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CMS Scientific Council (ScC-SC7)**

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**DEVELOPING A LISTING PROPOSAL FOR FLESH-FOOTED SHEARWATER**

*(Prepared by New Zealand)*

**Summary:**

This document informs the Convention on the Conservation of Migratory Species of Wild Animals (CMS) Scientific Council of plans to develop a proposal to list flesh-footed shearwater (*Ardenna carneipes*) on Appendix II of CMS, for consideration at the 15<sup>th</sup> Conference of Parties; and encourages Range State Parties and other interested stakeholders to consider engaging in this process.

The flesh-footed shearwater is a highly migratory seabird species breeding in the southern Pacific and Indian Oceans and migrating to northern hemisphere waters. In addition to land-based threats at breeding colonies, flesh-footed shearwaters face at-sea threats across their migratory range, in particular bycatch in fisheries. According to the IUCN Red List, flesh-footed shearwater is Near Threatened.

Improved international coordination to address key threats such as bycatch in fisheries is key to ensuring the conservation of this species. Flesh-footed shearwater could also benefit from being listed on the Agreement for the Conservation of Albatrosses and Petrels.

## DEVELOPING AN APPENDIX II LISTING PROPOSAL FOR FLESH-FOOTED SHEARWATER

1. The purpose of this paper is to inform the Convention on the Conservation of Migratory Species of Wild Animals (CMS) Scientific Council of plans to develop both a proposal to list flesh-footed shearwater (*Ardenna carneipes*) on Appendix II of CMS and a Concerted Action, for consideration at the 15<sup>th</sup> Conference of Parties (COP 15); and to encourage Range State Parties and other interested stakeholders to consider engaging in this process.

### Distribution and threats

2. Flesh-footed shearwaters breed on 14 islands around northern and central New Zealand and on Lord Howe Island, Australia, in the Pacific region. They also breed on numerous small islands off western and southern Australia. There is also a tiny population on St Paul Island (French territory) in the Indian Ocean<sup>1</sup>. The Pacific populations migrate north to the seas off Japan and the Republic of Korea whereas the western populations migrate to the north-west Indian Ocean and seas off east Africa<sup>1</sup>. According to the IUCN Red List, the flesh-footed shearwater is classified as Near Threatened.
3. On land, the species has been vulnerable to predation of eggs and chicks by introduced rats, and ferals cats although most islands are now free of these pests. Climate change is expected to increase the frequency of extreme storm events damaging breeding habitats through erosion and flooding nests in heavy rainfall events. Light attraction at night is a concern on sites where human settlements are nearby (e.g. Lord Howe Island).
4. Flesh-footed shearwaters are known to be vulnerable to fisheries bycatch. This species has been found to be one of the most at-risk from New Zealand commercial fisheries, alongside various albatross and *Procellaria* petrel species<sup>1</sup>. Their wide-ranging migratory pathway puts these birds at risk of bycatch from numerous fisheries, including pelagic long fisheries such as those managed by the Western and Central Pacific Fisheries Commission (WCPFC), where it has been estimated that up to 25,000 seabirds are caught annually<sup>2</sup>. Data on species-specific fisheries impacts remains limited due to low levels of fisheries observer data collection.
5. Whilst most Regional Fisheries Management Organisations (RFMOs), including WCPFC, have put in place requirements to use seabird bycatch mitigation, concerns over the adequacy of the measures remain<sup>3</sup>. In addition, recent tracking of juvenile flesh-footed shearwaters from New Zealand has shown they spend considerable time in tropical waters, where there are limited or no seabird bycatch mitigation requirements<sup>4</sup>.
6. The threat from plastic pollution ingested at-sea has also been identified as an important threat to some populations of flesh-footed shearwater<sup>5</sup>. Other potential at-sea threats

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<sup>1</sup> Edwards, C.T.T.; Peatman, T.; Goad D.; Webber, D.N. (2023). Update to the risk assessment for New Zealand seabirds. New Zealand Aquatic Environment and Biodiversity Report No. 314. 66 p.

<sup>2</sup> Peatman et al. 2019. Project 68: Estimation of seabird mortality across the WCPFC Convention Area. WCPFC SC15-EB-WP-03.

<sup>3</sup> New Zealand. 2024. Review of Conservation and Management Measure to mitigate the impact of fishing for highly migratory fish stocks on seabirds (CMM 2018-03): informal intersessional process, key findings, and management options. WCPFC-SC20-2024/EB-WP-09.

<sup>4</sup> Fischer, J.H. *et al.* 2024. An update on the New Zealand large-scale seabird monitoring and tracking programme with improved insights into trends, distribution, and overlap with commercial longline fisheries. WCPFC-SC20-2024/EB-WP-10.

<sup>5</sup> Lavers, J.L., Bond, A.L and Hutton, I. (2014) Plastic ingestion by Flesh-footed Shearwaters (*Puffinus carneipes*): Implications for fledgling body condition and the accumulation of plastic-derived chemicals. Environmental Pollution 187, 124-129.

such as from collision with offshore infrastructure or vessels, including through disorientation by artificial light at night, remain to be quantified.

7. Flesh-footed shearwater has been identified as high priority candidate species for listing by the Agreement for the Conservation of Albatrosses and Petrels (ACAP)<sup>6</sup>, which already lists the closely related pink-footed shearwater of the eastern Pacific. The CMS Scientific Council has also identified flesh-footed shearwater as a priority species for listing on CMS appendices<sup>7</sup>, as specified in [Resolution 14.20 Potential Avian Taxa for Listing](#) adopted at COP14 in February 2024.

#### CMS listing proposal

8. Flesh-footed shearwater meets the criteria for listing on Appendix II of CMS. New Zealand has begun initial scoping of a proposal.
9. Potential benefits of listing flesh-footed shearwater on CMS Appendix II are:
  - i. CMS Parties (133) would be **committed to cooperating** to improve the conservation status of flesh-footed shearwater, including through potential listing of the species under ACAP and by applying effective seabird bycatch mitigation on their flagged fishing vessels;
  - ii. increased global **recognition** and international **awareness** of flesh-footed shearwaters and the threats they face;
  - iii. increased **research** and **knowledge sharing** of flesh-footed shearwaters and the threats they face, including emerging and future threats;
  - iv. increased **international cooperation** between States, including through inter-governmental organisations such as ACAP and RFMOs, to conserve the species and address threats;
  - v. **increased pressure** on/leverage for RFMOs to agree effective seabird bycatch mitigation measures. All relevant RFMOs could improve their performance in this area;
  - vi. a **basis for a Concerted Action** which would set out **conservation actions** for Range States.

#### Next steps

10. We envisage developing the listing proposal and Concerted Action in late 2024/early 2025, consulting on both in mid-2025, and submitting them around September 2025 (depending on the submission deadline for COP15).
11. We encourage Range State Parties and other interested stakeholders to consider engaging in this work.
12. We anticipate establishing an informal working group to progress the drafting, review and submission of these documents. If you are interested in engaging in this work, please contact: **Graeme Taylor, Department of Conservation, New Zealand**, [gtaylor@doc.govt.nz](mailto:gtaylor@doc.govt.nz).

<sup>6</sup> Tasker, M. *et al.* 2024. Report of the Taxonomy Working Group. Agreement on the Conservation of Albatrosses and Petrels Fourteenth Meeting of the Advisory Committee. Lima, Peru, 12 – 16 August 2024

<sup>7</sup> Scientific Council of the Convention on Migratory Species. 2023. Potential avian taxa for listing. UNEP/CMS/COP14/Doc.31.3.