



Agreement on the Conservation of Albatrosses and Petrels

Third Meeting of Advisory Committee

Valdivia, Chile, 19 - 22 June 2007

Request for advice from the Advisory Committee

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Request for advice from the Advisory Committee to the Committee for Environmental Protection

Recently, the Secretariat received an email from the Chair of the Committee for Environmental Protection (CEP) describing an issue raised at CEP X in New Delhi in May 2007. At the meeting, the CEP discussed the issue of protection for Southern Giant Petrels, noted SCAR's concerns over the lack of definitive data for Southern Giant Petrels and was divided over whether or not to list the species as specially protected pending further assessment of the data. Attached is the extract from the report of CEP X dealing with specially protected species (Appendix A).

The Committee was unable to agree on listing the species, but instead recommended adoption of a Resolution by the Antarctic Treaty Consultative Meeting (ATCM). The Resolution is attached (Appendix B). The Committee also urged SCAR to do all it could to provide the next CEP meeting with a more accurate appraisal of the status and trends of this species.

During the meeting, New Zealand offered to continue to look at appropriate management measures that might be taken in respect of Southern Giant Petrels, should this species be listed in the future. Further, the Resolution adopted by the ATCM also requires the CEP Chair to liaise with ACAP (and CCAMLR) to seek advice on current conservation management measures being implemented for this species.

The Advisory Committee is therefore requested to provide advice on any management measures that have been taken pursuant to ACAP and any obligations that ACAP Parties have committed themselves to with regard to this species.

Extract from the Report of the Committee for Environmental Protection

(CEP X)

New Delhi April 30 - May 4, 2007

Item 8: Conservation of Antarctic Fauna and Flora

b) Specially Protected Species

SCAR provided an explanation on the withdrawal of its working paper on the issue of designating Southern Giant Petrels as specially protected species. Subsequent to the submission, SCAR's attention was drawn to the fact that new, unpublished data on the species at the South Orkney islands had been collected, and that these data suggested that the designation of the species as 'critically endangered' might require revision.

Given that the large majority of the regional, that is Antarctic, population of the Southern Giant Petrel is found on the South Orkney and South Shetland islands, SCAR immediately requested additional, unpublished information and advice from a range of scientists working in these areas, and from other organizations which have an interest in this species. SCAR also re-reviewed all available information in the public domain concerning this species in light of these data and the opinions expressed.

Based on careful consideration of all of the available data and opinions, it was SCAR's view that the status of the regional population of the species can not now be convincingly determined. The scarcity of data, the lack of review of data that are available, and the inability of experts to reach consensus, means that the picture is much more complex than SCAR's Working Paper originally suggested. This complexity meant that SCAR could not offer the CEP a clear, scientifically defensible statement about the status of the regional population of the Southern Giant Petrel.

Given the current situation, and Resolution 4 (2006), SCAR agreed to facilitate a meeting of experts to review thoroughly the available information and to report back to the CEP on the outcome of that review meeting.

Many Members and ASOC expressed their regret at the withdrawal of the SCAR working paper and suggested that the CEP could still recommend listing of the species as specially protected as a precautionary measure, whilst SCAR conducted a review of all the available data. These Members recognised the importance of scientific advice on which the Committee's decisions should be based. However, in the absence of reliable information at this stage, some of these Members considered that listing the species would be the least risky approach.

Many Members were unable to support listing of the species until SCAR was able to provide unambiguous scientific advice. In the view of these Members, listing any species in the absence of clear scientific information would risk undermining the objective approach that needed to be taken, and would establish an unfortunate precedent.

In this respect, Argentina pointed out that this kind of unfortunate precedent regrettably had already been established during debate on the Annex II review.

If the species were listed on a precautionary basis, several Members commented that they would be prepared to delist the species should SCAR's reassessment of the data suggested that the southern giant petrel did not require special protection.

Some Members commented that without a thorough assessment of the status and trends of the species it would be difficult to complete an adequate action plan including receipt of advice from relevant bodies such as CCAMLR.

ASOC noted that SCAR would not be in a position to report on its reassessment until the CEP meeting in 2009. ASOC expressed its view that the protection of Southern Giant Petrels was a critical issue and encouraged Members to reflect on the possibility of CEP failing to protect this species if adequate action was not taken. However, the Committee urged SCAR to consider bringing forward its planned workshop so as to provide the CEP with the necessary information before CEP XI.

SCAR responded that the uncertainties associated with unpublished data made it difficult to predict how quickly its advice could be available. However, SCAR undertook to consider changing the time of the workshop. SCAR also urged Parties to ensure that their respective experts provided all relevant data at the earliest opportunity.

The Committee agreed that this would be essential and several Members suggested they would consider undertaking additional surveys to assist in re-evaluating the status of the species.

On the suggestion of Norway, and recognising importance of the issue, the Committee agreed to prepare a new resolution based on Resolution 4 (2006) for consideration by the ATCM.

In the meantime, and as a means of continuing to test the CEP's guidelines on specially protected species, New Zealand offered to work with interested Parties to compile current management practices with respect to these species so as to prepare a draft action plan as an example. This could then be put into effect should the species be listed in the future.

Several Members offered to assist New Zealand with this work.

SCAR presented WP 27 *Current Status of the Ross Seal (Ommatophoca rossii): A Specially Protected Species under Annex II*, noting that the current status was based on a thorough review of available information appended to the paper. SCAR further noted that the species could be considered data deficient, and that therefore no change should be made to the species status, but that further information should be collected to improve knowledge, recognising future risk of habitat loss, especially given the baseline information now available from the Antarctic Pack Ice Seals Programme.

The Committee agreed that the status of the Ross Seal remain as a Specially Protected Species.

SCAR introduced WP 26 *The Application of IUCN Endangerment Criteria at the Regional Level of the Antarctic Treaty Area*, noting the several important differences between regional and global listing procedures, the potential utility of the regional criteria

for designation of Specially Protected Species under Annex II to the Protocol, and the information required to undertake such a regional listing.

New Zealand welcomed SCAR's paper which provided a workable response to an issue that has been discussed at length by the CEP. New Zealand suggested the Committee may, in due course, consider adding the guidelines contained in the paper to the CEP's own guidelines for managing specially protected species.

ASOC drew the Committee's attention to the importance of information on the potential impact of krill harvesting on populations of Antarctic fur seals, including the development and effectiveness of mitigation methods in reducing incidental mortality noted in Measure 4 (2006). XXIV CCAMLR Commission received advice from its Scientific Committee that the provision of such information would require observer coverage from all vessels engaged in the krill fishery. ASOC urged Parties who were Members of the Commission to give high priority to the provision of such information.

Committee for Environmental Protection

Resolution 2 (2007)

Conservation of Southern Giant Petrel *Macronectes giganteus*

The Representatives,

Recalling Resolution 4 (2006) on the Conservation of Southern Giant Petrels;

Noting that the Committee for Environmental Protection (CEP) is keeping under review the possibility of designating the southern giant petrel as an Antarctic Specially Protected Species under Annex II to the Protocol on Environmental Protection;

Recalling that the *Guidelines for CEP Consideration of Proposals for New and Revised Designations of Antarctic Specially Protected Species under Annex II to the Protocol* adopted at CEP VIII, which provide, *inter alia*, for assessments of the status of species at a regional or local level;

Recognising that, while the southern giant petrel, in its global distribution, is currently being downlisted from *Vulnerable* to *Near Threatened* by the International Union for the Conservation of Nature, concern has been expressed that populations within the Antarctic Treaty area may fulfill the criteria for higher risk status;

Recognising that the life-history characteristics of the southern giant petrel may make it particularly sensitive to human disturbance;

Noting that the Agreement on the Conservation of Albatrosses and Petrels (ACAP) encourages the Antarctic Treaty System to further protect breeding sites of southern giant petrels;

Noting that many Parties support a precautionary approach to this matter;

Recommend that:

1. All Parties be encouraged to make available existing relevant scientific data and results to the Scientific Committee on Antarctic Research and to implement new research into the population biology of southern giant petrels;
2. SCAR, in collaboration with ACAP, the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) and other relevant bodies as appropriate, complete a review as soon as practical of the population status and trends of the southern giant petrel in the Antarctic Treaty area including an assessment of:

whether this species fulfils the criteria for designation as a Specially Protected Species under Annex II of the Protocol at a regional scale (the Antarctic Treaty area), and;

the demographic mechanisms underlying any changes in the population size;

3. The Chair of CEP contact the Secretariats of ACAP and CCAMLR to seek information on current conservation management measures for the southern giant petrel;
4. All Parties are encouraged to provide to the CEP website <http://cep.ats.aq> details of all existing national regulations, management plans or site guidelines for all areas with breeding colonies of southern giant petrels which may be at risk of disturbance that may serve as an example to develop an Action Plan for the Antarctic Treaty area under the *Guidelines for CEP Consideration of Proposals for New and Revised Designations of Antarctic Specially Protected Species under Annex II of the Protocol* and better inform local and regional measures to protect southern giant petrels in the Antarctic Treaty area;
5. In the intervening period, all Government and non-Governmental activities in Antarctica be planned so as to limit negative impacts on southern giant petrels.