat in mind. Their responsibilities as staff members are not national but are exclusively owed to achieving the functions of the Secretariat.
- 2.2 Staff members shall at all times conduct themselves in a manner in keeping with the functions of the Secretariat. They shall always bear in mind the loyalty, discretion and tact imposed on them by their responsibilities in the performance of their duties. They shall avoid all actions, statements or public activities which might be detrimental to the Secretariat and its aims.
- 2.3 Staff members are not required to renounce either their national feelings or their political or religious convictions, but must ensure that such views or convictions do not adversely affect their official duties or the interests of the Secretariat. Staff members shall uphold the highest standards of efficiency, competence, and integrity. The concept of integrity includes, but is not limited to, probity, impartiality, fairness, honesty, and truthfulness in all matters affecting their work and status.
- 2.4 In the performance of their duties, staff members shall only accept instructions from the Meeting of the Parties, bodies created by it, or the Executive Secretary.
- 2.5 Staff members shall observe maximum discretion regarding official matters and shall abstain from making private use of information they possess by reason of their position. Authorisation for the release of information for official purposes shall lie with the Meeting of the Parties or the Executive Secretary, as the case may require.
- 2.6 Staff members shall, in general, have no employment other than with the Secretariat. In special cases, staff members may accept other employment, provided that it does not interfere with their duties in the Secretariat, and that prior authorisation by the Executive Secretary has been obtained. The Meeting of the Parties prior authorisation shall be obtained in respect of the Executive Secretary.
- 2.7 No staff member may be associated with a business, industry or other enterprise, or have a financial interest therein if, as a result of the official position held in the Secretariat, they may benefit from such association or interest. Ownership of non-controlling stock in a company shall not be considered to constitute a financial interest within the meaning of this Regulation.

- 2.8 Staff members shall enjoy the privileges and immunities as referred to under the Headquarters Agreement for the Secretariat.

REGULATION 3 - HOURS OF WORK

- 3.1 The normal working day shall be eight hours, Monday to Friday, for a total of forty hours per week. These hours do not include breaks for meals.
- 3.2 The Executive Secretary shall establish the working hours, and may alter them for the benefit of the Secretariat, as circumstances may require.

REGULATION 4 - CLASSIFICATION OF STAFF

- 4.1 Staff members shall be classified as follows:

(a) Executive Secretary

This post will be filled by a person possessing appropriate qualifications and experience for the position. The Executive Secretary shall be recruited internationally only from among nationals of Parties.

(b) General Staff

This category shall include all other staff, including technical, scientific, administrative and auxiliary positions. Such staff members shall be recruited only from among nationals of Parties.

- 4.2 Persons employed under Regulation 12 shall not be classified as staff members.

REGULATION 5 – SALARIES, OTHER REMUNERATION AND PERFORMANCE ASSESSMENT

- 5.1 The salary scale for the Executive Secretary shall approximate SES 2 classification of the Tasmanian State Service. The salary of the Executive Secretary shall be the amount agreed in the triennial Agreement budget and shall be paid in Australian dollars. All associated allowances for the Executive Secretary shall be in accordance with the Senior Executive Service (SES) category of the Tasmanian State Service. A motor vehicle approximating the value of vehicles available to SES Level 2 shall be provided for the use of the Executive Secretary.
- 5.2 The salary scales for the general staff shall be those defined by the Tasmanian State Service Award, noting that these figures may be revised from time to time by the Tasmanian State Service. The Level of appointment for general staff shall be determined by the Executive Secretary. All allowances for each general staff members shall be in accordance with the Tasmanian State Service Award. The salaries of general staff members shall be paid in Australian dollars.
- 5.3 The salaries of staff members shall normally begin at Step 1 of the Level at which they are appointed. In the case of the Executive Secretary, the salary will normally approximate Step 1 of SES Level 2 in the Tasmanian State Service. However, under exceptional circumstances:

- (a) general staff may be appointed at a higher salary Step at the discretion of the Executive Secretary; and
 - (b) the Executive Secretary may be appointed at a starting salary approximating that of a higher Step in SES Level 2, upon the approval of the Meeting of the Parties.
- 5.4 All staff except the Executive Secretary, shall remain at the Step at which they are appointed for at least the first year of employment. The Executive Secretary shall remain at the salary at which they are appointed for at least the first year of employment.
- 5.5 Staff members except the Executive Secretary shall receive annual step increases, subject to satisfactory performance of their duties. Step increases shall cease once the staff member has reached the highest Step in the Level in which they are serving. The Executive Secretary will be paid in accordance with the amounts agreed by the Meeting of the Parties for each year of the triennium.
- 5.6 Performance shall be assessed annually against relevant tasks in the Secretariat Work Programme, as reported in the Secretariat's six-monthly reports. An annual performance assessment of the Executive Secretary, based on the relevant tasks in the Secretariat Work Programme shall be carried out by the Chair of the Advisory Committee in consultation with a sub-committee of three Advisory Committee members (representing the three ACAP regions) .
- 5.7 The promotion of the Executive Secretary and other staff members from one Level to another shall require the prior approval of the Meeting of the Parties.
- 5.8 The Executive Secretary is not entitled to overtime pay or compensatory leave.
- 5.9 General staff members required to work more than 40 hours during one week will be compensated with compensatory leave equivalent to hours of overtime performed. Where the Executive Secretary deems it is appropriate for the efficient operation of the Secretariat, compensation may be paid by remuneration per overtime hour, to be calculated at the rate of time and a half for the first 3 hours, then double time for each hour following. If the additional time is worked on a Saturday or Sunday, double time is paid for each hour. On holidays listed in Regulation 7.8, at the rate of double time and a half.
- 5.10 Expenses incurred by Secretariat staff in the performance of their duties shall be paid from the General Fund within the limits prescribed annually in the budget. The approval of the Executive Secretary is required before such expenses are incurred.

REGULATION 6 - RECRUITMENT AND APPOINTMENT

- 6.1 Recruitment of the Executive Secretary and support staff shall be in accordance with the procedures set out in Annex A of these Regulations. The Meeting of the Parties shall establish the remuneration and such other entitlements as it deems appropriate for the Secretariat's staff. The Executive Secretary's term of office shall be for four years unless otherwise decided by the Meeting of the Parties, subject to a satisfactory performance evaluation, based on the relevant tasks in the Secretariat Work Programme, to be conducted by the Chair of the Advisory Committee at the end of the first year of employment, in consultation with a sub-committee of three Advisory Committee members. The Executive Secretary shall

- be eligible for reappointment for one additional term. The total length of employment may not exceed eight years.
- 6.2 The Executive Secretary shall appoint (in accordance with Annex A of these Regulations), direct and supervise other staff members.
- 6.3 Upon selection, each staff member shall receive an offer of appointment stating:
- (a) that the appointment is subject to these regulations and to changes which may be made to them from time to time;
 - (b) the nature of the appointment including a description of the duties of the position;
 - (c) the date on which the staff member is required to commence duty;
 - (d) the period of appointment, the notice required to terminate it and the period of probation;
 - (e) for the Executive Secretary, the period of appointment, which shall not exceed four years, and which may be renewed once in consultation with the Meeting of the Parties;
 - (f) the category, Level, commencing rate of salary and the scale of step increases and the maximum salary attainable;
 - (g) the allowances attached to the appointment; and
 - (h) any special terms and conditions which may be applicable.
- 6.4 Together with the offer of appointment, staff members shall be provided with a copy of these Regulations. Upon acceptance of the offer staff members shall state in writing that they are familiar with and accept the conditions set out in these Regulations.

REGULATION 7 – LEAVE

- 7.1 Staff members shall be entitled to 20 working days annual leave during each working year of service, or for periods of less than a full calendar year on a pro rata basis for each completed month of service. Annual leave is cumulative, but at the end of each calendar year, not more than 15 working days may be carried over to the following year.
- 7.2 The taking of leave shall not cause undue disruption to normal Secretariat operations. In accordance with this principle, leave dates shall be subject to the needs of the Secretariat. Leave dates shall be approved by the Executive Secretary who shall, as far as possible, bear in mind the personal circumstances, needs and preferences of staff members. The Executive Secretary shall notify in advance the Chair of the Advisory Committee their periods of leave.
- 7.3 Annual leave may be taken in one or more periods.
- 7.4 Any absence not approved within the terms of these Regulations shall be deducted from annual leave. Where no leave allowance remains, a commensurate deduction in pay will be made for the period of absence.

- 7.5 Staff members who, upon termination of their appointment, have accumulated annual leave which has not been taken shall receive the cash equivalent estimated based on the last salary received to a limit of 30 days.
- 7.6 After 18 months of service the Secretariat shall, in accordance with Regulation 9 pay fares to the staff member's home country on annual leave for internationally recruited staff members, their partners and their dependents (see Regulation 10). The time taken to travel on a direct flight from Hobart to the staff member's home country shall be treated as work time, not annual leave. Following this, home leave fares shall be granted at two-year intervals provided that:
- (a) dependants who benefit from this grant have resided in Tasmania for at least 6 months prior to travel; and
 - (b) it is expected that staff members will return to the Secretariat to continue rendering their services for a minimum additional period of 6 months.
- 7.7 The possibility of combining travel to home country on leave with official travel in Secretariat service may also be considered, provided the functions of the Secretariat are not disadvantaged.
- 7.8 Staff shall be entitled to the public holidays gazetted in relation to Hobart:
- 7.9 If under special circumstances members of the staff are required to work on one of the aforementioned days, or if any one of the above holidays falls on a Saturday or Sunday, the holiday shall be observed on another day to be set by the Executive Secretary, who shall take into account the efficient functioning of the Secretariat.

REGULATION 8 – SUPERANNUATION, INSURANCE AND SPECIAL LEAVE

- 8.1 It is a condition of employment that each staff member will contribute to a complying superannuation fund and have medical and hospital insurance cover. Staff members shall be responsible for the payment of contributions to their retirement fund and insurance premiums.
- 8.2 Staff members shall not be granted sick leave for a period of more than 3 consecutive days and more than a total of 7 working days in any calendar year without producing a medical certificate.
- 8.3 (a) Staff members shall be granted certified sick leave not exceeding 12 months in any 4 consecutive years. The first 6 months shall be on full salary and the second 6 months on half salary, except that no more than 4 months on full salary shall normally be granted in any period of 12 consecutive months.
- (b) In the event of medically certified long term or life-threatening sickness, which prevents the Executive Secretary from continuing in their position, the Executive Secretary and their partner and dependents (see Regulation 10) shall be entitled to return travel and removal expenses to country of origin or former residence at the expense of the Secretariat.
- 8.4 After 12 months of employment in the Secretariat staff members shall be entitled to parental leave in accordance with the Tasmania State Service Award. This includes 16 weeks paid maternity or adoption leave and 3 weeks paid partner leave.

- 8.5 Staff members are entitled to up to 10 working days of compassionate paid leave for each incident in any one year, subject to the approval of the Executive Secretary. In the case of the Executive Secretary compassionate paid leave will be subject to the approval of the Chair of the Advisory Committee. Compassionate leave may not be accumulated.
- 8.6 In the event of death of a staff member, the right to salary, allowances and other corresponding benefits shall cease on the day on which death occurs, unless the deceased is the Executive Secretary and leaves a partner and/or dependents (see Regulation 10), in which case these shall be entitled to mortality allowances and return travel and removal expenses to their country of origin or former residence at the expense of the Secretariat.
- 8.7 Eligibility of the partner and/or dependents (see Regulation 10) of a deceased staff member for the payment of return travel and removal expenses shall lapse if the travel is not undertaken within 6 months of the date of the staff member's death.
- 8.8 The above mortality allowance for death shall be the equivalent of 4 months gross salary.
- 8.9 The Secretariat shall pay for customary and reasonable expenses for shipment of an Executive Secretary's body from the place of death to the place designated by the next of kin.

REGULATION 9 – TRAVEL

- 9.1 Staff members may be required to undertake travel, including international travel, on behalf of the Secretariat. All official travel shall be authorised by the Executive Secretary in advance within the limits of the budget, and the itinerary and travelling conditions shall be those best suited for maximum effectiveness in the fulfilment of duties assigned.
- 9.2 The Secretariat shall pay for adequate travel insurance for all official travel by staff members.
- 9.3 With regard to official travel, a reasonable travel allowance shall be paid in advance for accommodation and daily living expenses.
- 9.4 Economy class shall be utilised, wherever feasible, for air travel. For economy class journeys over 9 hours in flying time, staff will be entitled to one rest day.
- 9.5 Following completion of a journey for official purposes, staff members shall repay any travel allowances to which, in the event, they were not entitled. Where staff members have incurred expenses above and beyond those for which travel allowances have been paid, they shall be reimbursed, against receipts and vouchers, as long as such expenses were necessarily incurred in pursuit of their official duties.
- 9.6 On taking up an appointment, the Executive Secretary shall be eligible for:
- (a) payment of air fares (or equivalent) and travel allowance for themselves, their partner and dependents (see Regulation 10) to Hobart;
 - (b) payment of removal costs, including the shipment of personal effects and household goods from place of residence to Hobart, subject to a maximum

volume of 30 cubic metres, or one international standard shipping container;
and

- (c) payment or reimbursement of sundry other reasonable expenses related to relocation, including insurance of goods in transit and excess baggage charges. Such payments shall be subject to prior approval by the Chair of the Advisory Committee.

- 9.7 Staff members who, in the course of their duty, are required to use private motor vehicles for official travel purposes shall, with the prior authorisation of the Executive Secretary, be entitled to receive a reimbursement of the reasonable costs involved. The costs associated with normal daily travel to and from the place of work shall not be reimbursed.

REGULATION 10 – DEPENDENTS

- 10.1 For the purposes of these regulations the term 'dependent' means any:
- (a) child, who is born of, or adopted by, a staff member, their partner, or their children, who is below the age of eighteen years and who is dependent on a staff member for main and continuing support;
 - (b) child fulfilling the conditions laid down in paragraph (a) above, but who is between eighteen and twenty-five years of age and is receiving school or university education or vocational training;
 - (c) child with a disability who is dependent on a staff member for main and continuing support;
 - (d) other child who is given a home by and is dependent on a staff member for main and continuing support; and
 - (e) member of the family forming part of the household of the staff member, for whose main and continuing support a staff member is legally responsible.

REGULATION 11 - SEPARATION FROM SERVICE

- 11.1 Staff members, with the exception of the Executive Secretary, may resign at any time upon giving 4 weeks' notice or such lesser period as may be approved by the Executive Secretary. The Executive Secretary may resign at any time upon giving six months notice, or such lesser period as may be approved by the Meeting of the Parties.
- 11.2 In the event of a staff member resigning without giving the required notice the Executive Secretary (in the case of staff members other than the Executive Secretary) or the Meeting of the Parties (in the case of the Executive Secretary) reserves the right to decide whether repatriation expenses or any other allowance shall be paid.
- 11.3 Appointment of staff members may be terminated upon prior written notice at least three months in advance, by the Executive Secretary (and in the case of the Executive Secretary, by the Meeting of the Parties) when this is deemed to be for the benefit of the efficient functioning of the Secretariat, due to restructuring of the Secretariat, or if it is considered that the staff member does not give satisfactory

service, as assessed by annual reviews, or fails to comply with the duties and obligations set out in these Regulations, or is incapacitated for service.

- 11.4 In the event of involuntary termination from service, the Executive Secretary shall be compensated at a rate of one month base pay for each year of service, beginning the second year, unless the cause of termination has been gross dereliction of the duties imposed in Regulation 2.
- 11.5 In the event of involuntary termination of the appointment of a general staff member, they shall be compensated at a rate of one month base pay for each year of service, except when the Executive Secretary considers that the staff member has not given satisfactory service, fails to comply with the duties and obligations set out in these Regulations, or is incapacitated for service.
- 11.6 On separation from service, the Executive Secretary shall, except in the case of gross dereliction of duties, be entitled to the following:
- (a) payment of economy class air fares (or equivalent) to the staff member's country of origin or former residence, for the staff member, partners and dependents; and
 - (b) payment of removal costs, including the shipment of personal effects and household goods from place of residence in Tasmania to the country of origin or former residence, subject to a maximum volume of 30 cubic metres or one international shipping container.

REGULATION 12 - TEMPORARY PERSONNEL UNDER CONTRACT

- 12.1 The Executive Secretary may contract temporary personnel to discharge special duties of a short or fixed term nature. Such personnel shall be classified as contractors and may be paid on either an hourly or contract basis. Persons in this category shall not be covered under the provisions of these staff regulations, but by the provisions contained in the contract entered into with the Secretariat.
- 12.2 Persons in this category may include translators, interpreters and other persons contracted for meetings, as well as those whom the Executive Secretary contracts for a specific task.

REGULATION 13 - APPLICATION AND AMENDMENT OF REGULATIONS

- 13.1 Any issues arising from application of these Regulations shall be resolved by the Executive Secretary following consultation with the Chair of the Advisory Committee.
- 13.2 Matters not foreseen in these Regulations may be brought to the attention of the Meeting of the Parties by the Executive Secretary.
- 13.3 These Regulations including the schedules may be amended by a decision of the Meeting of the Parties.

REGULATION 14 - APPLICATION OF AUSTRALIAN LAW TO EMPLOYMENT CONTRACTS

- 14.1 The governing law of employment contracts between staff members and the Secretariat shall be that of Tasmania and, where relevant, the Commonwealth of Australia.
- 14.2 To the extent that any privileges and immunities applicable under Australian law to a staff member or the Secretariat prevent the laws of Tasmania or the Commonwealth of Australia being the governing law of such contracts, such privileges and immunities are expressly waived by the Meeting of the Parties.
- 14.3 To the extent that such laws would impose rights to either a staff member or the Secretariat by virtue of the employment relationship between them, the laws of Tasmania and, where relevant, the Commonwealth of Australia, shall apply to such relationship, and any relevant privileges and immunities are expressly waived by the Meeting of the Parties. If there is any inconsistency between these Staff Regulations and the rights referred to in the previous sentence, these Staff Regulations shall be deemed as modified to the extent necessary to ensure consistency.
- 14.4 The substance of the foregoing paragraphs of this Regulation shall be included in all employment contracts between a staff member and the Secretariat.

ANNEX A - RECRUITMENT PROCEDURE FOR SECRETARIAT STAFF

When the position of Executive Secretary or other post is or becomes vacant, the following recommended procedures should be used to recruit staff.

Executive Secretary

1. The Meeting of the Parties shall appoint three members of the Advisory Committee as a recruitment sub-committee to address all matters associated with the recruitment and appointment of a new Executive Secretary. The recruitment sub-committee shall consist of one representative from each of the following regions, Americas, Europe and Australasia/Africa.
2. The meetings of the recruitment sub-committee will be closed. All information obtained by the recruitment sub-committee and their deliberations will be treated confidentially.
3. An advertisement in each of the official languages, establishing the selection criteria, shall be placed on the ACAP website and provided to each Party for advertising as they consider appropriate, with the purpose of attracting applications for the post of Executive Secretary. Any such national advertisements shall be similar in form to that placed on the website.
4. The Chair of the recruitment sub-committee shall, in consideration of the time available, determine the deadline for applications and other processes leading to the short listing of candidates.
5. After the deadline for receipt of applications all curricula vitae, references and other documents submitted by applicants shall be examined by the recruitment sub-committee, who shall draw up a short list of the five most suitable candidates. In drawing up the short-list, the recruitment sub-committee will consult with the Parties of which the candidates are nationals to ensure that there are no known reasons why the individuals should not be selected for interview.
6. The recruitment sub-committee will arrange telephone or other interviews with the five candidates.
7. The recruitment sub-committee will request the two most suitable candidates to attend a face-to-face (or other) interview at a date and location, or by means, considered most practical and cost efficient by the recruitment sub-committee. Subject to the availability of funds, travel and per diem expenses of the members of the sub-committee for attending the interviews will be covered by the ACAP general fund.
8. All expenses related to the selection process, including travel and per diem for potential candidates will be reimbursed from the ACAP general fund.
9. The successful candidate will be notified to Parties along with a confidential summary of the selection process and a rationale for the appointment of the selected candidate.
10. The chosen candidate shall be formally appointed by the Chairperson of the Meeting of the Parties and notified at the earliest opportunity.
11. The successful candidate will be subject to a year's probation period during which the appointee's performance will be assessed by the Chair of the Advisory Committee against relevant tasks in the Secretariat Work Programme taking into account the

views of Parties (through a sub-committee of three Advisory Committee members representing the three ACAP regions). The post will be confirmed subject to a satisfactory performance assessment.

12. If the Executive Secretary resigns, the Advisory Committee shall nominate a suitable temporary replacement, who must be approved by at least a two-thirds majority of the Parties to the Agreement.
13. Any person designated Acting Executive Secretary shall enjoy the salary, allowances and other privileges appropriate to the post of Executive Secretary for such time as the person occupies the post.

Suggested Selection Criteria for the Appointment of the Executive Secretary to ACAP

The recruitment sub-committee shall be guided by, but not necessarily limited to, the following criteria in the selection of an Executive Secretary:

Essential criteria

1. national of an ACAP Party;
2. experience or detailed knowledge of the operations of international intergovernmental organisations;
3. representational and promotional skills;
4. fluency in English;
5. demonstration of an appropriate level of managerial experience and proven competence, including
 - a. the preparation of financial budgets and the management of expenditures; and
 - b. the organisation of meetings and provision of Secretariat support for high level committees;

Desirable criteria

6. familiarity with the conservation of albatrosses and petrels;
7. relevant experience and qualifications; and
8. proficiency in the other languages of ACAP Parties and range states, in particular the other two official ACAP languages (Spanish and French).

Recruitment Procedure for General staff

The following recommended procedures for the recruitment of the general staff will be used, with the Executive Secretary taking the leading role.

1. Advertisements shall be placed on the ACAP website and in relevant Australian and international forums and shared with ACAP Parties and other relevant organisations, with the purpose of attracting applications for the vacant post.
2. The Executive Secretary shall, in consideration of the time available, determine the deadline for applications and other processes leading to the short listing of candidates.

3. The Executive Secretary shall convene a recruitment sub-committee consisting of three relevant people.
4. The meetings of the recruitment sub-committee will be closed. All information obtained by the recruitment sub-committee and their deliberations will be treated confidentially.
5. From applications received, the Executive Secretary, in consultation with the recruitment sub-committee, will identify the most suitable candidates and perform a preliminary interview by telephone or online.
6. The Executive Secretary, in consultation with the recruitment sub-committee, will then determine the most appropriate method for the final selection.
7. The Executive Secretary may make arrangements to cover any work requirements of the Secretariat if absences occur.

**ANNEX 4. RESOLUTION 7.4 ADVISORY COMMITTEE WORK
PROGRAMME 2023 - 2025**

AGREEMENT ON THE CONSERVATION OF ALBATROSSES AND PETRELS**Resolution 7.4****Advisory Committee Work Programme 2023 – 2025**

Adopted by the Seventh Session of the Meeting of the Parties, Virtual meeting,
9 – 13 May 2022

Recalling Article VIII(11)(d) of the Agreement, which required that the first Session of the Meeting of the Parties establish the Advisory Committee provided for in Article IX of the Agreement;

Further recalling Resolution 1.5 of the Meeting of the Parties on the establishment of the Advisory Committee which included a work programme for this Committee;

Noting that the twelfth meeting of the Advisory Committee developed a work programme for the period 2023 - 2025 (AC12 Report, Annex 5) taking into consideration the outcomes of its meeting and the preceding meetings of the Population and Conservation Status, and Seabird Bycatch Working Groups;

The Meeting of the Parties to the Agreement on the Conservation of Albatrosses and Petrels**Decides:**

to approve the Advisory Committee Work Programme in Appendix A

RESOLUTION 7.4 APPENDIX A - ADVISORY COMMITTEE WORK PROGRAMME 2023 – 2025

This Work Programme provides indicative costs (in AUD) and time required to complete the tasks. Significant levels of financial and staffing resources will be required from other sources to undertake the work programme, primarily from the Secretariat and the Advisory Committee Officials, but also from Parties, Range States and NGOs. Note that these staffing resources are in most cases provided pro-bono. The hours shown do not include time spent by the Parties or other organisations but reflect the amount of time that AC Officials and the Secretariat will spend on these tasks.

Topic/ Task	Responsible group	Time frame	Resources		Action detail/ comments	
			Time	Funds (AUD)		
1. Taxonomy and Annex 1 review						
1.1	Keep the Taxonomy Working Group's bibliographic database updated	TWG led by Convenor	Ongoing	0.5 week per annum (p.a.)	0	Ensure that ACAP's bibliographic database is kept updated
1.2	Continue the establishment of a morphometric and plumage database	TWG led by Convenor, Science Officer	2023-2025	2 weeks	0	This will facilitate the taxonomic process, the identification of bycatch specimens, and the long-term storage of valuable data. Possibly a catalogue of taxa that are difficult to separate visually instead.
1.3	Maintain a database of site-specific information on the availability of samples relevant to studies of population genetics of ACAP species	TWG	2023-2025	2 months	?	In co-operation with PaCSWG a database of researchers holding site specific samples was developed initially.
1.4	Consider taxonomic issues relating to species proposed for addition to Annex 1 of the Agreement	Parties and AC	Ongoing	0.5 week p.a.	0	Respond to proposals (using species assessment template) submitted by Parties.
1.5	Respond to queries on taxonomic issues relating to ACAP species	TWG led by Convenor	Ongoing	1-2 weeks p.a.	0	Encourage ongoing harmonisation with CMS and IUCN. Maintain species reference table with scientific and common names across multiple languages.

Topic/ Task	Responsible group	Time frame	Resources		Action detail/ comments
			Time	Funds (AUD)	
2. Information on status, trends and breeding sites					
2.1	PaCSWG, Science Officer, BirdLife International	Ongoing	8 weeks p.a.	0	Parties to provide new or outstanding data each year. Science Officer to issue reminders each year. Maximise use of existing data (could be suitable for secondments).
2.2	Science Officer, Convenors, Vice Convenors, PaCSWG	Ongoing	12 weeks p.a.	0	
2.3	PaCSWG Convenors, Science Officer and BirdLife International with other experts as required	Ongoing	3 weeks	5,000 (core)	May require further data portal updates. Consider alternative approaches as required. Review at AC14.
2.4	Science Officer, PaCSWG leads	Ongoing	6 weeks p.a.	4,000 (core)	Costs for BirdLife to update maps.
2.5	Science Officer	Ongoing		12,000 (core)	
2.6	PaCSWG, Science Officer	Ongoing	2 weeks p.a.	0	Review and update priorities and reflect on progress against priorities and provide reports to each AC Meeting.
2.7	PaCSWG, AC, Science Officer and BirdLife International	2024	1 week p.a.	1,000 (core)	Review at AC14
2.8	PaCSWG, Science Officer	Ongoing	1 week p.a.	0	Review at each AC Meeting

Topic/ Task	Responsible group	Time frame	Resources		Action detail/ comments
			Time	Funds (AUD)	
2.9	PaCSWG, Science Officer	Ongoing	1 week p.a.	0	Annual updating of priorities by Parties, re-run prioritisation for AC14.
2.10	PaCSWG, Science Officer	Ongoing	3 weeks p.a.	0	
2.11	PaCSWG, Science Officer	2023 and 2024	12 weeks	0	
2.12	SG Subcommittee, Secretariat and experts as required (identify leads)	Ongoing	?	?	Opportunity for secondments and small grants . E.g colony 'management', acoustic monitoring, remote sensing. Review at each AC.
3. Seabird Bycatch					
3.1	Individual RFMO coordinators, Secretariat, SBWG and AC	Ongoing	a) 18 weeks p.a. b) 18 weeks p.a. c) 2 weeks p.a.	(a+b) 30,000 p.a. (core)	a) Travel etc costs for attendance at selected RFMO meetings (less if Party can contribute directly) b) RFMO co-ordinator activities c) Review of process and recommend changes (SBWG) Includes development and dissemination of resources. Translation costs. These guidelines will also be relevant for national (Party) observer programmes.
	Individual RFMO coordinators, Secretariat, SBWG			3,000 (core)	

Topic/ Task	Responsible group	Time frame	Resources		Action detail/ comments
			Time	Funds (AUD)	
3.2 Interseasonal review of ACAP Best Practice Advice and Review documents for pelagic and demersal longline and trawl fishing gear	SBWG via leads – Pelagic LL: Jonathon Barrington, Sebastián Jiménez Demersal LL: Oli Yates, Ed Melvin to help Trawl: Amanda Kuepfer, Igor Debski	Ongoing			
3.3 Further development of mitigation advice for purse-seine fisheries. Formalise ACAP Advice document for the purse seine mitigation advice. This advice document will include introductory and explanatory text, and will be made available on the ACAP website. Finalise ACAP guidelines for removing entangled seabirds from nets (purse-seine and trawl).	SBWG, via leads: Cristian Suazo, Joanna Alfaro (Jonathon Barrington to help) Jonathon Barrington, Cristian Suazo, JP Seco Pon, Secretariat	Ongoing	4 weeks	3,000 (core)	Using the toolbox approach. Costs for translation of advice document and guidelines, plus guidelines design.
3.4 Continue to update Mitigation Fact Sheets using new simplified format in a phased approach: 1) line weighting safety practices 2) updated advice on bird scaring lines for pelagic and demersal LL, and 3) fact sheets dealing with ACAP Best Practice measures.	SBWG, BirdLife International, Secretariat	Ongoing	1 week per fact sheet	10,000 (core, for translation, and for new factsheets)	

	Topic/ Task	Responsible group	Time frame	Resources		Action detail/ comments
				Time	Funds (AUD)	
3.5	<p>Further pursue approaches to improve uptake of best practice seabird bycatch mitigation measures.</p> <p>Continue to develop and refine communication strategy and products to:</p> <ul style="list-style-type: none"> ▪ Reinvalidate advice ▪ Communicate with different audiences (e.g. presentations, videos, other multi-media) to include success stories and information aimed at overcoming impediments to implementation <p>Model bycatch threat to seabird populations to communicate the extinction risk to ACAP Species.</p> <p>Continue to engage with certification schemes, by:</p> <ul style="list-style-type: none"> ▪ Contributing to reviews of standards on bycatch considerations to encourage these to be informed by ACAP advice. ▪ Providing information to Parties and others to enable comment on individual fisheries assessments 	<p>SBWG, PaCSWG Secretariat</p> <p>Secretariat, SBWG</p>	Ongoing		<p>5,000 (core) for a seconded/contractee to participate in the process</p> <p>5,000 (core) for a seconded/contractee to continue to provide advice on the process</p>	<p>Aimed to help inform the development of future strategies for engagement with fishing fleets.</p> <p>Scope of work dependent on ongoing investigation into enhancing implementation of mitigation measures</p> <p>Possible secondment to investigate further specific communications areas and to supplement work of any part time consultant that the Secretariat might employ as communications adviser.</p> <p>Note cross-over with PaCSWG, communication is important for these matters as well.</p> <p>How to make advice more user-friendly to fisheries managers and policy makers to enhance use.</p> <p>Will require resources (possible secondment/small grant opportunity).</p> <p>ACAP should respond to relevant opportunities.</p> <p>Secretariat continue to engage, as required, consultant who has already provided advice on this process. A sub-group of SBWG will continue to pursue opportunities to engage with relevant schemes and will indicate when further input from the consultant would be helpful.</p> <p>Secretariat will continue to receive notifications from fishery certification schemes and will share these as relevant with the sub-group.</p>

Topic/ Task	Responsible group	Time frame	Resources		Action detail/ comments
			Time	Funds (AUD)	
3.6	SBWG, RFMO Leads	Ongoing			Note studies done with 40, 45 and 60g, not presently feasible to test 80g.
3.7	Parties, SBWG, Secretariat	Ongoing	20 weeks	10,000 p.a. (core)	Need for contract support as this is a key element of work (0.25 FTE?) Workshop pre SBWG11.
3.8	SBWG	2023-2024	1 week	5,000 (core)	Analysis and update of data relating to threats and mitigation. Possible workshop . i) revise the framework for future use at SBWG11, taking account of risk assessment initiatives recently completed or currently underway. ii) update for MoP8.
3.9	SBWG, Lead: Jeff Mangel	Ongoing		2,000 (core, for translation)	Continued development of the toolbox to provide advice on mitigation options available for artisanal and small-scale fisheries. Good opportunity for secondment . Before posting on website, include introductory text explaining the context, purpose and use of the advice.
3.10	SBWG	Ongoing	2 weeks	0	Through liaison with external initiatives. It is anticipated that the first step of this process will be a comprehensive literature review of all gillnet mitigation research across taxa to be compiled for the SBWG11, and that ACAP Parties contribute towards this work, as appropriate.
3.11	SBWG Lead: Eric Gilman	Ongoing			Guidelines were developed in 2021. Task 3.1 (RFMO Engagement) will be an important mechanism for dissemination.

Topic/ Task	Responsible group	Time frame	Resources		Action detail/ comments
			Time	Funds (AUD)	
3.12	SBWG	Ongoing	20 weeks	0	
3.13	SBWG	Ongoing			Encourage and help facilitate and support collaborative efforts to undertake seabird bycatch risk and impact assessments, including building capacity to undertake assessments – secondment opportunity. A number of initiatives currently underway. Progress reported at SBWG9, and will inform further actions.
3.14	SBWG, Science Officer	Ongoing	1 week p.a.	0	Includes both published and unpublished literature. Replace working papers with published papers where possible. Submission of information from Parties and others encouraged. Refer and link to BMIS and other online bycatch databases.
3.15	SBWG intersessional group	2023			Possible secondment
4. Capacity building, new Parties, organisation of work					
4.1	AC, Parties and BirdLife International to consider	Ongoing	10 weeks	0	Capacity building in accordance with the needs identified by interested Parties in order to encourage implementation, particularly in Ecuador, France, Peru, South Africa (Angola, Namibia, Mozambique, Madagascar), Tristan da Cunha (UK), and EC external fisheries

Topic/ Task	Responsible group	Time frame	Resources		Action detail/ comments
			Time	Funds (AUD)	
4.2	AC, Parties	Ongoing		0	Initial work carried out at AC7, further work interessionally, work with lead Parties and Secretariat as needed.
4.3	PaCSWG, SBWG, TWG, AC	Ongoing		0	
4.4	Argentina, Australia, Brazil, New Zealand, UK	Ongoing		0	
5. Indicators, priorities, reviews and collective conservation action					
5.1	WG Convenors and WGs	2024	4 weeks	?	
5.2	PaCSWG, SBWG, TWG, AC, Parties	Ongoing	16 weeks	0	Intersessional group on Priority Populations to respond to requests by Parties e.g. the implementation of the Waved Albatross <i>P. irrorata</i> Action Plan.
5.3	PaCSWG, SBWG, TWG, Science Officer	Ongoing	1 week	0	Develop delisting criteria. Update scores as needed.
5.4	PaCSWG, SBWG, TWG, Secretariat	Ongoing	4 weeks	0	
5.5	Parties, Secretariat, BirdLife International and AC	Ongoing	1 week p.a.	0	Requires reporting by Parties, collation of information by Secretariat (HSI to assist by providing paper)

Topic/ Task	Responsible group	Time frame	Resources		Action detail/ comments	
			Time	Funds (AUD)		
5.6	Review ACAP performance indicators	PaCSWG, SBWG Convenors, Science Officer and BirdLife International	2024	3 weeks	0	Examine ways to improve reporting of implementation of best practice mitigation measures by Parties.
5.7	Manage database of relevant scientific literature	Secretariat	Ongoing	2 weeks p.a.	0	
5.8	Manage directory of relevant legislation	Secretariat	Ongoing	1 week p.a.	0	Parties to supply further information, as available
5.9	Manage a list of authorities, research centres, scientists and non-governmental organisations relevant to ACAP	Secretariat	Ongoing	2 days p.a.	0	Parties and AC to supply further information, as available
5.10	Review information and drafts of triennial implementation report.	Advisory Committee, Secretariat	2024		0	In accordance with Article IX 6 (d) of the Agreement
5.11	Continue to update analysis of overlaps of distributions, and interactions, of albatrosses and petrels with fisheries and bycatch information to aid prioritisation and targeting of actions to reduce the risk of fishing operations to ACAP species in waters subject to national jurisdiction and those managed by RFMOs.	SBWG, PaCSWG and Parties	Ongoing	16 weeks	10,000 (core) 10,000 (grant)	Assess any capacity building requirements to facilitate regional coordination to better assess bycatch. Increase focus on ACAP Priority Populations and high-risk bycatch areas.
5.12	Support for World Albatross Day	Secretariat, PaCSWG, SBWG, Parties	Ongoing		3,000 p.a (core)	Developing, producing and distributing WAD materials e.g. logo, posters, brochure. Support other means of promoting WAD, e.g competitions etc.
6. Management of AC work, Secretariat oversight and liaison, and interaction of ACAP bodies						
6.1	Consider and advise on budget matters as needed	AC	Ongoing	2 weeks p.a.	0	Short-term advice provided by the AC Chair

Topic/ Task	Responsible group	Time frame	Resources		Action detail/ comments
			Time	Funds (AUD)	
6.2 Consider and advise on Staff matters as needed	AC	Ongoing	1 week p.a.	0	Short-term advice provided by the AC Chair
6.3 Oversee, advise and guide Secretariat in relation to database, web portal	Convenors, Chair and Vice-chair	Ongoing	6 weeks p.a.	0	
6.4 Manage work of Advisory Committee	Chair, Vice-chair and Convenors	Ongoing	18 weeks p.a.	0	

ANNEX 5. RESOLUTION 7.5 AGREEMENT BUDGET 2023 - 2025

AGREEMENT ON THE CONSERVATION OF ALBATROSSES AND PETRELS**Resolution 7.5****Agreement Budget 2023 - 2025**

Adopted by the Seventh Session of the Meeting of the Parties, Virtual meeting,
9 – 13 May 2022

Recalling that Article VIII(8) of the Agreement requires the Meeting of the Parties, at each of its ordinary Sessions, to adopt a budget for the next financial period;

Recalling also that Article VII(2)(a) of the Agreement requires decisions relating to the budget and any scale of contributions to be adopted by the Meeting of the Parties by consensus, having regard to the differing resources of the Parties;

Noting that Resolution 1.1 adopted at the first Session of the Meeting of the Parties agreed to give consideration to amending the Scale of Contributions;

Further Recalling that Resolution 6.6 adopted at the Sixth Session of the Meeting of the Parties (MoP6) adopted a scale of contributions formula and Budget for 2019 - 2021;

Further Recalling that Parties were unable to agree intersessionally to adopt a single-year Budget for 2022, and *aware that* in accordance with Article VII(2) of the Agreement, absent a consensus on the Budget for 2022, the previously agreed budget continued to apply;

Recognising the exceptional circumstances arising from the COVID-19 pandemic; which mean that all ACAP Parties have and continue to experience significant economic and social disruption due to the pandemic, and that such circumstances have not previously been experienced since the entry into force of the Agreement;

Bearing in mind Resolutions 7.2, Secretariat Work Programme 2023 - 2025, and Resolution 7.4, Advisory Committee Work Programme 2023 - 2025;

The Meeting of the Parties to the Agreement on the Conservation of Albatrosses and Petrels**Decides:**

1. to adopt the 2023 - 2025 Budget in Appendix A;

2. to adopt the scale of contributions formula in Appendix B to calculate the contributions for existing Parties;
3. that in the financial years 2023, 2024 and 2025, the core budget shall be based on fixed annual payments from the Parties as set out in Appendix C,
4. that the accession of any Party to the Agreement during an intersessional period will not result in the recalculation of the fixed annual payments for any other Party prior to the next MoP;
5. that the budget is to be allocated on a functional basis into four appropriations as follows:
Appropriation 1 – Operation of the Secretariat
Appropriation 2 – Meetings of the Parties
Appropriation 3 – Meetings of the Advisory Committee
Appropriation 4 – Advisory Committee Work Programme.
6. that Parties should pay any outstanding contributions as soon as possible;
7. that all contributions shall be paid in Australian dollars (AUD);
8. that a working capital shall be maintained at a constant level of AUD 100,000;
9. that the Budget 2023 - 2025 will be based on 0% nominal growth with one-off allocations from the General Fund of \$550,000 to support the work of the Agreement;
10. that the Advisory Committee shall keep the status of the General Fund and other funds drawn up in accordance with the Agreement under regular review;
11. that additional funds which become available should other States accede to the Agreement during the 2023 - 2025 triennium will be allocated toward the Special Fund, consistent with Financial Regulation 5.4;
12. *Urges* all Parties to consider making voluntary contributions to the Special Fund to support the activities of the Agreement;
13. *Invites* non-Party Range States, governmental, inter-governmental and non-governmental organisations and other agencies to consider contributing to the Special Fund or to specific activities;
14. *Requests* the Secretariat to make best endeavours to seek external funding and to identify innovative mechanisms to reduce costs.

RESOLUTION 7.5 APPENDIX A

Agreement Budget 2023 – 2025

Ref. No	Description	2023	2024	2025
1. INCOME				
	Contributions from Parties	795,047	795,047	795,047
	Interest on funds	3,885	4,060	4,243
	Tax refunds	15,550	14,199	12,787
	MoU - Tasmanian Government	26,129	27,305	28,534
	Total Income	840,611	840,611	840,611

2. EXPENDITURE**APPROPRIATION 1 - SECRETARIAT**

Employee salaries

1.1.1	Salaries – Executive Secretary	176,479	180,009	183,609
1.1.2	RBF Superannuation	18,530	19,801	21,115
1.1.3	Recruitment Costs	0	0	5,990
1.1.4	Salaries - Science Officer	113,957	116,236	118,561
1.1.5	RBF Superannuation	11,965	12,277	12,596
1.1.6	Workers Compensation	3,627	3,790	3,961
	Total Salaries	324,559	332,113	345,831

Employee expenses

1.2.1	Accommodation	11,325	11,834	12,367
1.2.2	Airfares	28,313	29,587	30,919
1.2.3	Travel Allowances	12,072	12,615	13,183
1.2.4	Travel Insurance	1,105	1,154	1,206
1.2.5	Consultants	59,662	62,347	65,153
1.2.6	Relocation expense (staff)	0	0	0
1.2.8	General insurance	1,598	1,670	1,745
1.2.9	Representation expenses	1,743	1,821	1,903
1.2.10	Other travel costs - visas	935	977	1,021
	Total Employee expenses	116,753	122,006	127,497

Operational costs

1.3.1	Office equipment /furniture	7,077	7,395	7,728
1.3.2	Office equipment maintenance	872	911	952
1.3.3	Office requisites - stationery	1,752	1,831	1,914
1.3.4	Publications /books	254	265	277
1.3.6	Printing and copying (PR material)	2,140	2,236	2,337
1.3.7	Telephones - telecommunications	2,723	2,846	2,974
1.3.8	Translations - correspondence	10,077	10,530	11,004
1.3.9	Postage	254	265	277
1.3.10	Freight/couriers	254	265	277
1.3.11	Light and power	2,923	3,054	3,192

Ref. No	Description	2023	2024	2025
1.3.12	Insurance property	1,634	1,708	1,785
1.3.14	Vehicle running costs	3,813	3,985	4,164
1.3.15	Cab charge - taxis	566	592	619
1.3.16	Parking	3,576	3,905	3,576
1.3.18	Staff training	2,541	3,905	1,953
1.3.19	Staff conferences / seminars	1,416	1,480	1,546
1.3.20	Bank charges	317	331	346
1.3.21	Bad and doubtful debts	346	361	378
1.3.22	Software purchase	2,832	2,959	3,093
1.3.23	Server lease	701	733	766
1.3.24	Outsourced IT services	2,199	2,298	2,401
1.3.25	Modifications to database	12,183	12,731	13,304
1.3.26	WAN Wireless network	1,285	1,343	1,404
1.3.27	Rent - ACAP office	35,731	37,339	39,019
1.3.28	Rates and water	0	0	0
1.3.29	Preventative maintenance	0	0	0
1.3.30	Office cleaning	0	568	593
	Total Office operational costs	97,466	103,837	105,877
TOTAL APPROPRIATION 1 - SECRETARIAT		538,778	557,956	579,205

APPROPRIATION 2 - MEETINGS OF THE PARTIES

Interpretation / Translation Costs

2.1.1	Simultaneous interpretation	0	0	47,719
2.1.2	Hire of interpretation equipment	0	0	18,924
2.1.3	Translation of documents	0	0	39,322
	Total Interpretation/ Translation	0	0	105,965

Meeting support costs

2.2.1	Hire of venue (including catering)	0	0	17,353
2.2.2	Hire/purchase of equipment	0	0	11,568
2.2.3	Support staff	0	0	0
2.2.4	Printing of documents/ report	0	0	7,953
	Total Meeting support costs	0	0	36,874

Sponsorship

2.3.1	Sponsorship - experts	0	0	26,467
	Total Sponsorship costs	0	0	26,467

TOTAL APPROPRIATION 2 - MoP		0	0	169,305
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APPROPRIATION 3 - ADVISORY COMMITTEE

Interpretation

3.1.1	Simultaneous interpretation	55,470	57,966	0
3.1.2	Hire of interpretation equipment	15,584	16,286	0
3.1.3	Translation of meeting documents	31,018	32,413	0
	Total Interpretation	102,071	106,665	0

Ref. No	Description	2023	2024	2025
Venue and meeting support costs				
3.2.1	Hire of venue (including catering)	29,360	30,681	0
3.2.2	Hire/purchase of equipment	2,667	2,788	0
3.2.3	Support staff	28,898	30,198	0
	Total Venue and meeting costs	60,925	63,667	0
Sponsorship				
3.3.1	Sponsorship of experts	20,802	21,738	0
	Sponsorship non-Party Range States	0	0	0
	Total sponsorship	20,802	21,738	0
Support for Advisory Committee Officials				
3.4.1	Support for AC Officials	0	0	0
	Total support	0	0	0
TOTAL APPROPRIATION 3 - AC		183,799	192,070	0
APPROPRIATION 4 - AC WORK PROGRAMME				
	Support for secondments	22,867	13,332	47,605
	Advisory Committee Work Programme	95,167	77,252	44,494
TOTAL APPROPRIATION 4 - AC WP		118,034	90,585	92,099
TOTAL AGREEMENT BUDGET		840,610	840,610	840,610

In addition, \$550,000 from savings will be drawn on to support the budget as follows:

One-off allocations from savings in General Fund	2023	2024	2025
1.2.5 Contracting a temporary part-time Communications Adviser	66,666	66,666	66,666
1.2.6 Relocation expenses (staff) (2023-2025)		50,000	
2.2.3 Allocated to Appropriation 2 for MoP8	0	0	40,000
3.4.1 Support for AC officials AC13 and AC14	30,000	30,000	0
ACWP	43,804	61,719	94,477

RESOLUTION 7.5 APPENDIX B

Scale of Contributions Formulae

1. For Parties whose scale of assessment under the United Nations Scale of Assessment for the UN Budget (currently [Resolution 76/238](#), issued 4 January 2022) is less than or equal to 0.15%, annual contributions shall be calculated on the UN Scale of Assessment.

$$\text{Contribution1} = \frac{\text{UN}\%}{\sum \text{UN}\% \text{ACAP}} * \text{ACAPBudget}$$

(Equation 1)

where: UN % is the calculated UN Scale of Assessment for a Party outlined in the United Nations Scale of Assessment for payment of annual contributions to the UN Budget (currently Resolution 76/238, 4 January 2022);

$\sum \text{UN}\% \text{ACAP}$ is the sum of the UN Scale of Assessment for all ACAP Parties outlined in UN Resolution 58/1 B; and

ACAPBudget is the annual budget approved by the Meeting of the Parties.

2. For Parties whose scale of assessment under the United Nations Scale of Assessment for the UN Budget (Resolution 76/238, 4 January 2022) is greater than 0.15%, annual contributions shall be calculated based on 50% GNI, and 50% GNI per capita, with no party paying more than 20% of the total ACAP Budget. It is calculated using the following equations:

$$\text{Contribution2} = \left[\sum \left(\frac{\text{GNI}\%}{\sum \text{GNI}\% \text{ACAP}} \cdot 0.5 \right), \left(\frac{\text{GNIpc}\%}{\sum \text{GNIpc}\% \text{ACAP}} \cdot 0.5 \right) \right] \cdot (1 - \sum \% \text{Contribution1})$$

* ACAPBudget

(Equation 2)

where: GNI % is the Gross National Income for a Party that has a Scale of Assessment under the United Nations Scale of Assessment that is greater than 0.15%;

$\sum \text{GNI}\% \text{ACAP}$ is the sum of the Gross National Incomes for all ACAP Parties that have a Scale of Assessment under the United Nations Scale of Assessment that is greater than 0.15%;

GNIpc% is the Gross National Income per capita for a Party that has a Scale of Assessment under the United Nations Scale of Assessment that is greater than 0.15%;

$\sum GNI\%ACAP$ is the sum of the Gross National Incomes per capita for all ACAP Parties that have a Scale of Assessment under the United Nations Scale of Assessment that is greater than 0.15%; and

$\sum \%Contribution1$ is the total assessed contributions for Parties whose scale of assessment under the United Nations Scale of Assessment for the UN Budget is less than or equal to 0.15%: it is expressed as a percentage of the ACAP budget.

3. If the calculated percentage contribution for one or more parties resulting from Equation 2 exceeds 20%, the contribution for the Party/Parties is set at 20% of the annual budget, and the contribution for the residual Parties recalculated in one or more subsequent iterations of the following formula:

$$Contribution = \left[\sum \left(\frac{GNI\%}{\sum GNI\%ACAP < 20\%} \cdot 0.5 \right), \left(\frac{GNIpc\%}{\sum GNIpc\%ACAP < 20\%} \cdot 0.5 \right) \right] \\ \bullet \left(1 - [(0.20 \bullet Parties > 20\%) + (\sum \% Contribution1)] \right) \bullet ACAPBudget$$

(Equation 3)

where: $\sum GNI\%ACAP Parties < 20\%$ is the sum of the Gross National Incomes for all ACAP Parties that have an assessed annual ACAP contribution < 20% in Equation 2;

$\sum GNIpc\%ACAP Parties < 20\%$ is the sum of the Gross National Incomes per capita for all ACAP Parties that have an assessed annual ACAP contribution < 20% in Equation 2;

$Parties > 20\%$ is the number of Parties that have an assessed contribution from Equation 2 or subsequent iterations of this equation that is >20% of the ACAP Budget.

RESOLUTION 7.5 APPENDIX C

Parties' Contributions 2023 - 2025

Party	2023 Contributions (AUD)	2024 Contributions (AUD)	2025 Contributions (AUD)
Argentina	44,430	44,430	44,430
Australia	87,244	87,244	87,244
Brazil	93,429	93,429	93,429
Chile	36,779	36,779	36,779
Ecuador	3,468	3,468	3,468
France	130,664	130,664	130,664
New Zealand	50,425	50,425	50,425
Norway	78,437	78,437	78,437
Peru	21,684	21,684	21,684
South Africa	33,477	33,477	33,477
Spain	86,676	86,676	86,676
United Kingdom	124,190	124,190	124,190
Uruguay	4,143	4,143	4,143
TOTALS	795,047	795,047	795,047

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ANNEX 7. MEETING AGENDA

Seventh Session of the Meeting of the Parties to ACAP	
1. Official Opening	1.1 Official Opening and Opening Statements
2. Procedural Issues	2.1 Adoption of Agenda 2.2 Amendments to the MoP Rules of Procedure 2.2.1 Rules for intersessional process 2.3 Establishment of Credentials Committee
3. Reports	3.1 Report of Credentials Committee 3.2 Report of the Depositary 3.3 Reports of Observers
4. Operation of the Secretariat	4.1 Report of the Secretariat 4.2 Secretariat Work Programme 2023 - 2025 4.3 Review of Staff Regulations 4.4 Review of Financial Regulations 4.5 Executive Secretary position
5. Operation of the Meeting of the Parties	
6. Operation of the Advisory Committee	6.1 Report of the Advisory Committee 6.1.1 RFMO Engagement Strategy 6.2 Advisory Committee Work Programme 2023 - 2025
7. Operation of the Agreement	7.1 Report on Implementation of the Agreement 7.2 Criteria for listing and de-listing species in Annex 1 7.3 Proposed Amendment to Annex 1 - listing of new species 7.4 Identification of Priority Actions for Conservation Measures 7.5 Indicators to Measure the Success of the Agreement 7.6 Capacity Building 7.7 Arrangements with Other Organisations 7.8 Financial Report 7.9 Agreement Budget 2023 - 2025 7.10 Scale of Contributions 7.11 National Plans of Action 7.12 Accession of non-Party Range States to the Agreement

8. Provisional Date and Venue of the Eighth Meeting
9. Other Business 9.1 Media Release
10. Adoption of MoP7 Report
11. Closing Remarks

ANNEX 8. LIST OF MEETING DOCUMENTS

WORKING DOCUMENTS			
Paper	Title	Agenda Item	Submitted by
MoP7 Doc 01	Provisional Agenda	2.1	Secretariat, AC Chair, MoP6 Chair, Advisory Committee
MoP7 Doc 02 Rev 1	Annotated Provisional Agenda	2.1	Secretariat, MoP7 Vice-chair
MoP7 Doc 03	Meeting Schedule	2.1	Secretariat, MoP7 Vice-chair
MoP7 Doc 04	List of Meeting Documents	2.1	Secretariat
MoP7 Doc 05 Rev 2	List of Meeting Participants	2	Secretariat
MoP7 Doc 06	Report of the Depositary Government on the Agreement on the Conservation of Albatrosses and Petrels (Canberra, 19 June 2001)	3.2	Australia
MoP7 Doc 07	Secretariat Report	4.1, 7.7, 7.12	Secretariat
MoP7 Doc 08 Rev 1	Interim 2022 Financial Report	7.8	Secretariat
MoP7 Doc 09	Advisory Committee Report to the Seventh Meeting of Parties	6.1	Advisory Committee, Secretariat
MoP7 Doc 10 Rev 1	Report on progress with the Implementation of the Agreement 2018 - 2021	7.1, 7.4, 7.11	Secretariat, Advisory Committee
MoP7 Doc 11	Draft Advisory Committee Work Programme 2023 - 2025	6.2	Advisory Committee
MoP7 Doc 12	Draft Secretariat Work Programme 2023 - 2025	4.2	Secretariat
MoP7 Doc 13	Draft Agreement Budget 2023 - 2025	7.9	Secretariat
MoP7 Doc 14 Rev 1	Scale of Contributions	7.10	Secretariat
MoP7 Doc 15	Amendments to the Staff Regulations for ACAP Secretariat	4.3	Secretariat, AC Chair
MoP7 Doc 16 Rev 2	Indicators to measure the success of the Agreement	7.5 & 7.6	Secretariat, BirdLife International
MoP7 Doc 17	Amendment to the Rules of Procedure for the Meeting of the Parties	2.2.1	Australia, UK

INFORMATION DOCUMENTS			
Paper	Title	Agenda Item	Submitted by
MoP7 Inf 01 Rev 1	Parties' 2021 Implementation Reports not submitted to AC12	7.1	Secretariat
MoP7 Inf 02	Considering nominations to Annex 1 of the Agreement - list of candidate species	7.3	Secretariat

ANNEX 9. STATEMENT FROM ARGENTINA

El Gobierno argentino recuerda que la República Argentina al ratificar el Acuerdo sobre la Conservación de Albatros y Petreles (ACAP) rechazó la pretendida extensión territorial efectuada por el Reino Unido a las Islas Malvinas, Georgias del Sur y Sandwich del Sur por constituir dichas islas y los espacios marítimos circundantes parte integrante del territorio nacional argentino.

La República Argentina considera que ACAP debe constituir una plataforma para la construcción de actividades internacionales para la conservación de los albatros y petreles con el objeto de disminuir las amenazas sobre las poblaciones de estas aves marinas, y ve con gran preocupación la mención a pretendidas autoridades que la Argentina no reconoce en documentos elaborados por esa Secretaría.

El Gobierno Argentino rechaza las referencias incorporadas en el documento RdP7 Doc 16 rev1 a pretendidas autoridades de las Islas Malvinas, Georgias del Sur y Sandwich del Sur y que se presente a mencionados archipiélagos detentando un status internacional que no poseen.

La presencia británica en dichos archipiélagos y los espacios marítimos circundantes constituye una ocupación ilegítima y es rechazada por la República Argentina, al igual que cualquier acto unilateral emanado de aquélla.

Asimismo, en los documentos redactados o creados por la Secretaría o sus órganos (incluido el Comité Asesor y los grupos de trabajo) cabe destacar la importancia de observar lo dispuesto por la Resolución 2.9 del 2006 que establece el uso de la doble nomenclatura, y cuando corresponda, se incluya una nota al pie de página que haga referencia a la existencia de una disputa entre el Gobierno de la República Argentina y el Gobierno del Reino Unido de Gran Bretaña e Irlanda del Norte en relación a la soberanía de las Islas Malvinas, Islas Georgias del Sur e Islas Sandwich del Sur y los espacios marítimos circundantes.

La República Argentina reafirma sus derechos de soberanía sobre las Islas Malvinas, Georgias del Sur, Sandwich del Sur y los espacios marítimos circundantes, que son parte integrante del territorio nacional argentino y que, estando ilegítimamente ocupadas por el Reino Unido, las mismas son objeto de una disputa de soberanía entre ambos países, que ha sido reconocida por las Naciones Unidas.

ANNEX 10. STATEMENT FROM THE UNITED KINGDOM

We are disappointed with the intervention from Argentina which distracts from the important substance of this meeting.

The United Kingdom has no doubt about its sovereignty over the Falkland Islands and South Georgia & South Sandwich Islands and surrounding maritime areas of both territories. The UK is steadfast in its support for the right of self-determination for the Falkland Islanders. This right is enshrined in the UN Charter and in article one of the two UN Covenants on human rights.

Argentina regularly refers to regional statements of diplomatic support for sovereignty negotiations over the Falkland Islands, including United Nations resolutions. However, none of these modifies or dilutes the obligation of Nations to respect the legally binding principle of self-determination. The Falkland Islanders made clear their overwhelming wish to remain an overseas territory of the United Kingdom in a referendum in 2013.

The agreed language is set out in Resolution 2.9 and we do not support any suggestions that go beyond this.

ANNEX 11. STATEMENTS FROM OBSERVERS – CANADA

Canada thanks the ACAP Parties and the Secretariat for the opportunity to take part in the Seventh Session of the Meeting of the Parties. The following summary of activities Canada has recently contributed to may be of interest to meeting participants.

International:

Over the past year, ACAP's National Contact Point (Ken Morgan, Environment and Climate Change Canada, Pacific Region ["ECCC PAC"]) continued participating in and providing expertise to meetings of ACAP's Advisory Committee and the Seabird Bycatch and the Population and Conservation Status Working Groups. Additionally, Dr. Theresa Burg (University of Lethbridge, Alberta, Canada) joined ACAP's Taxonomy Working Group.

Starting in fiscal year 2019/20, ECCC PAC and ECCC National Capital Region ("ECCC NCR") have collaborated with US-based Oikonos - Ecosystem Knowledge ("Oikonos") to help protect Pink-footed Shearwaters (*Ardenna creatopus*) through enhancement of community education, engagement and conservation in Chile. Specifically, ECCC NCR funding helped Oikonos to: (1) reduce land-based threats by installing a predator-exclusion fence at the second largest Pink-footed Shearwater colony (Piedra Agujereada ["PAG"]) on Robinson Crusoe Island; and (2) continue shearwater-focused engagement and outreach with local communities (on Isla Mocha and on Robinson Crusoe). In fiscal year 2022/23, ECCC NCR is again providing financial support to Oikonos, to help repair and strengthen the PAG colony fence. In addition, ECCC PAC is hoping to purchase GPS tags to attach to Pink-footed Shearwaters, for the purpose of identifying the species' critical habitats within Canada's Pacific waters.

In, 2021, co-chairs of the Migratory Bird Working Table of the Canada, Mexico and United States Trilateral Committee for Wildlife and Ecosystem Conservation and Management (the "Trilateral"), approved the formation of a bycatch working group. ECCC NCR (Julie Bourque and Jake Russell-Mercier) were nominated as Canada's representatives on the Trilateral bycatch working group, and they are currently reaching out to regional experts (across Canada) to join the working group. The first Trilateral bycatch working group meeting will occur in the second half of May, 2022.

National:

ECCC (PAC and NCR) continued to collaborate with Department of Fisheries and Oceans employees, as well as academics and non-government organizations, to reduce seabird bycatch in commercial fisheries. In fiscal year 2021/22, ECCC (PAC and NCR) completed the first phase in the development of a guide to identifying seabirds caught in commercial fisheries operating along Canada's west coast. Phase one of the guide includes eight species of *Procellariiformes* (four *Ardenna* shearwater species, three *Phoebastria* albatross species and Northern Fulmar [*Fulmarus glacialis*]) known (or suspected to be) caught by longline gear. This year (fiscal year 2022/23), we are working on phase two of the guide, adding seven species of gulls (*Laridae*) known/suspected caught in gillnets (and possibly on longlines).

Finally, in 2021, ECCC PAC (and others) published two bycatch-focused papers: *Modelling entanglement rates to estimate mortality of marine birds in British Columbia commercial salmon gillnet fisheries* (Bertram *et al.* 2021, Mar. Environ. Res., 166); and *Spatial assessment of albatrosses, commercial fisheries, and bycatch incidents on Canada's Pacific coast* (Fox *et al.* 2021, Mar. Ecol. Prog. Ser., 672).

ANNEX 12. STATEMENTS FROM OBSERVERS - NAMIBIA

Acceding to ACAP progress

The Ministry of Fisheries and Marine Resources was at the final stage of acceding to ACAP with finalizing documents to be tabled in the National Assembly. However, the FISHROT scandal came to disturb the process. The scandal involves the Ministry and the Icelandic Fishing company Samherji paying bribes to Namibian politicians and businessmen to gain access to fishing quotas in Namibia. Since November 2019, the process of Namibia becoming a party to ACAP has been halted since the Minister and the co-accused were arrested in December 2019 by the Anti-Corruption Commission of Namibia and the Ministry recently got a newly appointed minister (2021). The Planning Policy and Economics Directorate within the Ministry have to brief the newly appointed minister on the ACAP accession issue.

ANNEX 13. STATEMENTS FROM OBSERVERS – UNITED STATES

The United States thanks the Secretariat and ACAP Parties for organizing this virtual 7th Meeting of the Parties. We are pleased to be participating with ACAP Parties, other Range States and APEC member economies, and observers. We have the following updates on several activities within the United States that contribute to the conservation of ACAP species, some of which apply to seabirds more broadly, that may be of interest to ACAP Parties and observers. Some of these activities are updated since our report to the virtual 12th Meeting of the Advisory Committee.

For the 4th time, legislation that would be a step towards the United States joining ACAP was introduced in Congress around World Albatross Day 2021. Reintroduction is necessary for the current Congress, which is in effect from 2021 to 2022, to consider this matter. This bill was the subject of a hearing in a subcommittee of the House of Representatives Committee on Natural Resources in January 2022, where relevant agencies conveyed support for passage of the bill. The bill will need to pass both chambers of Congress, the House of Representatives and the Senate, and then be signed by the President. The Senate will need to provide advice and consent before the United States can join ACAP. We can provide any updates on the process in the coming months.

In the Hawaii pelagic deep-set longline fishery, in April 2022, the Western Pacific Regional Fishery Management Council voted to replace the use of blue-dyed bait and strategic offal discharge with the use of tori lines to mitigate seabird interactions by Hawaii deep-set longline fishing vessels. This recommendation is the result of NMFS collaboration with the fishery management council and the Hawaii Longline Association on the design, development, and field trials of tori lines, and the use of electronic monitoring technology to monitor effectiveness, in response to higher rates of Black-footed Albatross interactions. Cooperative research conducted in 2019-2021 provided the basis for the change to the use of tori lines, as well as help determine the regulatory specifications for the tori lines. Albatrosses were 14 times less likely to be captured on a baited hook, with zero albatross captures when tori lines were deployed, compared to sets deployed with blue-dyed fish bait.

Effective January 10, 2020, streamer line or night setting requirements for groundfish longline vessels fishing in the U.S. Pacific West Coast EEZ were extended to vessels that are between 26 ft (7.9 m) and 55 ft (16.8 m) in length overall when using bottom longline gear north of 36°N latitude. The action fulfills the terms and conditions of a 2017 U.S. Fish and Wildlife Service (USFWS) Biological Opinion to minimize the take of Short-tailed Albatross in this fishery.

A partnership involving U.S. Government Departments and non-governmental organizations (NGOs) is establishing new breeding colonies for seabirds affected by sea level rise and increased storm intensity. Between 2015 and 2021, 511 seabird chicks of four species (Laysan Albatross, Black-footed Albatross, Bonin Petrel, and Tristram's Storm-Petrel) have been translocated to a predator-proof fenced area at James Campbell National Wildlife Refuge on Oahu and to offshore islets near Oahu, primarily from low islands in Papahānaumokuākea Marine National Monument. Of those, 471 (92%) have fledged and adult birds of all four species have returned to the site. In 2022, 44 additional

Tristram's Storm-Petrel have been translocated. Individuals from all four species have been returning to the Refuge. Translocated Bonin Petrels, Tristram's storm petrels, and Laysan albatrosses have started breeding already and successfully fledging chicks from the Refuge. This conservation effort provides climate-resilient nesting habitat for species threatened by sea level rise in the low-lying areas of the Monument. More than 95% of the entire world populations of the two albatross species and the Bonin Petrels nest on low-lying islands.

Motivated by the same reasons as described above, USFWS and Pacific Rim Conservation, together with Mexico's Comisión Nacional de Áreas Naturales Protegidas (CONANP) and the Mexican environmental NGO Grupo de Ecología y Conservación de Islas (GECI) collaborated to reintroduce Black-footed Albatrosses from the U.S. Midway Atoll National Refuge to Guadalupe Island Biosphere Reserve, Mexico. In early 2021, 21 eggs and 12 chicks were moved from Hawaii to Guadalupe Island, and 26 fledged. In 2022, 36 eggs were moved from Midway to Guadalupe. As of the last update, 35 had hatched and were surviving. More eggs will be moved to Guadalupe between 2023 and 2025, with the goal of fledging 100 black-footed albatross chicks from Guadalupe as a founder population.

Operations by USFWS and Island Conservation that had commenced in 2020 to eradicate the house mouse (*Mus musculus*) from Midway Atoll were suspended due to pandemic concerns. Preparation for the eradication continues but implementation has been postponed until 2023.

After eight years of data management, researchers from the USFWS and U.S. Geological Survey have completed the vetting of a large quantity of Laysan and Black-footed Albatross survivorship monitoring data from USFWS refuge lands at Midway Atoll, Kilauea Point National Wildlife Refuge, Laysan Island, and Tern Island. These data are currently being analyzed to discover demographic rates of these two species occurring at four sites in Hawai'i and the tropical Pacific. Reproductive success monitoring data vetting is currently in process and will be used in subsequent development of an integrated population model.

An effort is underway by USFWS to identify and prioritize seabird translocation projects in Hawaii and the tropical Pacific Islands. As part of this effort, sixty representatives of state, federal, and private land management and conservation organizations will have been interviewed to learn about their priorities for seabird colony creation. The resulting report will summarize this input to facilitate future seabird colony creation efforts to offset the effects of climate change, sea level rise, and other threats to seabird colonies.

ANNEX 14. STATEMENTS FROM OBSERVERS – CHINESE TAIPEI

Chinese Taipei thanks the Secretariat for hosting and organizing the meeting. Although the meeting has to be virtual this year, we are grateful to the opportunity of participation and learning from other Parties.

Considering the large fleet size we have and the broad area our fleet operates at, we have continued our effort in taking measures to reduce its impacts on the ACAP species. In the past year, even under the effect of COVID-19, we have successfully maintained our observer coverage on the tuna longline vessels. This enables us to keep recording bycatch information and monitoring mitigation measure implementation. In the past decade, seabird species with the highest bycatch number by Taiwanese fleet was white-chinned petrel, followed by black-browed albatross and great shearwater. Chinese Taipei has posed regulations requiring longline vessels at high latitude to use seabird mitigation measures during fishing, based on each RFMO's requirement. In 2021-2022, Chinese Taipei has cooperated with the Taiwan Wild Bird Foundation (TWBF) and Royal Society for the Protection of Birds (RSPB) to conduct two sets of bird scaring line experiments. The experiment aimed to compare the effectiveness of the international-standard line to the self-made toriline on tuna longline vessels. Observers from the two small-scale vessels fishing in Indian Ocean and three large-scale vessels in North Pacific had returned recently. We are currently working on analyzing the data and hoping to be able to share the results soon. In addition, Chinese Taipei, TWBF and RSPB are working together to update a handbook for observers and fishers to better identify seabirds.

Domestically, Chinese Taipei has conducted research on the Mien-hua and Huaping Isle Wild Animal Protected Area. One of the focus of this study was to monitor the breeding sites of streaked shearwater. Other seabirds and the condition of invasive rodents are also recorded.

Chinese Taipei will keep working for better conservation of albatross and petrels. We are looking forward to strengthening cooperation with the international community through ACAP.

ANNEX 15. STATEMENTS FROM OBSERVERS - AUSTRALASIAN SEABIRD GROUP, A SPECIAL INTEREST GROUP OF BIRDLIFE AUSTRALIA

Australasian Seabird Group, a special interest group of BirdLife Australia, thanks the Parties for the opportunity to attend the Seventh Session of the Meeting of the Parties (MoP7).

The Australasian Seabird Group (ASG) was established in 1971, with the aim of promoting seabird research and conservation in Australasia and the South Pacific. We pursue these objectives through a range of activities, including publication of a bulletin and other seabird related material, organisation of biennial symposia discussing issues affecting seabirds, provision of expert opinion on the management and conservation of seabird populations in our region and support for projects such as surveys of seabird islands, at-sea surveys and beach patrols. ASG and BirdLife Australia have long supported the work of ACAP, and our members have attended previous ACAP MoP and Working Group meetings via their capacity as members of Party delegations, expert members of working groups, and as the Australian partner of BirdLife International. We remain committed to the work of ACAP in seeking a favourable conservation status for albatrosses and petrels both within Australasia and beyond.

The Australasian Seabird Group and BirdLife Australia are grateful for the progress that has been made by the Secretariat and Parties since the Agreement entered into force in developing best practice guidelines for mitigating bycatch in commercial fisheries, as well as encouraging other measures to improve the management of global fisheries where interactions with seabirds still continue to present a major threat. We also appreciate the work of the Agreement in gathering data and undertaking conservation assessments for all Annex 1 species.

Every decade since the early 1990s, BirdLife Australia has reviewed the status of all Australia's species and subspecies and made recommendations on their conservation. The recently published 2020 edition of the Action Plan for Australian Birds continues this tradition. It evaluates the IUCN Red List status of all Australian bird species and subspecies and includes 49 seabird taxa that have both breeding populations and populations visiting Australian waters from elsewhere. New information is provided on population size and trends of species, as well as on their threats, habitats and distribution. Many of these seabird species are Annex 1 species and we would welcome sharing our assessments with ACAP working groups.

We look forward to working together to assist in the work of the Agreement and achieving further conservation gains for albatrosses and petrels.

ANNEX 16. STATEMENTS FROM OBSERVERS - BIRDLIFE INTERNATIONAL

Birdlife International thanks the ACAP Secretariat and Parties for continuing progress to improve the conservation status of ACAP listed albatrosses and petrels despite the ongoing challenges from the COVID-19 pandemic.

We acknowledge and appreciate the progress that has been made by the Secretariat on updating best practice documents for purse seine fisheries; the development of guidelines for data collection and electronic monitoring; organising and hosting the PaCSWG and SBWG, AC meetings, attending RFMO meetings; and other important work to protect ACAP listed species.

Birdlife International congratulates Dr Mike Double in his election the Chair of the Advisory Committee and Drs Sebastián Jiménez and Dimas Gianuca for their election to their new roles leading ACAPs working groups.

Birdlife International Updates

In 2021, Birdlife International in partnership with the Secretariat for the Pacific Regional Environmental Program (SPREP) launched the Pacific Seabird Action Plan as part of the suite of Marine Species Action plans developed by SPREP. This was the first time that an action plan for seabirds was included. Priorities in this Pacific Action Plan will contribute to activities in the AC Workplan 2022-2023, including reviewing and publishing a seabird colony database for the Pacific (Workplan items 2.1, 2.3, 2.7).

Birdlife International hosts the Seabird Tracking Database and continues to collate, review, and facilitate the availability of albatross and petrel tracking/distribution data to ensure representativeness of species/age classes and encourages further studies to fill gaps that contribute to ACAP carrying out its work (workplan item 2.7).

Birdlife International is actively supporting the FAO Global Environment Fund Common Oceans Tuna II Project. This project will be administered by the Commission for the Conservation of Southern Bluefin Tuna (CCSBT) and aims to enhance education on and implement Ecologically Related Species seabird measures within CCSBT fisheries. The project commences in mid-2022 and will run for 5 years with primary objectives of education and outreach to industry; capacity-building to enhance monitoring; innovation of automated vessel-level mitigation monitoring systems; and an update of the global seabird risk assessment.

Finally, BirdLife has called on the Marine Stewardship Council to take action on the proliferation of certified tuna longline fisheries that lack adequate assessment of the risks to Endangered, Threatened and Protected (ETP) species that are killed as bycatch. We highlighted 14 tuna longline fisheries currently certified by MSC and at least three others currently in the certification process, several of which have very low (~5%) observer coverage and indications of interactions with Antipodean and Tristan albatross (amongst others).

Key objectives

Birdlife International would like to emphasize our key objectives for this 7th Meeting of the Parties:

- In Document 9, 'The Advisory Committee (AC) Report to the Seventh Meeting of the Parties', we note item 2.2.4: Development of indicators to assess progress towards achieving and maintaining a favourable conservation status for albatrosses and petrels noted that '*The lack of timely submission of bycatch data by Parties has hindered the population and analysis of that suite of indicators.*' We encourage Parties of ACAP to submit their data to the Secretariat for this work to be carried out, and that resource be used to prioritize the delivery of the proposed workshop on fishery data submission in May 2023.
- The AC11 report declared a conservation crisis for all albatrosses and petrels. Following a review, the AC noted the need for an improved communications strategy and increased RFMO engagement. Birdlife International strongly supports a more prominent presence of ACAP at the relevant RFMO meetings. This is particularly important given the negative impacts to observer coverage to assess the implementation of seabird bycatch mitigation measures because of the COVID-19 pandemic. We further encourage use of ACAP resources to prioritize this work.
- While we support improvement of ACAPs communication strategy (as noted in the Secretariat Work Program 2022-2023), we encourage the Parties to invest available budget into achieving the above workplan objectives.
- Finally, BirdLife notes and commends the important inclusion of updates to the ACAP species assessments under Task 2.4 of the proposed 2023-25 workplan and will endeavour to provide timely input to the Secretariat to support that process.

Birdlife International applauds the Secretariat and Parties for achieving the outcomes reported ahead of the MOP7, particularly given such challenging circumstances due to the global COVID-19 pandemic. We look forward to working together to achieve further conservation gains for highly threatened albatrosses and petrels under ACAPs purview in the coming year.

ANNEX 17. STATEMENTS FROM OBSERVERS - HUMANE SOCIETY INTERNATIONAL - AUSTRALIA

Humane Society International (HSI) would like to thank Parties for the opportunity to observe the Seventh Session of the Meeting of the Parties (MoP7) and also for the individual and collective efforts to address fisheries impacts on albatross and petrels.

HSI regularly attends Advisory Committee meetings and today we are pleased to attend a Meeting of the Parties. We commend the Parties on maintaining engagement despite the current and ongoing difficult nature of meetings, and encourage this to continue. This is especially important considering the need now, more than ever, to further develop ACAP strategies for regional fisheries management organisation (RFMO) engagement that ensure the implementation of best practice recommendations to mitigate the catch and drowning of albatross and petrels. Best practice guidelines must gain prominence, and dependable monitoring of compliance must occur.

Currently, it is our belief that best practice recommendations have not been considered sufficiently important by RFMOs, evidenced by the fact that current best practice recommendations have not been universally adopted and practiced.

We would encourage the MoP to request that the Advisory Committee (AC) further consider how RFMO engagement can be more forthright, considering there's been limited evidence of improvement in bycatch reduction. Complicating matters, the global pandemic has led to reduced observer coverage, though this situation has helped emphasise the need to progress alternate monitoring methods such as EMS. We commend ACAP for preparing such guidelines as a conservation crisis (so declared in 2019) surely demands more, not less of a management response.

HSI encourages Parties to further strengthen their considerable efforts in mitigation and compliance monitoring, to focus on reversing the downward trend of albatross and petrel populations.