



**CONVENTION ON  
MIGRATORY  
SPECIES**

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14<sup>th</sup> MEETING OF THE CONFERENCE OF THE PARTIES  
Samarkand, Uzbekistan, 12 – 17 February 2024  
Agenda Item 27.1

**THE MALTREATMENT AND MUTILATION OF SEABIRDS IN FISHERIES:  
REPORT OF THE CMS INTERSESSIONAL WORKING GROUP**

*(Prepared by the Chair of the Working Group)*

Summary:

In 2020, a paper was published in the journal, Biological Conservation, highlighting a problem in the South Atlantic Ocean of seabirds being maltreated and mutilated at sea. The issue was discussed at the CMS Sessional Committee (ScC-SC5) in July 2021 and an intersessional working group was set up to investigate the nature and extent of the problem and to determine which CMS listed species were impacted.

In the context of the intersessional working group, a questionnaire was sent out in 2022 and seabird contacts were asked if they had observed this situation in their own region. The response was patchy but there was no indication of any birds being seen with similar severe injuries outside of the area reported in the Biological Conservation paper. This appears to be a regional issue that needs to be dealt with by local authorities in the affected region.

Draft Decisions for adoption are included in the Annex.

This document was revised after the 6th Meeting of the Sessional Committee in July 2023 to indicate that the Scientific Council endorsed the conclusions and draft Decisions.

Rev.2 and Rev.3 correct the geographical nomenclature in accordance with the editorial directive (ST/CS/SER.A/42) UN Secretariat, 3 August 1999.

\*The geographical designations employed in this document do not imply the expression of any opinion whatsoever on the part of the CMS Secretariat (or the United Nations Environment Programme) concerning the legal status of any country, territory, or area, or concerning the delimitation of its frontiers or boundaries. The responsibility for the contents of the document rests exclusively with its author.

## THE MALTREATMENT AND MUTILATION OF SEABIRDS IN FISHERIES

### Background

1. At the 5<sup>th</sup> meeting of the Sessional Committee of the CMS Scientific Council (ScC-SC5), held online in July 2021, the Aquatic Species Working Group (ASWG) discussed a recently published paper (December 2020) in the journal, *Biological Conservation*, that described the deliberate killing, maltreatment and mutilation of seabirds in the south-west Atlantic Ocean by commercial fishers.<sup>1</sup>
2. Seabirds in this region come from a wide range of colonies, including breeding locations in Argentina and Chile. Other large colonies in the South Atlantic region occur on the Falkland Islands (Malvinas),<sup>2</sup> South Georgia and the South Sandwich Islands (Islas Georgias del Sur e Islas Sandwich del Sur) and on Tristan da Cunha and Gough Islands. Seabirds also migrate to the South Atlantic from more distant Southern Ocean breeding colonies such as the Prince Edward Islands, and from the Pacific region breeding sites in New Zealand and Australia. There are also trans-equatorial migrants that come from breeding sites in the North Atlantic Ocean.
3. From current knowledge, six CMS Appendix II listed migratory species have been confirmed as victims of intentional killing or sighted with severe bill injuries. These seabird species are *Diomedea sanfordi*, *Diomedea epomophora*, *Thalassarche melanophris*, *Thalassarche chlororhychos*, *Macronectes giganteus* and *Procellaria conspicillata*. Other non-listed migratory seabirds, including Manx and Cory's Shearwaters, have also been victims.
4. There was concern expressed about how this unethical activity might be affecting not only the individual birds that must suffer a lingering death from malnutrition from loss of foraging ability but also whether this could be impacting colonies in other regions.
5. The ASWG wanted to know if these were isolated incidents from a small group of uninformed and aggressive fishers or whether the problem was more widespread and had been seen in other regions around the globe.
6. A proposal was put forward at the ScC-SC5 meeting to establish an intersessional working group to investigate this issue.

### Establishment of the intersessional working group investigating the maltreatment and mutilation of seabirds in fisheries

7. The Terms of Reference for the working group were agreed by ScC-SC5 and can be found [here](#). Experts with an interest in this topic were invited to join the working group and contribute information to better understand the nature and extent of the problem.
8. The working group appointed Graeme Taylor (Sessional Committee member, Oceania) as Chair. He then developed a questionnaire, with support from the Secretariat, to capture relevant information.

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1 Gianuca, D, Bugoni, L, Jiménez, S, et al. (2020). Intentional killing and extensive aggressive handling of albatrosses and petrels at sea in the southwestern Atlantic Ocean. *Biological Conservation*. DOI: <https://doi.org/10.1016/j.biocon.2020.108817>

2 A dispute exists between the Governments of Argentina and the United Kingdom of Great Britain and Northern Ireland concerning sovereignty over the Falkland Islands (Islas Malvinas), South Georgia and the South Sandwich Islands (Islas Georgias del Sur e Islas Sandwich del Sur) and the surrounding maritime areas.

9. Seabird biologists around the globe were questioned about this issue and the information collated.<sup>3</sup> The information gathered between July 2021 and May 2023 on this topic is summarized in the section below.

### Discussion and analysis

10. There was initial interest in this topic from a wide range of participants. The questionnaire was considered the best way to collate information for analysis of the problem. However, after sending out the spreadsheet and reminders, limited solid data was collected. It is likely that other pressing concerns took precedence over this issue, including the major outbreak of highly pathogenic Avian Influenza, which decimated seabird populations in the northern hemisphere in 2022 and 2023, and began to spread into seabird colonies in South America and South Africa. Covid19 also continued to disrupt various networks such as Agreement on the Conservation of Albatrosses and Petrels (ACAP) meetings and the World Seabird Conference, where it was hoped to conduct face-to-face interviews with key seabird biologists.
11. Information was obtained from the British Antarctic Survey covering the important albatross and petrel colonies on South Georgia Island<sup>4</sup> (Isla Georgia del Sur). Information was also received from contractors monitoring albatross colonies around New Zealand (Chatham Islands and subantarctic islands). Further information was collected from Brazil, as well as Peru, Hawaii and Australia.
12. Dimas Gianuca (lead author of the Biological Conservation paper) managed to interview fisheries observers from Taiwan who may encounter injured seabirds behind vessels fishing in the high seas. The fishers had not observed any seabirds with the types of mutilation or other obvious injuries reported in the journal article. Dimas Gianuca also contacted experienced seabird specialists from the Albatross Task Force (BirdLife) programme working on board vessels in Chile, Peru, Ecuador, South Africa and Namibia. None of them had observed seabirds with such injuries in their regions.
13. Some deliberate injuries to seabirds by recreational fishers driving boats at speed into rafts of feeding seabirds had been observed in New Zealand and prosecutions are under investigation for the worst offences. In addition, necropsy results from beach-cast shearwaters revealed some birds with broken bones that might have been inflicted by aggressive fishers hitting birds behind boats (which has been witnessed by ornithologists). No mutilations of bills were recorded here or in the national Fisheries Bycatch Necropsy Programme.
14. The biologists working in Australia, Hawaii, Peru, New Zealand's offshore islands and on South Georgia Island<sup>5</sup> (Isla Georgia del Sur) reported no mutilation injuries to birds at their breeding colonies. It is possible birds inflicted with the types of injuries observed in the south-west Atlantic do not survive long enough to return to breeding colonies.

### Conclusions

<sup>3</sup> Contributors to the investigation included: Dimas Gianuca (Brazil), Richard Phillips (UK), Narelle Montgomery (Australia), Igor Debski, Chris Gaskin, Mike Bell, Elizabeth Bell, Graham Parker, Kalinka Rexer-Huber, Graeme Elliott, Kath Walker, Paul Sagar, Graeme Taylor, Alan Tennyson, Edin Whitehead (New Zealand), Eric VanderWerf (Hawaii USA), Javier Antonio Quiñones Dávila (Peru).

<sup>4</sup> A dispute exists between the Governments of Argentina and the United Kingdom of Great Britain and Northern Ireland concerning sovereignty over the Falkland Islands (Islas Malvinas), South Georgia and the South Sandwich Islands (Islas Georgias del Sur e Islas Sandwich del Sur) and the surrounding maritime areas.

<sup>5</sup> A dispute exists between the Governments of Argentina and the United Kingdom of Great Britain and Northern Ireland concerning sovereignty over the Falkland Islands (Islas Malvinas), South Georgia and the South Sandwich Islands (Islas Georgias del Sur e Islas Sandwich del Sur) and the surrounding maritime areas.

15. The main conclusion of the assessment is that the types of mutilation injuries reported in the Biological Conservation paper appear to be confined to a rogue group of fishers operating in the seas off southern Brazil or elsewhere in the South Atlantic.
16. While seemingly confined to a particular region, the impacts of these distant activities can be felt among wider migratory seabird populations. *Diomedea epomophora* (Southern Royal Albatross) has been recently surveyed and appears to have undergone a 40 per cent population decline since 2008.<sup>6</sup> Therefore, every injury to individuals in this species can exacerbate the rate of decline.
17. As the nature and extent of this current threat to migratory species appears to be confined to one oceanic region, this investigation indicates that the local authorities in the south-west Atlantic region are best placed to manage this threat through local engagement with fishers, educational programmes and/or taking legal action where a clear breach of the law has been observed.

#### Recommended actions

18. The Conference of the Parties is recommended to:
  - a) take note of this report from the working group investigation; and
  - b) adopt the Decisions contained in the Annex of this document.

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<sup>6</sup><https://www.doc.govt.nz/globalassets/documents/conservation/marine-and-coastal/marine-conservation-services/reports/202223-annual-plan/pop2022-11-campbell-island-seabird-research-2023-final-report.pdf>

## DRAFT DECISIONS

### **THE MALTREATMENT AND MUTILATION OF SEABIRDS IN FISHERIES**

#### ***Directed to Parties***

- 14.AA Parties bordering the south-west Atlantic Ocean are requested to:
- a) work with their fisheries management agencies to identify ways to address this issue impacting seabird populations;
  - b) endeavour to prevent further injuries to threatened and at-risk migratory species in their Exclusive Economic Zones;
- 14.BB Other Parties are requested to report back to the Scientific Council if they become aware of this issue occurring within their jurisdiction or elsewhere in the future.

#### ***Directed to the Scientific Council***

- 14.CC The Scientific Council is requested to keep the issue of the maltreatment of seabirds in fisheries under review in case any further instances of mutilation are brought to its attention.