

## Regional Report to the 45<sup>th</sup> Meeting of the CMS Standing Committee – Oceania region

### Regional activities for the implementation of the Convention on Migratory Species and its related instruments

#### 1. CMS and its relevant instruments

##### CMS

Australia provided a voluntary contribution of \$20,000 in May 2016 to the CMS Secretariat for implementation of key migratory species initiatives, including the development and implementation of a Single Species Action Plan for Eastern Curlew. Australia will be presenting this Action Plan to CoP12 for endorsement.

#### Agreements for conservation of specific species

##### Agreement on the Conservation of Albatrosses and Petrels (ACAP)

##### **Australia**

Australia is one of 13 Parties to the Agreement on the Conservation of Albatrosses and Petrels (ACAP). Australia hosts the ACAP Secretariat at Hobart, Tasmania. ACAP aims to achieve and maintain a favourable conservation status for albatrosses and petrels by encouraging and coordinating conservation action at national, regional and global levels.

In ACAP's current triennial work program 2016-2018, particular emphasis is placed on actions to monitor levels and trends of breeding populations, and reduce threats on land (e.g. damage to and disturbance at breeding habitats) and at sea (e.g. mortality arising from interactions with fisheries). In line with these priorities, major Australian conservation actions presently include:

- undertaking population monitoring of Australia's main breeding sites for albatrosses and petrels (Tasmania and Macquarie Island)
- implementing an updated threat abatement plan for the incidental catch (or bycatch) of seabirds during oceanic longline fishing operations
- updating a recovery plan for threatened albatrosses and petrels breeding and/or foraging in Australian jurisdiction
- minimising through entry restrictions and biosecurity measures the risk of introduction of alien invasive pests at Macquarie Island that may have population-level effects on breeding albatrosses and petrels
- undertaking research projects concerning improving measures to avoid or minimise seabird bycatch in pelagic longline fisheries (e.g. branch line weighting regimes, and underwater setting devices), trawl fisheries (e.g. devices to mitigate risk of warp strikes), and gillnet fisheries (e.g. using different coloured net panels to make the nets more visible to diving seabirds).

The results of these conservation actions are shared internationally with other ACAP Parties, as well as various regional and other forums.

Australia attended the Ninth meeting of the Advisory Committee: La Serena, Chile, 9-13 May 2016.

##### **New Zealand**

New Zealand is a signatory to ACAP and DOC is lead agency. Igor Debski attended the Ninth Meeting of the Advisory Committee, the Third Meeting of the ACAP Population and Conservation Status Working Group and the Seventh Meeting of the ACAP Seabird Bycatch Working Group as Head of Delegation, Member of the Advisory Committee (AC), Vice-chair of the Seabird Bycatch Working Group (SBWG) and Member of the Population and Conservation Status Working Group (PaCSWG). An official from MPI (Nathan Walker) also attended.

New Zealand submitted or co-authored 15 papers on bycatch mitigation solutions, population studies and other matters for consideration by the Working Groups/Advisory Committee.

The work of the SBWG is a key focus for DOC in progressing global identification and recognition of bycatch issues relevant to New Zealand breeding seabirds, and development and implementation of bycatch minimisation strategies. Key progress at the meeting related to DOC's conservation goals included:

- Revised global best practice seabird bycatch mitigation in pelagic longline fisheries, to include hook shielding devices and updated branch line weighting regimes. Hook shielding devices represent a new era of mitigation solutions for these fisheries that pose the greatest risk to many ACAP species. DOC is currently involved with implementing these devices in New Zealand fisheries.
- Substantial progress towards a process for recommending seabird bycatch mitigation options in small scale and artisanal fisheries. These fisheries remain poorly understood, but are likely to be a major threat to New Zealand breeding seabirds foraging off South America during the non-breeding season.
- Progress was made in reviewing risks from fishing methods other than trawl, longline and gillnet (where focus has been to date). Risks from seine fisheries, important in the South Pacific, were identified and further work is underway to identify and recommend best practice bycatch mitigation options.
- Strong support was given to proposals for collaborative analyses of seabird bycatch data. These will allow for the reporting of robust indicators of the success of ACAP, and benefit New Zealand's efforts to understand global risks to our breeding seabirds.
- A detailed strategy for ACAP's engagement with RFMOs was agreed. This provides strong support for global efforts to implement appropriate seabird bycatch mitigation in high risk fisheries.

Key progress and matters of note from the PaCSWG included:

- Good progress was reported in addressing key data gaps, including research from New Zealand on white-chinned petrels at the Auckland Islands.
- A number of high priority populations were identified (none from New Zealand).
- The growing threat from plastic ingestion was discussed.

The AC focussed mainly on consideration of recommendations arising from the working groups, and on procedural matters. Notably:

- All recommendations from the working groups were endorsed.
- A detailed work programme for the next triennium was agreed.
- Progress was made on political differences that have been impacting ACAP's funding mechanisms. It is hoped this programme can successfully proceed this year.
- New Zealand's offer to host the next AC and working groups was enthusiastically accepted.
- Nathan Walker (MPI official) was elected chair of the AC. Igor Debski was re-elected Vice-chair of the SBWG.
- It was agreed an additional workshop be held alongside the next ACAP meetings to identify options for international collaboration for the conservation of Pterodroma petrels.

## **Memoranda of Understanding for the conservation of specific species**

### **Marine Turtles IOSEA**

Australia is one of 35 signatories to the Memorandum of Understanding on the Conservation and Management of Marine Turtles and their Habitats of the Indian Ocean and South-East Asia (IOSEA turtle MoU). The IOSEA turtle MoU sets out a framework through which states can work together to conserve and replenish depleted marine turtle populations for which they share responsibility. This objective is achieved through the collective implementation of an associated Conservation and Management Plan.

The Australian Government undertakes a range of policy and on-the-ground activities that contribute to the implementation of actions under the six objectives of the Conservation and Management Plan (CMP):

1. *Reduce direct and indirect causes of marine turtle mortality;*
2. *Protect, conserve and rehabilitate marine turtle habitats;*
3. *Improve understanding of marine turtle ecology and populations through research, monitoring and information exchange;*
4. *Increase public awareness of the threats to marine turtles and their habitats, and enhance public participation in conservation activities;*
5. *Enhance national, regional and international cooperation;*
6. *Promote implementation of the MoU including the Conservation and Management Plan.*

Recently, the IOSEA presented an information paper to the 66th Meeting of the CITES Standing Committee on the 'illegal take and trade of marine turtles'. Australia helped co-write the paper as part of a small out-of-session working group.

Major Australian conservation and management initiatives include:

- The 2003 'Recovery Plan for Marine Turtles in Australia' provides overarching guidance on a range of research, conservation and management activities that are currently being implemented. The plan provides national coordination of activities. The Plan is currently being reviewed and updated.
- To ensure sustainable, legal hunting of marine turtles, the Great Barrier Reef Marine Park Authority (GBRMPA) is working with Traditional Owners and supporting them to develop and implement Traditional Use of Marine Resources Agreements (TUMRAs).
- TUMRAs are a type of sea country plan that are developed by Traditional Owners and are accredited by the Australian and Queensland Governments. A TUMRA may, for example, put in place management arrangements to ensure any traditional take of dugong or turtle does not exceed sustainable limits. It also establishes a partnership between the Traditional Owners and the GBRMPA to collaborate on compliance activities and monitoring of the condition of plants and animals, and human activities in their sea country.

### **Dugong**

The Australian Government is implementing conservation and management actions to address our national and regional priorities identified under the UNEP / CMS Dugong MoU Conservation and Management Plan (CMP).

Key initiatives towards dugong conservation and management include:

- The Australian Government provides in-kind support to the value of approximately US\$85 million, to implement global initiatives under the Global Environment Facility (GEF) Dugong and Seagrass Conservation Project (2015 – 2018). The goal of this project is to improve the conservation effectiveness of seagrass ecosystems that support globally significant populations of dugong across the Indian and Pacific Ocean Basins.
- The Australian Government is supporting a range of research and management actions aimed at the conservation and management of dugongs including, large-scale aerial surveys to determine their distribution and relative abundance, genetic studies, seagrass surveys, dugong protection areas to

minimise impacts of gill netting, go slow areas to minimise impacts of boat strike, and building the capacity of Indigenous people to undertake dugong monitoring and management.

SPREP continues to support the CMS/GEF project on the conservation of dugong and seagrass in the Solomon Islands and Vanuatu, and continues to explore opportunities to secure funding for the better protection of seagrass in the region, including through the Green Climate Fund.

## **Pacific Islands Cetaceans**

### ***Australia***

Australia is one of 15 signatories to the [Memorandum of Understanding \(MoU\) for the Conservation of Cetaceans and their Habitats in the Pacific Islands Region](#), signing the instrument in 2006. This is commonly referred to as the Pacific Cetaceans MoU and was developed under the auspices of the Convention on the Conservation of Migratory Species of Wild Animals (CMS) in collaboration with the Secretariat of the Pacific Regional Environment Programme (SPREP).

The MoU provides an intergovernmental framework for all participating governments, scientists and other groups to monitor and coordinate conservation efforts for cetaceans that inhabit and migrate through the coastal waters of various Pacific countries and territories and the high seas of the Pacific.

In December 2008, the Australian Government announced the International Whale and Marine Mammal Conservation Initiative (IWMMCI). The program established Australia as the leading nation in marine mammal science and conservation in the Southern Hemisphere and supported the scientific argument against whaling, demonstrating that we can learn all we need to know about cetacean biology using non-lethal techniques. Activities towards achieving this objective are pursued through the Australian-led international whale research initiative, the International Whaling Commission's Southern Ocean Research Partnership, and both domestically and regionally through the activities of the Australian Marine Mammal Centre. The Australian Government recently provided \$1.5 million to the Southern Ocean Research Partnership to support further non-lethal research on whales.

### ***New Zealand***

As a member of the Pacific Cetaceans MOU since 2006, New Zealand has been active in efforts to sustain the protection of whales and dolphins in the Pacific region.

New Zealand has provided some support to the Year of the Whale programme co-ordinated by the SPREP, including hosting a side-event at the 27th Annual SPREP Meeting to be held on Niue Island 17-23 Sept 2016.

### ***SPREP***

In consultation with member states, SPREP developed a Whale and Dolphin Action Plan. The plan is appended to the MoU and forms the basis for on-the-ground cetacean conservation efforts throughout the region. The current plan is the SPREP [Whale and Dolphin Action Plan \(2013 - 2017\)](#).

SPREP has nominated 2016/17 as the [Pacific Year of the Whale](#). Australia is a member of the working group established to develop a workplan, which will be focussed on building, sharing and supporting cetacean conservation achievements in the Pacific.

In association with the Government of New Caledonia and the Tjibaou Cultural Centre, Noumea, and with funding provided by Fonds Pacifique, the Pew Charitable Trusts and the New Zealand Government, an artists' exhibition celebrating the conservation of whales and the ocean is in the process of creation, and will open at Tjibaou in March 2017.

SPREP is also seeking support and funds to convene a regional conference 'Whales in a Changing Ocean' in Tonga in February 2017. If sufficient funding is forthcoming, this will also be the opportunity to convene a Meeting of Parties to the CMS MoU on Cetaceans in the Pacific islands.

In association with the IUCN Marine Mammal Protected Areas Working Group, SPREP will host a regional workshop on Important Marine Mammal Areas in early 2017.

## **Sharks MoU**

### ***Australia***

In June 2016 Australia made a voluntary contribution of \$20,000 to the Sharks MoU to support priority actions from the Sharks MoU Conservation Plan.

Representatives from Australia attended the Sharks MoU 2<sup>nd</sup> Meeting of Signatories held in Costa Rica 15 – 19 February 2016. Australia supported the listing of all 22 species proposed for listing in Annex 1 of the Sharks MoU at the meeting. Of these 22 species, 15 occur within Australian waters and 10 of these are protected under national environment law.

Australia remains as the Oceania representative on the Advisory Committee. Australia also nominated Dr Michelle Heupel from the Australian Institute of Marine Science as a member of the Sharks MoU Conservation Working Group. Two Australian non-government “Cooperating Partners” are signed to the Sharks MoU, those being the Humane Society International and International Fund for Animal Welfare.

Domestically, the Australian Government is actively involved in the conservation of eight threatened shark species in Australian waters, with more than \$4.6 million in funding for two white shark projects, one sawfish and river shark project and one project on “at risk” shark and ray species in south-east Australia.

### ***New Zealand***

New Zealand signed up to the Sharks MOU in July 2016. New Zealand participated in the 2nd Meeting of the Signatories of the MOU in Costa Rica in February 2016.

New Zealand’s legislative framework for marine fisheries is comprised of the following:

- The Fisheries Act 1996: This Act provides for the management and sustainable utilisation of fisheries resources. All marine fisheries in New Zealand are managed under the Fisheries Act and associated regulations - this includes all commercial and non-commercial fishing during which sharks are either the target species or are caught incidentally as bycatch. The Fisheries Act is largely implemented through the Quota Management System (QMS).
- The Wildlife Act 1953: This Act outlines provisions for the conservation and protection of wildlife, including marine species. The Act currently provides protection for the following shark and ray species: oceanic whitetip shark (*Carcharhinus longimanus*); basking shark (*Cetorhinus maximus*); deepwater nurse shark (*Odontaspis ferox*); white shark (*Carcharodon carcharias*); whale shark (*Rhincodon typus*); manta ray (*Manta birostris*); and spinetail devil ray (spinetail mobula) (*Mobula japonica*).
- The Animal Welfare Act 1999: This Act makes it an offence to remove any fins from a shark and return it to the sea alive.

## **2. Activities related to:**

### **Scientific Research and Monitoring**

#### ***Australia’s Threatened Species Strategy***

Australia is home to some of the world’s most remarkable animals and plants. More than 80 per cent of our mammals and 90 per cent of our trees, ferns and shrubs occur nowhere else on earth. Since European settlement, over 130 of our known species have become extinct.

The Australian Government's long-term goal is to recover our threatened animals and plants. Australia's first Threatened Species Strategy is on track to achieve its 2020 targets. After less than a year, this new roadmap to help fight extinction of our native flora and fauna is benefitting at-risk species with targeted, practical action.

The Far Eastern Curlew was included in the list of 20 priority bird species in the Australian Government's Threatened Species Strategy.

The Australian Government appointed Australia's first Threatened Species Commissioner and mobilised more than \$208 million in projects with threatened species outcomes under the National Landcare Programme, Green Army, 20 Million Trees and other programmes.

The Australian Government is using the best science available to make sure actions make a difference, investing \$30 million through the National Environmental Science Programme for a Threatened Species Recovery research hub.

Habitat protection and restoration in Australia has been advanced by the approval of approximately \$26 million dollars under the National Landcare Programme, the 20 Million Trees Programme and the Green Army that will directly benefit migratory birds and their habitat.

Australia is undertaking a range of projects on CMS-listed shark species, including:

- A project investigating the genetics and population dynamics of river sharks and sawfish in northern Australia.
- A project to identify Northern Australian hotspots for the recovery threatened euryhaline species (sawfish and riversharks).
- A project to establish the status of Australia's hammerhead sharks.

### ***New Zealand***

New Zealand is planning a review of migratory seabirds in the Central Pacific with a particular focus on those species not currently covered under the provisions of existing agreements.

Researchers in New Zealand have made significant progress in understanding migratory patterns of Pygmy Blue Whale and Humpback Whales in our region.

## **Education and Public Awareness**

### **Capacity Building**

SPREP supports the participation of Pacific countries that are parties to CMS by sharing and disseminating information, assisting with regional preparatory meetings and facilitating the building of capacity of Pacific participants to enable them to effectively participate in negotiations with other parties and implement commitment and actions required under MEAs.

Australia and New Zealand are the only SPREP members consistently providing core funding contributions above membership fees. Australia provided \$10.55m between 2013 and 2015, and \$4m in 2016.

Australia is a development partner of the Coral Triangle Initiative for Coral Reefs, Fisheries and Food Security. Under the Australian support, program grants are provided to assist national and provincial governments in improving their marine governance, and to assist coastal communities develop locally managed marine areas, which may include no-take zones or protection for significant fauna. Under the support program, applications have recently been sought for a proposed grant to provide capacity building in specific communities in the Solomon Islands, Papua New Guinea and Timor Leste to improve the management of marine turtles.

SPREP supported Fiji in proposing the listing of all 9 species of mobula rays at the last meeting of the Sharks MoU, and has also supported Fiji in taking a similar proposal to COP 17 of CITES, to be held in Johannesburg in late September. SPREP has also supported several other initiatives over the past year to promote the protection of shark species listed on the CMS Appendices, including the establishment of a shark sanctuary in the Federated States of Micronesia, supporting a non-detriment finding workshop led by James Cook University, and convening a regional symposium on sharks and rays.

Following the success of the Blue Days meeting in French Polynesia in June 2015, SPREP has continued its work on ecotourism as a potential tool to promote the protection of iconic marine species. SPREP is convening a workshop on 2 September at the IUCN World Conservation Congress to explore this issue. And in association with INTEGRÉ, SPREP has commissioned a comprehensive review of ecotourism in the region, to be carried out by a major US consulting company. It is hoped that the report will provide a framework and a roadmap for the development of best practice ecotourism in the region.

## **International Cooperation**

### ***Australia***

Australia is hosting the 2016 bilateral migratory bird agreement consultative meetings between the Governments of Japan, China and the Republic of Korea. The meetings between all four countries will occur in Cairns, Queensland from 25 – 28 October 2016. The purpose of the meetings is to discuss the implementation of the agreements and plan future collaborative activities to enhance the conservation of migratory birds.

Following its inclusion on Appendix I, the Eastern Curlew was included on the list of species designated for concerted action under the CMS. Australia accepted the role of focal point for the Eastern Curlew and is progressing the development of an international Single Species Action Plan for the species through a number of forums.

For the past two years, all Range States, CMS Parties, East Asian – Australasian Flyway Partnership (EAAFP) Partners, relevant non-government organisations and researchers have been actively engaged in developing the Action Plan for Eastern Curlew. The Action Plan is designed to outline an internationally agreed list of activities necessary along the flyway, to improve the understanding of the species' status, to halt its decline and support its long-term survival. The Action Plan addresses key threats at important sites along the flyway, ranging from the breeding grounds, stop-over (or staging) and non-breeding sites.

Australia expects to submit the Single Species Action Plan for Eastern Curlew to the CMS Scientific Council for consideration at its next meeting, in anticipation of seeking endorsement of the Plan at CoP12.

## **Protection of migratory species, conservation measures**

### ***Australia***

Australia is implementing a Whale and Dolphin Protection Plan (2014-2017) whose objectives are to:

- enhance the Australian public's understanding of whales through supporting whale watching tourism;
- improve knowledge of the threats facing dolphins in Australian waters by funding research;
- facilitate the management of dolphins in Australian coastal waters through the provision of targeted grants;
- improve animal welfare outcomes and survival of stranded and entangled animals by supporting the states and the Northern Territory to purchase equipment and train staff that respond to cetacean strandings and entanglements; and
- increase understanding of the causes and management of cetacean strandings and entanglement by funding research.

Australia will shortly publish revised *Australian National Guidelines for Whale and Dolphin Watching* to ensure they represent best practice management in this area. This concludes a comprehensive process that included undertaking a scientific literature review, stakeholder workshops and public consultation.

There are five cetacean species listed as threatened under Australia's national environmental legislation – the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). Recovery plans are in place for the Blue whale and Southern right whale and Conservation Advices have been developed for the Humpback, Fin and Sei whale.

Australia is developing a National Vessel Strike Strategy to reduce and minimise the risk of vessel strike on cetaceans. The Strategy includes data collection through an IWC-style database, undertaking a risk assessment, and developing adaptive mitigation measures.

### **SPREP**

SPREP has completed its community-based turtle monitoring programme, funded by the New Zealand Government, in Kiribati and Solomon Islands. The programme in Fiji has been extended for a year because of the impacts of Cyclone Winston. An important feature of this programme has been the emphasis on development of ecotourism opportunities for communities.

SPREP has recently submitted a bid to the Australian Government to implement a similar programme in the Coral Triangle Initiative countries of Papua New Guinea, Solomon Islands and Timor Leste. The bid has been submitted in association with WWF and TNC.

SPREP has also collaborated with the Secretariat of the Western Central Pacific Fisheries Commission to investigate the distribution of by-catch of turtles by longline fishing vessels in the Western Central Pacific Ocean, and the effectiveness of various mitigation strategies. A workshop was held in Honolulu in March 2016, and a further workshop is proposed for November 2016.

As part of the Pacific-EU Marine Project, funded by the European Union under the European Development Fund, SPREP will be the lead agency responsible for developing and implementing a 4-year programme to mitigate turtle by-catch in commercial fisheries in the region.

### **Administrative, Institutional and Legislative/Policy measures**

#### **Australia**

On 23 February 2015, the Australian Parliament passed the *Environment Legislation Amendment Act 2015* which increased criminal and civil financial penalties for offences relating to the killing, injuring, taking, trading, keeping or moving of turtles and dugong protected under the *Environment Protection and Biodiversity Conservation Act 1999*. This means that the maximum fine for the offences of killing, injuring, taking, trading, keeping or moving a dugong or a turtle in Commonwealth marine area increased from \$170,000 to \$510,000.

Amendments were also made to the *Great Barrier Reef Marine Park Act 1975* to increase the maximum financial penalties for injuring or taking turtles or dugong in the Great Barrier Reef Marine Park from \$340,000 for aggravated criminal offences to \$1,020,000.

The intention of increasing the penalties is to deter any person from illegally taking a dugong or marine turtle and to deter people from illegally trading dugong or turtle meat.

In April 2016 the Australian Government launched a *Wildlife Conservation Plan for Migratory Shorebirds* which covers 35 species of migratory shorebird that regularly visit Australia. The plan outlines a national framework identifying research and management actions to protect migratory shorebirds in Australia. All 35 species covered by the plan are listed migratory species under the EPBC Act as they are listed on the appendices to the CMS and Australia's migratory bird agreements with Japan, China and the Republic of Korea.

The plan includes a summary of Australia's commitments under international conventions and agreements and outlines key aspects of identifying 'important habitat' as described in the EPBC Act *Policy Statement 3.21 – Industry Guidelines for avoiding, assessing and mitigating impacts on EPBC Act listed migratory shorebird species*. The plan also outlines national actions to support migratory shorebird conservation, and will be used



to ensure these activities are integrated and remain focused on the long-term survival of migratory shorebird populations and their habitat. The plan will be used to engage bilaterally with Japan, China and the Republic of Korea on how threats in the Yellow Sea region can be managed through practical action and community participation.

### **3. Activities planned for next year**

#### ***Australia***

Of relevance to the CMS is Australia's plan to finalise the development of an International Single Species Action Plan for Eastern Curlew and submit it to CoP12 for endorsement. See detailed information provided under "International Cooperation" above for further information.