

2014 NATIONAL REPORT OF PARTIES ON THE IMPLEMENTATION OF THE CONVENTION ON THE CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS

The deadline for submission of the reports is 1 May 2014. The reporting period is 15 June 2011 to 1 May 2014.

Parties are encouraged to respond to all questions. Parties are also requested to provide comprehensive answers, including, where appropriate, a summary of activities, information on factors limiting action and details of any assistance required.

Reporting format agreed by the Standing Committee at its 40th Meeting (Bonn, November 2012) for mandatory use by Parties, for reports submitted to the Eleventh Meeting of the Conference of the Parties (COP11) 2014.

The questions below combine elements of Resolution 4.1 (Party Reports) adopted by the Fourth Meeting of the Conference of the Parties (Nairobi, June 1994) and Resolution 6.4 (Strategic Plan for the Convention on Migratory Species 2000-2005), adopted by the Sixth Meeting of the Conference of the Parties (Cape Town, November 1999), the COP8 Strategic Plan 2006-2011 and Resolution 8.24 adopted by the Conference of the Parties (Nairobi 2005), as well as commitments arising from other operational Resolutions and Recommendations of the Conference of the Parties.

COP Resolution 9.4 adopted at Rome called upon the Secretariats and Parties of CMS Agreements to collaborate in the implementation and harmonization of online reporting implementation. The CMS Family Online Reporting System (ORS) has been successfully implemented and used by AEWA in their last Meeting of the Parties (MOP 5, 2012) reporting cycle. CMS now offers the Convention's Parties to use the ORS for submitting their national reports for the COP11 (2014) reporting cycle.

Please enter here the name of your country

> New Zealand

Which agency has been primarily responsible for the preparation of this report?

> Department of Conservation

Please list any other agencies that have provided input

> Ministry of Foreign Affairs and Trade

I(a). General Information

Please enter the required information in the table below:

Party

Date of entry into force of the Convention in your country
> 1 October 2000

Period covered
> 15 June 2011 - 1 May 2014

Territories to which the Convention applies
> New Zealand

Designated National Focal Point

Full name of the institution
> Department of Conservation

Name and title of designated Focal Point
> Ms. Kathryn Howard
Senior International Advisor
Strategic Partnerships Team

Mailing address
> PO Box 10420
Wellington 6143

Telephone
> (+64) 4 471 3106

Fax
> (+64) 4 381 3130

E-mail
> kahoward@doc.govt.nz

Appointment to the Scientific Council

Full name of the institution
> Department of Conservation

Name and title of contact officer
> Mr. Andrew Bignell

Mailing address
> PO Box 10420
Wellington
NEW ZEALAND

Telephone
> (+64) 4 471 0726

Fax
> (+64) 4 471 1082

E-mail
> abignell@doc.govt.nz

Submission

Name and Signature of officer responsible for submitting national report

Name:
> Ms. Kathryn Howard

Address:

> PO Box 10420
Wellington 6143

Tel.:

> (+64) 4 471 3106

Fax:

> (+64) 4 381 3130

E-mail:

> kahoward@doc.govt.nz

Date of submission

> 17/4/2014

Implementation**Competent Authority:**

> Department of Conservation

Relevant implemented legislation:

> Wildlife Act 1953, Marine Reserves Act 1971, Marine Mammals Protection Act 1978, Conservation Act 1987, Trade in Endangered Species Act 1989

Other relevant Conventions/ Agreements (apart from CMS) to which your country is a Party:

> International Convention for the Regulation of Whaling 1946 (ICRW)

Convention on Wetlands of International Importance Especially as Waterfowl Habitat 1971 (Ramsar Convention)

Convention on the Conservation of Antarctic Marine Living Resources 1980 (CCAMLR)

Convention for the Protection of Natural Resources and Environment of the South Pacific Region 1986 ("Noumea Convention")

Convention on Biological Diversity 1992 (CBD)

Convention on International Trade in Endangered Species 1975 (CITES)

United Nations Convention on the Law of the Sea 1994 (UNCLOS)

The Agreement for the Implementation of the Provisions of UNCLOS III Relating to the Conservation and Management of Straddling Fish Stocks 1995 (Fish Stocks Agreement)

The Convention on the Prohibition on Fishing with Long Drift Nets in the South Pacific (1991)

The Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter 1972 (MARPOL)

FAO International Plan of Action for Reducing the Incidental Catch of Seabirds in Longline Fisheries (IPOA)

East Asian-Australasian Flyway Partnership.

National policy instruments (e.g. national biodiversity conservation strategy, etc.):

> New Zealand Biodiversity Strategy 2000

Action Plan for Seabird Conservation in New Zealand 2000

Marine Protected Areas Policy and Implementation Plan 2005

Marine Mammal Action Plan 2005-2010

National Plan of Action - Seabirds 2013

National Plan of Action for the Conservation and Management of Sharks 2013

A Code of Conduct for minimising acoustic disturbance to marine mammals from seismic survey operations - 2013

CMS Agreements/MoU

Please indicate whether your country is part of the following Agreements/MoU. If so, please indicate the competent national institution

ACAP (2001)**ACAP (2001)**

Party

Focal Point**Name**

> Mr Ian Angus

Address

> Marine Species & Threats, Science & Capability, Department of Conservation, P.O. Box 10-420, Wellington
6143, New Zealand

Tel

> +64 (0)4 471 3081

Fax

> -

E-mail

> iangus@doc.govt.nz

Member of Advisory Committee**Name**

> Dr Igor Debski

Address

> Marine Species & Threats, Science & Capability, Department of Conservation, P.O. Box 10-420, Wellington
6143, New Zealand

Tel

> +64 (0)4 471 3189

Fax

> -

E-mail

> idebski@doc.govt.nz

Pacific Islands Cetaceans MoU (2006)

Pacific Islands Cetaceans MoU (2006)

Signatory

Competent authority**Name**

> Department of Conservation

Address

> P.O. Box 10-420
Wellington
New Zealand

Contact point**Name**

> Kathryn Howard, Senior International Advisor

Address

> Department of Conservation
P.O. Box 10-420
Wellington 6143
New Zealand

Tel

> (+64) 4 471 3106

Fax

> (+64) 4 381 3057

E-mail

> kahoward@doc.govt.nz

Involvement of other government departments/NGOs/private sector

1. Which other government departments are involved in activities/initiatives for the conservation of migratory species in your country? (Please list.)

> Ministry of Foreign Affairs and Trade, Ministry for Primary Industries, Ministry for the Environment, Environmental Protection Authority, Maritime New Zealand

2. If more than one government department is involved, describe the interaction/relationship between these government departments:

> Interagency consultations on the conservation of migratory species

3. Has a national liaison system or committee been established in your country?

No

4. List the main non-governmental organizations actively involved in activities/initiatives for the conservation of migratory species in your country, and describe their involvement:

> Royal Forest and Bird Protection Society - advocacy and habitat protection

Southern Seabird Solutions Trust - mitigation of impacts of commercial fishing on seabirds

WWF - advocacy and habitat protection

Greenpeace - advocacy

ECO - advocacy and networking

Miranda Naturalist Trust - Advocacy and education on migratory shorebirds and management of a wetland site of significance to migratory shorebird species.

4a. Please provide detail on any devolved government/overseas territory authorities involved.

> -

5. Describe any involvement of the private sector in the conservation of migratory species in your country:

> The fishing industry pays conservation services levies to fund the collection of data and development of mitigation strategies to reduce the incidental take of Appendix I seabirds in fishing operations.

The Southern Seabird Solutions Trust is an innovative alliance with representatives from the seafood industry, New Zealand government, WWF-New Zealand, Te Ohu Kaimoana and recreational anglers. The Trust works with skippers, crews and anglers to reduce harm to seabirds through fishing. In 2012 and 2013 the Southern Seabird Solutions Trust ran a number of Seabird Smart Workshops around New Zealand with over 160 skippers and crew in attendance.

Since 2008, the Department of Conservation has partnered with OMV New Zealand Ltd to run the annual survey of whales in the Cook Strait between New Zealand's North and South Islands. Data collected since 2008 is shown below:

2008 37 humpbacks and four pygmy blue whales;

2009 46 humpbacks and one sperm whale;

2010 43 humpbacks, including a newborn, two sperm and three minke whales;

2011 73 humpbacks, with blue and sperm whales and orca also seen;

2013 106 humpbacks with a record 23 whales seen in one day on June 22.

6. Note any interactions between these sectors in the conservation of migratory species in your country:

> The fishing industry is generally cooperative in efforts to reduce the incidental catch of migratory species of seabirds.

I(b). Information about involved Authorities

Identify the ministry, agency/department or organization that is responsible for leading actions relating to Appendix I species

1- Birds

> Department of Conservation

2- Aquatic Mammals

> Department of Conservation, Ministry for Primary Industries

3- Reptiles

> Department of Conservation

4- Terrestrial Mammals

> Department of Conservation

5- Fish

> Ministry of Primary Industries, Department of Conservation

II. Appendix I species

1. BIRDS

1.1 General questions on Appendix I bird species

1. Is the taking of all Appendix I bird species prohibited by the national implementing legislation cited in Table I(a) (General Information)?

Yes

1a. If the taking of Appendix I bird species is prohibited by law, have any exceptions been granted to the prohibition?

Yes

If Yes, please provide details (Include the date on which the exception was notified to the CMS Secretariat pursuant to CMS Article III(7):

> Incidental take in fishing operations is not an offence, provided that any required mitigation measures have been deployed and that the take is reported in timely fashion

2. Identify any obstacles to migration that exist in relation to Appendix I bird species:

By-catch

Habitat destruction

Other (please provide details):

> Invasive species in breeding sites

2a. What actions are being undertaken to overcome these obstacles?

> Wind turbines are not proposed for establishment in any critical habitat for Appendix I species, and consideration is given in the permissions process to environmental effects, including any effects on migratory species (flight pathways).

Mammalian pest eradication programmes have been implemented on offshore islands and other sites that are important breeding areas for Appendix I species and pest surveillance/biosecurity programmes are in place to avoid new introductions of pests to the islands.

2b. Please report on the progress / success of the actions taken.

> Invasive species have been successfully removed from several important breeding sites on offshore islands.

2c. What assistance, if any, does your country require in order to overcome these obstacles?

> Liaison with other CMS members and the cooperation of the global fishing industry to implement best international practice

3. What are the major pressures to Appendix I bird species (transcending mere obstacles to migration)?

Other (please specify)

> Impact of invasive species on breeding success

3a. What actions have been taken to prevent, reduce or control factors that are endangering or are likely to further endanger bird species beyond actions to prevent disruption to migrating behaviour?

> Eradication of mammalian pests from critical habitat

3b. Please report on the progress / success of the actions taken.

> Invasive species have been successfully removed from several important breeding sites on offshore islands

3c. Describe any factors that may limit action being taken in this regard:

> Logistics (for remote subantarctic islands) and public resistance to the use of toxins to control invasive species

3d. What assistance, if any, does your country require to overcome these factors?

> Regular liaison with other CMS members and NGOs to establish best international practice and explore opportunities for collaborative funding to support pest eradications from critical habitat for Appendix I species

1.2 Questions on specific Appendix I bird species

In the following section, using the table format below, please fill in each Appendix I bird species for which

your country is considered to be a Range State. Please complete each table as appropriate, providing information in summary form. Where appropriate, please cross-reference to information already provided in national reports that have been submitted under other conventions (e.g. Convention on Biological Diversity, Ramsar Convention, CITES). (Attach annexes as necessary.)

Species name: Puffinus creatopus

1. Please provide published distribution reference:

> The first 2-4 birds off the Canterbury Bight in June 1979 were initially misidentified as North Atlantic (Cory's) shearwaters. Five subsequent sightings have been accepted, all of single birds off Kaikoura, and all between December and February: January 1994, December 1998, February 1999, December 2001, January 2003. Several other sightings have yet to be submitted to, or assessed by, the Ornithological Society's Records Appraisal Committee.

Southey, I. 2013. Pink-footed shearwater. In Miskelly, C.M. (ed.) New Zealand Birds Online. www.nzbirdsonline.org.nz

2a. Summarise information on population size (if known):

not known

2b. Summarise information on distribution (if known):

not known

3. Indicate and briefly describe any activities that have been carried out in favour of this species in the reporting period. (Please provide the title of the project and contact details, where available):

Other

> -

4. If no activities have been carried out for this species in the reporting period, what has prevented such action being taken?

> -

5. Describe any future activities that are planned for this species:

> -

Species name: Calidris canutus rufa

3. Indicate and briefly describe any activities that have been carried out in favour of this species in the reporting period. (Please provide the title of the project and contact details, where available):

Habitat protection

Species name: Numenius madagascariensis

1. Please provide published distribution reference:

> In New Zealand, curlews are found in small numbers on major harbours and estuaries from Parengarenga in the Far North to Awarua Bay in Southland, with strongholds at Manukau Harbour and Farewell Spit. They have been recorded as vagrants on North Meyer Island (Kermadec Islands), and on Chatham, Stewart and Campbell Islands.

Numbers in New Zealand were regularly in the mid 40s during the 1980s but now fewer than 10 occur annually, with only 1 or 2 overwintering.

Riegen, A.C. 2013. Eastern curlew. In Miskelly, C.M. (ed.) New Zealand Birds Online. www.nzbirdsonline.org.nz

2a. Summarise information on population size (if known):

decreasing

> Numbers in New Zealand were regularly in the mid 40s during the 1980s but now fewer than 10 occur annually, with only 1 or 2 overwintering.

4. If no activities have been carried out for this species in the reporting period, what has prevented such action being taken?

> -

5. Describe any future activities that are planned for this species:

> New Zealand is exploring opportunities to collaborate with China on the management of curlews and their

habitat.

Species name: *Numenius tahitiensis*

1. Please provide published distribution reference:

> There have been 3 New Zealand records, all from the Kermadec Islands: Macauley Island (August 1966), North Meyer Islet (September 1972 – a dried corpse now in Te Papa), and Raoul Island (September 1972).

Melville, D.S. 2013. Bristle-thighed Curlew. In Miskelly, C.M. (ed.) New Zealand Birds Online. www.nzbirdsonline.org.nz

2a. Summarise information on population size (if known):

not known

2b. Summarise information on distribution (if known):

not known

3. Indicate and briefly describe any activities that have been carried out in favour of this species in the reporting period. (Please provide the title of the project and contact details, where available):

Other

> -

4. If no activities have been carried out for this species in the reporting period, what has prevented such action being taken?

> -

5. Describe any future activities that are planned for this species:

> -

Miscellaneous information or comments on Appendix I birds in general:

> -

2. AQUATIC MAMMALS

2.1 General questions on Appendix I aquatic mammals

1. Is the taking of all Appendix I aquatic mammals species prohibited by the national implementing legislation cited in Table I(a) (General Information)?

Yes

1a. If the taking of Appendix I aquatic mammals species is prohibited by law, have any exceptions been granted to the prohibition?

Yes

If Yes, please provide details (Include the date on which the exception was notified to the CMS Secretariat pursuant to CMS Article III(7):

> The incidental take of marine mammals in fishing operations is not an offence, provided that the fishing gear was not illegally deployed, any required mitigation measures had been adopted, and that the take is reported in timely fashion

2. Identify any obstacles to migration that exist in relation to Appendix I aquatic mammals:

By-catch

Other threats to migration (please provide details)

> Collision with shipping

Entanglement in craypots

2a. What actions are being undertaken to overcome these obstacles?

> The Department of Conservation administers a Conservation Services Programme, partially funded by levies charged to commercial fishers, which is focused on mitigating the impacts of commercial fishing on protected species, including Appendix I species. The use of gillnets is prohibited in large areas of coastal waters.

An expert group has been formed to remove debris, such as rope from crayfish pots or netting, from entangled whales in coastal waters. There has been 27 reported entanglements since 2000, mostly of humpback whales (23). Approximately a third of reported entanglements were successfully released - 4 in 2011, 5 in 2012 and 3 in 2013.

A liaison group has been established to review ship strike of whales in the approaches to Auckland Harbour. The Hauraki Gulf Transit Protocol for Commercial Shipping has been implemented as a voluntary protocol that identifies sensitive areas for route planning, recommends a reduced ship speed of 10knots, and encourages reporting and warning vessels of whale sightings in order to avoid collisions. This has been in place for 1 year.

The Department of Conservation developed a voluntary Code of Conduct to minimise acoustic disturbance to marine mammals from seismic surveying in 2012. Following a year of being in effect the Code was reviewed and revised (the Code 2013). It is mandatory by reference through the EEZ Act (in waters from 12-200nm). The Minister of Conservation has directed officials to develop a process whereby the Code would become mandatory throughout all New Zealand Fisheries Waters.

Seabed mineral mining and tidal energy projects are subject to resource consent processes. The Department of Conservation is considered an effected party and consulted when an application is made.

2b. Please report on the progress / success of the actions taken.

> Appendix I species of marine mammals are rarely caught in fishing gear in New Zealand waters. Humpback whales have been successfully disentangled by the expert group.

The Department has recently trained a second expert group to enable the ability to respond quickly to an entangled whale in both the North and South Islands.

The Department has had good stakeholder support and buy-in to the Seismic Survey Code of Conduct.

Adherence to the Seismic Code is mandatory outside 12 nautical miles and while voluntary inside 12 miles has been adopted and applied by industry as best practise throughout New Zealand waters. A review of the Seismic Code has been planned for 2014/15.

2c. What assistance, if any, does your country require in order to overcome these obstacles?

> Liaison with other CMS members to share information on best international practice on mitigating vessel collisions; mitigating against impacts of marine industry, and reducing fishing gear interactions with Appendix I marine mammal species

3. What are the major pressures to Appendix I aquatic mammals species (transcending mere obstacles to migration)?

Pollution

Other (please specify)

> Entanglement/marine debris

Pollution

Tourism /coastal activity

3a. What actions have been taken to prevent, reduce or control factors that are endangering or are likely to further endanger aquatic mammals species beyond actions to prevent disruption to migrating behaviour?

> Two expert disentanglement teams have been established to respond to entangled whales on the North and South Islands of New Zealand.

The potential for marine industry operations to adversely affect marine mammals (e.g. noise disturbance, displacement, and pollution) are considered within resource consent processes, of which DOC is considered an effected party.

Whale-watching operations are subject to the provisions of the Marine Mammals Protection Regulations, 1992.

All commercial operations are required to have a permit under the MMPR. A review of the MMPR has commenced.

3b. Please report on the progress / success of the actions taken.

> The Department is better placed to respond to whale entanglements promptly having gear and trained personnel on both the North and South Islands.

DOC is regularly asked to input on resource consent applications and makes submissions on a case by case basis.

All commercial whale watching operations are required to have a permit under the MMPR and are monitored for compliance.

2.2 Questions on specific Appendix I aquatic mammals

In the following section, using the table format below, please fill in each Appendix I aquatic mammals species for which your country is considered to be a Range State. Please complete each table as appropriate, providing information in summary form. Where appropriate, please cross-reference to information already provided in national reports that have been submitted under other conventions (e.g. Convention on Biological Diversity, Ramsar Convention, CITES). (Attach annexes as necessary.)

Species name: *Physeter macrocephalus*

1. Please provide published distribution reference:

> Data is poor in New Zealand and the species is listed as Vulnerable in New Zealand's threat classification system.

2a. Summarise information on population size (if known):

not known

2b. Summarise information on distribution (if known):

not known

4. If no activities have been carried out for this species in the reporting period, what has prevented such action being taken?

> -

5. Describe any future activities that are planned for this species:

> -

Species name: Balaenoptera physalus

1. Please provide published distribution reference:

> B. physalus is listed as Endangered in New Zealand's threat classification system.

2a. Summarise information on population size (if known):

not known

2b. Summarise information on distribution (if known):

not known

3. Indicate and briefly describe any activities that have been carried out in favour of this species in the reporting period. (Please provide the title of the project and contact details, where available):

Other

> -

4. If no activities have been carried out for this species in the reporting period, what has prevented such action being taken?

> -

5. Describe any future activities that are planned for this species:

> -

Species name: Balaenoptera musculus

1. Please provide published distribution reference:

> B. musculus is listed as Endangered in New Zealand's threat classification system.

4. If no activities have been carried out for this species in the reporting period, what has prevented such action being taken?

> -

5. Describe any future activities that are planned for this species:

> -

Species name: Megaptera novaeangliae

1. Please provide published distribution reference:

> M. novaeangliae is listed as Endangered in New Zealand's threat classification system.

4. If no activities have been carried out for this species in the reporting period, what has prevented such action being taken?

> -

5. Describe any future activities that are planned for this species:

> -

Species name: Eubalaena australis

1. Please provide published distribution reference:

> E. australis is listed as Range Restricted and Nationally endangered in New Zealand's threat classification system.

4. If no activities have been carried out for this species in the reporting period, what has prevented such action being taken?

> -

5. Describe any future activities that are planned for this species:

> -

Miscellaneous information or comments on Appendix I marine mammals in general:

> See this document submitted to IWC for information on cetacean research between April 2011-April 2012 <http://www.iwcoffice.org/private/downloads/dz9t8zdaspw0ok8gogk80kcs/SC-64-ProgRepNewZealand.pdf>

3. REPTILES

3.1 General questions on Appendix I reptiles

1. Is the taking of all Appendix I reptiles species prohibited by the national implementing legislation cited in Table I(a) (General Information)?

Yes

1a. If the taking of Appendix I reptiles species is prohibited by law, have any exceptions been granted to the prohibition?

No

2. Identify any obstacles to migration that exist in relation to Appendix I reptiles species:

Pollution

2a. What actions are being undertaken to overcome these obstacles?

> Public awareness campaigns for boat owners to bring all litter back to shore, especially plastic litter

2b. Please report on the progress / success of the actions taken.

> Few turtles beachcast with ingested plastic

2c. What assistance, if any, does your country require in order to overcome these obstacles?

> None

3a. What actions have been taken to prevent, reduce or control factors that are endangering or are likely to further endanger reptiles species beyond actions to prevent disruption to migrating behaviour?

> Code of Practice for releasing hooked turtles in longline fisheries

3b. Please report on the progress / success of the actions taken.

> Few turtles reported taken as by-catch

3c. Describe any factors that may limit action being taken in this regard:

> Low level of observer coverage

3d. What assistance, if any, does your country require to overcome these factors?

> None

5. FISH

5.1 General questions on Appendix I fish species

1. Is the taking of all Appendix I fish species prohibited by the national legislation listed as being implementing legislation in Table I(a) (General Information)?

No

If other legislation is relevant, please provide details:

> Amendments to the Wildlife and Fisheries Acts to absolutely protect basking sharks within New Zealand's EEZ and aboard New Zealand flagged vessels fishing on the High Seas have recently come into effect. Directed take of this species is already prohibited under the Fisheries Act but it may be landed if taken as accidental bycatch.

1a. If the taking of Appendix I fish species is prohibited by law, have any exceptions been granted to the prohibition?

Yes

If Yes, please provide details (Include the date on which the exception was notified to the CMS Secretariat pursuant to CMS Article III(7):

> The incidental take of great white shark in the course of legitimate commercial fishing operations is not an offence, provided the animal is released immediately and the required reporting procedures are followed. The same defence provisions will apply to basking shark.

2. Identify any obstacles to migration that exist in relation to Appendix I fish species:

Other threats to migration (please provide details)

> -

2a. What actions are being undertaken to overcome these obstacles?

> Legislation recently passed to absolutely protect basking sharks within New Zealand waters and prohibit their take by New Zealand fishing vessels elsewhere. Great white sharks are already protected. Research on regional population connectivity of great white sharks is ongoing. Aerial survey of basking sharks undertaken off Banks Peninsula in Jan-March 2010, will be repeated in 2011. Time series data for observed basking shark bycatch in middle-depth and deepwater trawl fisheries has been reviewed and total catch in New Zealand waters estimated.

2b. Please report on the progress / success of the actions taken.

> Changes to Wildlife and Fisheries Acts approved by the Ministers of Conservation and Fisheries. Total catch and trends in bycatch of basking sharks estimated. No basking sharks observed during Banks Peninsula aerial survey. Satellite tagging of white sharks has revealed regular migration of white sharks between New Zealand aggregation sites and the Coral Sea (Australia, New Caledonia and Vanuatu) and Kingdom of Tonga.

2c. What assistance, if any, does your country require in order to overcome these obstacles?

> Collaboration with other CMS members, through the CMS Sharks MoU and with Pacific Island states and territories through the Pacific Islands Regional Plan of Action for Sharks, to prohibit the directed take of Appendix I sharks anywhere within their range.

3. What are the major threats to Appendix I fish species (transcending mere obstacles to migration)?

Other (please specify)

> Directed and incidental take in commercial fishing operations. White sharks are also vulnerable to bycatch in recreational set net fisheries.

3a. What actions have been taken to prevent, reduce or control factors that are endangering or are likely to further endanger fish species beyond actions to prevent disruption to migrating behaviour?

> Extensive bans on commercial and recreational set (gill) netting to protect endangered Hector's and Maui's dolphin have been introduced in inshore waters of South Island and northwest North Island. These bans will also serve to reduce incidental mortality of great white and basking sharks. Protocols established for scientific observers to record and sample bycatch of all protected species.

3b. Please report on the progress / success of the actions taken.

> Set net bans established over large areas where great white and basking sharks are known to occur. Observer coverage on inshore fishing vessels and policing of set net bans established.

3c. Describe any factors that may limit action being taken in this regard:

> Legal challenge to extent of set net bans. Pressure to reduce observer coverage due to cost and/or small size of most inshore fishing vessels.

3d. What assistance, if any, does your country require to overcome these factors?

> None

5.2 Questions on specific Appendix I fish species

In the following section, using the table format below, please fill in each Appendix I fish species, for which your country is considered to be a Range State. Please complete each table as appropriate, providing information in summary form. Where appropriate, please cross-reference to information already provided in national reports that have been submitted under other conventions (e.g. Convention on Biological Diversity, Ramsar Convention, CITES). (Attach annexes as necessary.)

Species name: Carcharodon carcharias

2a. Summarise information on population size (if known):

not known

2b. Summarise information on distribution (if known):

not known

3. Indicate and briefly describe any activities that have been carried out in favour of this species in the reporting period. (Please provide the title of the project and contact details, where available):

Research

> satellite tagging, photo-identification

Monitoring

> photo-identification

5. Describe any future activities that are planned for this species:

> Development of a population estimate based upon mark-recapture analyses of photo-id individuals. Fine-scale acoustic monitoring of habitat use at major aggregation site (Stewart Island). Description of juvenile habitat using capture and sightings data and satellite tagging.

Miscellaneous information or comments on Appendix I bats in general:

> -

6. LISTING OF OTHER ENDANGERED MIGRATORY SPECIES IN APPENDIX I

1. Is your country a Range State for any other endangered migratory species currently listed in Appendix I?

(according to the latest IUCN red data list). N.B.: States in which a species occurs as a vagrant (i.e. not "on its normal migration route") should not be treated as Range States. Please refer to Article 1 of the Convention for clarification.

Yes

If Yes, please provide details:

> Whale shark (*Rhincodon typus*)

1a. Is your country taking any steps to propose listing any of these species?

No

III. Appendix II Species

1. INFORMATION ON APPENDIX II SPECIES

Information pertaining to the conservation of Appendix II species that are the object of CMS Agreements will have been provided in periodic Party reports to those instruments. It will suffice therefore to reference (below), and preferably append, a copy of the latest report that has been submitted to the Secretariat of each of the Agreement/MoUs to which your country is a Party.

ACAP (2001)

Date of last report:
> 2013

You have attached the following documents to this answer.

[AC_59.pdf](#) - New Zealand ACAP Advisory Committee Annual Report AC7 2013

Period covered:
> 2012-2013

Pacific Islands Cetaceans MoU (2006)

Date of last report:
> July 2009

Period covered:
> 2007-2009

2. QUESTIONS ON CMS AGREEMENTS

Questions on the development of new CMS Agreements relating to Bird Species

1. In the current reporting period, has your country **initiated** the development of any CMS Agreements, including Memoranda of Understanding, to address the needs of Appendix II Bird Species ?
 No
2. In the current reporting period, has your country **participated** in the development of any new CMS Agreements, including Memoranda of Understanding, which address the conservation needs of Appendix II Bird Species ?
 No
4. Is the development of any CMS Agreement for Bird Species, including Memoranda of Understanding, planned by your country in the foreseeable future?
 No

Questions on the development of new CMS Agreements relating to Marine Mammal Species

1. In the current reporting period, has your country **initiated** the development of any CMS Agreements, including Memoranda of Understanding, to address the needs of Appendix II Marine Mammal Species ?
 No
2. In the current reporting period, has your country **participated** in the development of any new CMS Agreements, including Memoranda of Understanding, which address the conservation needs of Appendix II Marine Mammal Species ?
 No
4. Is the development of any CMS Agreement for Marine Mammal Species, including Memoranda of Understanding, planned by your country in the foreseeable future?
 No

Questions on the development of new CMS Agreements relating to Marine Turtle Species

1. In the current reporting period, has your country **initiated** the development of any CMS Agreements, including Memoranda of Understanding, to address the needs of Appendix II Marine Turtle Species ?

No

2. In the current reporting period, has your country **participated** in the development of any new CMS Agreements, including Memoranda of Understanding, which address the conservation needs of Appendix II Marine Turtle Species ?

No

4. Is the development of any CMS Agreement for Marine Turtle Species, including Memoranda of Understanding, planned by your country in the foreseeable future?

No

Questions on the development of new CMS Agreements relating to Terrestrial Mammal (other than bats) Species

1. In the current reporting period, has your country **initiated** the development of any CMS Agreements, including Memoranda of Understanding, to address the needs of Appendix II Terrestrial Mammal (other than bats) Species ?

No

2. In the current reporting period, has your country **participated** in the development of any new CMS Agreements, including Memoranda of Understanding, which address the conservation needs of Appendix II Terrestrial Mammal (other than bats) Species ?

No

4. Is the development of any CMS Agreement for Terrestrial Mammal (other than bats) Species, including Memoranda of Understanding, planned by your country in the foreseeable future?

No

Questions on the development of new CMS Agreements relating to Bat Species

1. In the current reporting period, has your country **initiated** the development of any CMS Agreements, including Memoranda of Understanding, to address the needs of Appendix II Bat Species ?

No

2. In the current reporting period, has your country **participated** in the development of any new CMS Agreements, including Memoranda of Understanding, which address the conservation needs of Appendix II Bat Species ?

No

4. Is the development of any CMS Agreement for Bat Species, including Memoranda of Understanding, planned by your country in the foreseeable future?

No

Questions on the development of new CMS Agreements relating to Fish

1. In the current reporting period, has your country **initiated** the development of any CMS Agreements, including Memoranda of Understanding, to address the needs of Appendix II Fish ?

No

2. In the current reporting period, has your country **participated** in the development of any new CMS Agreements, including Memoranda of Understanding, which address the conservation needs of Appendix II Fish ?

Yes

If Yes, please provide details:

> Participated in consultations leading to adoption of the CMS Sharks MoU

3. If your country has initiated or is participating in the development of a new Agreement or Memorandum of Understanding, what assistance, if any, does your country require in order to initiate or participate in the instrument's development?

> None

4. Is the development of any CMS Agreement for Fish, including Memoranda of Understanding, planned by your country in the foreseeable future?

Yes

4.1. If Yes, please provide details:

> Ministers will be briefed on the Sharks MoU and invited to consider NZ's signature

IV. National and Regional Priorities

1. What priority does your country assign to the conservation and, where applicable, sustainable use of migratory species in comparison to other biodiversity-related issues

High

2. Are migratory species and their habitats addressed by your country's national biodiversity strategy or action plan?

Yes

2.1. If Yes, please indicate and briefly describe the extent to which it addresses the following issues:

Conservation, sustainable use and/or restoration of migratory species

> Significantly

Conservation, sustainable use and/or restoration of the habitats of migratory species, including protected areas

> Significantly

Actions to prevent, reduce or control factors that are endangering or are likely to further endanger migratory species (e.g. alien invasive species or by-catch)

> Significantly

Minimizing or eliminating barriers or obstacles to migration

> Significantly

Research and monitoring of migratory species

> Significantly

Transboundary co-operation

> Significantly

3. Does the conservation of migratory species currently feature in any other national or regional policies/plans (apart from CMS Agreements)

Yes

3.1. If Yes, please provide details:

> New Zealand Biodiversity Strategy, Marine Mammal Action Plan 2005-2010, NPOA Sharks, SPREP's Marine Species Action Plans (turtles, dugong, cetaceans, sharks)

3a. Do these policies/plans cover the following areas?

Exploitation of natural resources (e.g. fisheries, hunting, etc.)

Yes

If Yes, please provide details

> Fisheries Act, Wildlife Act

Economic development

Yes

If Yes, please provide details

> Resource Management Act 1991

Land-use planning

Yes

If Yes, please provide details

> Resource Management Act 1991, Hauraki Gulf Marine Act 2000, Reserves Act 1977

Pollution control

Yes

If Yes, please provide details

> Resource Management Act

Designation and development of protected areas

Yes

If Yes, please provide details

> National Parks Act, Conservation Act, Reserves Act

Development of ecological networks

Yes

If Yes, please provide details

> National Parks Act, Conservation Act, Marine Reserves Act, Reserves Act

Planning of power lines

Yes

If Yes, please provide details

> Resource Management Act 1991

Planning of fences

Yes

If Yes, please provide details

> Resource Management Act 1991, Fencing Act

Planning of dams

Yes

If Yes, please provide details

> Resource Management Act 1991

Other

No

If Yes, please provide details

> -

4. Results - please describe the positive outcomes of any actions taken

> 30% of New Zealand land cover has some form of protection that may be beneficial for migratory species. Resource consents have been required under the Resource Management Act 1991 for flood control activities at two important bird flyway sites. This has enabled the inclusion of environmental safeguards in resource consent conditions, taking into account the potential impacts of proposed activities on issues such as fish migration in the canals in and around these wetlands.

V. Protected Areas

1. Are migratory species taken into account in the selection, establishment and management of protected areas in your country?

Yes

If Yes, please provide details:

> Auckland Islands Marine Mammal Sanctuary established in 1993 to protect the breeding population of Southern Right Whales.

Subantarctic Islands Marine Reserves established in 2014 which cover 435,000 hectares of ocean around Antipodes, Bounty and Campbell Islands. They cover the most important breeding site in the world for the Southern Royal Albatross and a breeding ground for New Zealand's rarest whale, the Southern Right.

There is a good understanding of the importance to migratory waterbirds of every estuary and major coastal lagoon/lake system in New Zealand.

The Firth of Thames Project Action Plan recognises the site's importance for migratory birds. A new operational plan is currently being written for Farewell Spit and is due for release later in 2014.

A project has been initiated to prioritise sites for nomination to the Flyway site network. The project will incorporate Flyway nomination criteria and will refine these with domestic criteria so that the most important sites are nominated first.

1a. Please identify the most important national sites for migratory species and their protection status:

> Farewell Spit and Firth of Thames are the important national sites for shorebird conservation.

1b. Do these protected areas cover the following areas?

Terrestrial

Yes

If Yes, please provide details and include the amount of protected areas coverage and the number of protected areas

> 30% of New Zealand land cover has some form of protection that may be beneficial for migratory species.

Aquatic

Yes

If Yes, please provide details and include the amount of protected areas coverage and the number of protected areas

> Farewell Spit and Firth of Thames and numerous wetland reserves are important national sites for shorebird conservation.

Marine

Yes

If Yes, please provide details and include the amount of protected areas coverage and the number of protected areas

> There is a network of marine reserves around New Zealand and many breeding sites for seabirds, especially in the subantarctic islands, are protected.

The Subantarctic Islands Marine Reserves, established in 2014, cover 435,000 hectares of ocean around Antipodes, Bounty and Campbell Islands. They cover the most important breeding site in the world for the Southern Royal Albatross and a breeding ground for New Zealand's rarest whale, the Southern Right.

1c. Identify the agency, department or organization responsible for leading on this action in your country:

> Department of Conservation

2. Results - please describe the positive outcomes of any actions taken

> Improved protection and conservation of biodiversity; greater public awareness of conservation issues.

VI. Policies on Satellite Telemetry

1. In the current reporting period, has your country undertaken conservation/research projects that use satellite telemetry?

Yes

If yes what is the state of those projects

completed

Please provide details

> ongoing and completed (both ticked).

2. Are any future conservation/research projects planned that will use satellite telemetry?

Yes

If Yes, please provide details (including the expected timeframe for these projects):

> Regional population connectivity of great white sharks. The project commenced in 2005 and is anticipated to conclude in 2014.

If No, please explain any impediments or requirements in this regard:

> -

3. Results - please describe the positive outcomes of any actions taken

> Satellite tagging of white sharks has revealed regular migration of white sharks between New Zealand aggregation sites and the Coral Sea (Australia, New Caledonia and Vanuatu) and Kingdom of Tonga, with one shark passing through and close to the EEZs of Niue and Cook Islands respectively.

VII. Membership

1. Have actions been taken by your country to encourage non- Parties to join CMS and its related Agreements?

Yes

If Yes, please provide details. (In particular, describe actions taken to recruit the non-Parties that have been identified by the Standing Committee as high priorities for recruitment.)

> New Zealand continues to encourage Pacific Island countries to join CMS.

1a. Identify the agency, department or organization responsible for leading on this action in your country:

> Ministry of Foreign Affairs and Trade, Department of Conservation.

2. Results - please describe the positive outcomes of any actions taken

> The Cook Islands, Samoa and Palau are all CMS members. Fiji became a member in 2013 and have also joined the Pacific Cetaceans MOU.

VIII. Global and National Importance of CMS

1. Have actions been taken by your country to increase national, regional and/or global awareness of the relevance of CMS and its global importance in the context of biodiversity conservation?

Yes

If Yes, please provide details:

> Promotion of work of ACAP and publicity around the PI Cetaceans MoU

2. Identify the agency, department or organization responsible for leading on this action in your country:

> Department of Conservation

3. Results - please describe the positive outcomes of any actions taken

> CMS is recognised by government agencies in New Zealand as an important player in the global conservation of migratory species

IX. Mobilization of Resources

1. Has your country made financial resources available for conservation activities having direct benefits for migratory species in your country?

Yes

If Yes, please provide details (Indicate the migratory species that have benefited from these activities):

> Annual census of humpback whales migrating through Cook Strait; pest control programmes on seabird breeding islands, collaborated with Australia on a whale research cruise (2009) to Ross Sea/Balleny Islands.

2. Has your country made voluntary contributions to the CMS Trust Fund to support requests from developing countries and countries with economies in transition?

No

If Yes, please provide details:

> -

3. Has your country made other voluntary financial contributions to support conservation activities having direct benefits for migratory species in other countries (particularly developing countries)?

Yes

If Yes, please provide details (Indicate the migratory species that have benefited from these activities):

> The NZ Government, through its overseas assistance programme, has made significant contributions to a number of conservation activities having direct benefits for migratory species. These include:

Kiribati Pest Control Activity - Restoration of island habitats for seabirds and the eradication of rats and rabbits from the Phoenix Islands in Kiribati;

Tuvalu - A capacity-building programme on large marine species;

Pacific Region - An eco-tourism development project around turtle protection in Tonga, Fiji, the Solomon Islands and Kiribati. This Activity focuses on the capability in-country to sustainably manage natural resources, specifically turtles, with the establishment of turtle monitoring and conservation management programmes, education and awareness, and the investigation and establishment of turtle related eco-tourism businesses at selected communities. The initiative involves tracking the migratory paths of over 15,000 turtles in the Pacific region. 'Turtle tagging' involves clipping tags on the flippers of turtles to help estimate the turtle population in the Pacific and their nesting and foraging habitats.

4. Has your country provided technical and/or scientific assistance to developing countries to facilitate initiatives for the benefit of migratory species?

Yes

If Yes, please provide details (Indicate the migratory species that have benefited from these activities):

> Dr Will Rayment of the Department of Marine Science at the University of Otago organised a one-day workshop 7th December 2013 as an adjunct event to at the Society for Marine Mammology Conference in Dunedin 9-13 December. The workshop was on the conservation and biology of right whales

A DOC representative attended the International Whaling Commission Euthanasia Workshop, London, September 2013. The objective of this trip was sharing and gaining knowledge on international methods of euthanasia for large whales, including the Sperm Whale Euthanasia Device (SWED), which is unique to New Zealand and relates to the particular focus of this workshop which is on large whale euthanasia.

5. Has your country received financial assistance/support from the CMS Trust Fund, via the CMS Secretariat, for national conservation activities having direct benefits for migratory species in your country?

No

If Yes, please provide details (Indicate the migratory species that have benefited from these activities):

> -

6. Has your country received financial assistance/support from sources other than the CMS Secretariat for conservation activities having direct benefit for migratory species in your country?

No

If Yes, please provide details (Indicate the migratory species that have benefited from these activities):

> -

X. Implementation of COP Resolutions and Recommendations

Please provide information about measures undertaken by your country relating to recent Resolutions and Recommendations since the last Report. For your convenience please refer to the list of COP Resolutions and Recommendations listed below:

Resolutions

Bycatch (incl. Recommendation) (6.2 / 7.2 / 8.14 / 9.18 / 10.14)

> Numerous government measures have been taken to reduce bycatch of protected species.

There are fishery-specific regulations for mitigation of seabird bycatch, including the requirement for vessels in certain fisheries to have seabird scaring devices. Standards for these devices are becoming more specific, and compliance is good.

Specific measures are in place to manage the effects of potentially threatening processes on a number of marine mammal species including:

- A bycatch limit for New Zealand sea lions in the southern squid fishery;
- An industry code of practice designed to reduce bycatch of marine mammals in all New Zealand deepwater fisheries;
- Set net and trawl fishing restrictions in some inshore areas to reduced bycatch of Hector's and Maui's dolphin; and
- Increased observer coverage in set net and trawl fisheries, including areas where set netting is prohibited without an observer on board.

Fisheries by-catch (capture of non-target species) remains an issue for species such as Hector's and Maui's dolphin, New Zealand sea lion, protected shark species and seabirds (including Black Petrel and Salvin's Albatross the two bird species at highest risk from New Zealand commercial fisheries).

The Aquatic Environment and Biodiversity Annual Review 2013

(www.mpi.govt.nz/Default.aspx?TabId=126&id=2122) summarises information and, where appropriate, assesses current status against any specified targets or limits, on a range of issues related to the interactions between the seafood sector and the marine environment. A wide variety of technical measures, such as area closures and gear restrictions, are used to reduce bycatch.

Oil Pollution and Migratory Species (7.3)

> The primary aim of New Zealand's marine spill and pollution response capability is to minimise damage to the marine environment and reduce the time for recovery of affected resources by achieving an acceptable level of cleanliness.

It is funded by an industry levy, the Oil Pollution Levy, which is paid by those sectors whose activities raise the risk of a marine oil spill. In the event of an oil spill, the polluter is liable for all costs associated with the response.

The National Oil Spill Contingency Plan contains a Wildlife Rescue and Rehabilitation Plan to "avoid, remedy or mitigate any detrimental impacts on wildlife during an oil pollution response. (<http://www.maritimenz.govt.nz/Publications-and-forms/Environmental-protection/National-plan/National-Plan-Chapter-9.pdf>).

The Wildbase Oil Response, based at Massey University, is New Zealand's frontline for wildlife emergency response after a marine oil spill undertaking the care, rehabilitation and release of affected animals.

In October 2011 New Zealand experienced its worst maritime environmental disaster when the cargo vessel Rena ran aground and began leaking oil.

The Wildbase Oil Response established an oiled wildlife treatment and rehabilitation facility capable of housing 500 birds. 407 birds were cared for at the facility and 375 little blue penguins were cleaned and released later in 2011.

Electrocution of Migratory Birds (7.4 / 10.11)

> There is no data on the electrocution of migratory birds in New Zealand situations. New Zealand species that may be impacted by electrocution are not CMS species.

Wind Turbines and Migratory Species (7.5)

> Migratory bird protection in the wind farm context in New Zealand relies upon environmental impact assessment under Schedule 4 of the Resource Management Act 1991.

In 2009 New Zealand produced a summary of the threat ranking, distribution and movements of native and migrant bird species of New Zealand, and the potential impacts that wind farms may have on them (displacement, habitat loss and collision fatalities). The report is available here <http://www.doc.govt.nz/Documents/science-and-technical/drds317entire.pdf>.

Migratory Species and Highly Pathogenic Avian Influenza (8.27 / 10.22)

> New Zealand has developed and maintained an excellent animal disease reporting and investigation system for over 30 years, and has never detected an occurrence of notifiable avian influenza. New Zealand's wildlife focal point is established at the Ministry for Primary Industries. We are in the process of merging two wildlife databases into one integrated database to be more efficient and effective.

The National Wildlife Health Database is used to share wildlife disease testing results and detect new diseases so that action can be taken to protect our wildlife if required. Data is contributed by anyone who wants to provide disease testing results. Data can be accessed only by registered users who agree to the confidentiality terms of the database.

The National Exotic Pest and Disease Notification system provides for the reporting and investigation of unusual disease events in all animals, including wildlife.

Summaries of information in the databases are reported on six monthly. Trends contribute to New Zealand's Avian Influenza Surveillance Programme.

In addition to New Zealand's general reporting system and targeted surveillance in commercial poultry, ongoing wild bird testing for AI viruses has been performed since 1975. Testing is carried out on New Zealand resident wild birds (e.g., ducks and wrybills) and migratory birds such as godwits, red knots and ruddy turnstones. Although migratory wild birds are a route for the introduction of AI viruses into a country, New Zealand is at low risk. This is because New Zealand has no migratory ducks and geese, the birds most likely to act as carriers of AI viruses.

Climate Change Impacts on Migratory Species (8.13 / 9.7 / 10.19)

> The Ornithological Society of New Zealand has undertaken nationwide censuses of waders/shorebirds twice-yearly since 1983, a summer census to gather data on trans-equatorial migrants, and a winter census to gather information on numbers of overwintering equatorial migrants to measure breeding success of the previous northern summer, and to measure migratory populations of native shorebirds, which tend to congregate at estuaries in winter.

The census figures highlighted a major decline in the numbers of many of the trans-equatorial migrants visiting New Zealand, most likely due to a combination of climate change and habitat loss.

Marine Debris (10.4)

> The disposal of waste in New Zealand's waters is managed under both domestic and international legislation.

Waste disposal within 12 nautical miles is regulated under the Resource Management Act 1991 and the Marine Pollution Regulations 1998.

Waste disposal beyond the 12 nautical mile limit in New Zealand's exclusive economic zone is administered by Maritime New Zealand under the Maritime Transport Act 1994.

New rules restricting the disposal of garbage (or marine debris) from ships, pleasure craft and offshore installations come into force on 1 January 2013. Marine Protection Rule Parts 170 and 200 were amended to give effect to Annex V of MARPOL.

The changes tightened limits on disposal of garbage at sea and apply operational requirements (such as the use of placards, garbage management plans and record books) to a wider range of ships and offshore installations. Plastic, ropes, fishing gear and plastic garbage bags, plastic-derived incinerator ashes, cooking oil, dunnage, lining and packing material that floats, papers, glass, metal, bottles, crockery and similar refuse are banned for disposal at sea. Dumping water containing cleaning agents or additives that are harmful to the marine environment is also prohibited.

Lost fishing gear must be reported if it poses a significant threat to the marine environment or a navigation hazard. Surveys of fishermen have highlighted that lost fishing gear is frequently encountered, but there is very little data about the scale of this problem, despite the threat it poses to marine life and ship safety.

Poisoning Migratory Birds (10.26)

> This does not directly impact on New Zealand or arise from activities in New Zealand.

Adverse Anthropogenic Impacts on Cetaceans and other Biota (8.22 / 9.19 / 10.24)

> The Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 manages the environmental effects of activities in New Zealand's oceans. The legislation aims to protect our oceans from the potential environmental risks of activities like petroleum exploration activities, seabed mining, marine energy generation and carbon capture developments.

It also restricts the causing of vibrations (other than vibrations caused by the normal operation of a ship) in a manner that is likely to have an adverse effect on marine life in the waters of the exclusive economic zone.

Seismic surveying is a permitted activity (i.e. no marine consent is needed),

under the Act's Regulations 2013, as long as the organisation undertaking the survey complies with the Code of Conduct for Minimising Acoustic Disturbance to Marine Mammals from Seismic Survey Operations.

The Code was updated in 2013 to provide effective, practical mitigation measures for minimising acoustic

disturbance of marine mammals during seismic surveys. The new regime is now far more comprehensive and robust with requirements for 4 independent observers, 24-hour Passive Acoustic Monitoring (PAM) on Level 1 surveys and submission of a Marine Mammal Impact Assessments for all surveys being the most important innovations.

The Code provides a high degree of protection for marine mammals throughout New Zealand waters as a minimum requirement. However where particular sensitivities are known, extra precautionary measures may need to be considered. It has been endorsed as industry best practice by the Petroleum Exploration and Production Association of New Zealand (PEPANZ) and can be accessed at <http://www.doc.govt.nz/conservation/marine-and-coastal/seismic-surveys-code-of-conduct/code-of-conduct-for-minimising-acoustic-disturbance-to-marine-mammals-from-seismic-survey-operations/>

Southern Hemisphere Albatross Conservation (6.3)

> New Zealand is a Party to ACAP and Igor Debski (DOC) has taken a role as a vice-chair of the Seabird Bycatch Working Group (SBWG).

Research has been commissioned to collect foraging data for Salvin's albatross at the Bounty Islands, and population information on Campbell Island and grey-headed albatrosses at Campbell Island.

We are also an active participant in CCAMLR.

In 2013, the National Plan of Action for Seabirds was updated to reduce seabird bycatch (www.fish.govt.nz/en-nz/Environmental/Seabirds.htm).

It sets out a strategic framework to ensure that seabirds are adequately protected from any risks associated with fishing. A number of regulatory and non-regulatory mitigation measures currently apply in most New Zealand trawl and longline fisheries. These measures correspond closely to best practice as described by the Agreement on the Conservation of Albatrosses and Petrels (ACAP). New Zealand also has an ongoing monitoring and research programme and a risk assessment framework for identifying at-risk seabird species and the fisheries in which they are caught.

Impact Assessment and Migratory Species (7.2)

> The impact of any significant developments on migratory species is assessed through processes established under the Resource Management Act and other specific legislation where relevant.

Antarctic Minke, Bryde's and Pygmy Right Whales (7.15)

> The status of Bryde's Whale in New Zealand is documented in DOC publication (2007): <http://www.doc.govt.nz/upload/documents/science-and-technical/sfc272.pdf>.

Ship strike poses the greatest threat to Bryde's whales in New Zealand's Hauraki Gulf due to the whales spending the majority of their time less than ten metres below the surface - within the strike depth of many vessels. In 2013, a protocol was developed between Ports of Auckland and the shipping industry aimed to reduce fatalities from ship strikes.

Sustainable Use (8.1)

> -

Implementation of Existing Agreements and Development of Future Agreements (8.5)

> New Zealand is currently a Party to ACAP and Signatory to the Memorandum of Understanding for the Conservation of Cetaceans and their Habitats in the Pacific Islands Region.

Implementation of both agreements continues. In 2014, New Zealand pledged EUR 2,800 towards its implementation and the development of an Online Workspace for Technical Advisory Group on the basis of the AEWA and CMS ones.

Concerted Actions for Appendix I Species (8.29)

> -

Concerted and Cooperative Actions (9.1 / 10.23)

> New Zealand has taken steps to improve the conservation status of listed species, notably cetacea, via being a Signatory to the Memorandum of Understanding for the Conservation of Cetaceans and their Habitats in the Pacific Islands Region. In 2014, New Zealand pledged EUR 2,800 towards its implementation and the development of an Online Workspace for Technical Advisory Group on the basis of the AEWA and CMS ones.

Priorities for CMS Agreements (9.2 / 10.16)

> In 2014, New Zealand pledged EUR 2,800 to the Memorandum of Understanding for the Conservation of Cetaceans and their Habitats in the Pacific Islands Region towards the development of an Online Workspace for Technical Advisory Group.

Migratory Marine Species (9.9 / 10.15)

> New Zealand continues to support capacity-building with Pacific Island Governments, including data sharing

and providing technical support for conservation management (e.g. whalewatching workshop in Tonga, December 2010).

New Zealand collaborated with Australia in the Antarctic Whale Expedition to the Ross Sea region in February/March 2010.

New Zealand has been compiling and publishing further information on southern populations of shark species. New Zealand continues to establish marine reserves beneficial to migratory marine species within its EEZ.

Saker Falcon (9.20 / 10.28)

> -

Modus Operandi for Conservation Emergencies (10.2)

> New Zealand's frontline response to wildlife emergencies, such as after a marine oil spill, is provided by the Wildbase Oil Response, based at Massey University. They undertake the care, rehabilitation and release of affected animals.

In October 2011 New Zealand experienced its worst maritime environmental disaster when the cargo vessel Rena ran aground and began leaking oil.

By the day after the grounding, the Wildbase Oil Response had managed to establish an oiled wildlife treatment and rehabilitation facility capable of housing 500 birds.

Ecological Networks (10.3)

> New Zealand has demonstrated ecological network approach to the conservation of migratory species through its involvement in the East Asia-Australasian Flyway Partnership (EAAFP) and the Pacific Cetaceans MOU.

This EAA Flyway extends from New Zealand to Siberia/Alaska and is recognised as one of the most important migratory pathways for birds in the world. We participate to add value to the conservation of the parts of the Flyway which are important to species of birds which over winter in New Zealand in significant numbers and to identify and provide input and advice (technical and policy) on issues of direct relevance to the management of migratory shorebirds and their habitats. We are currently exploring opportunities to collaborate on management activities in China.

The Pacific Cetaceans MOU covers over 10 million sq km of the Pacific Ocean, from Papua New Guinea to French Polynesia and Pitcairn. We seek to work together for the conservation of whales and dolphins in the Pacific Islands, and to take collaborative action to address threats such as hunting, by-catch in fishing operations, entanglement in marine debris, ship strike, pollution and the impacts of climate change. New Zealand hosted the 2009 meeting which agreed on the four-year Action Plan which emphasised the economic benefits of well-managed whale and dolphin-watching for coastal communities, capacity-building and raising public awareness throughout the region. We also supported multi-national collaboration on the development of a Recovery Plan for the Oceania population of the iconic humpback whale.

Global Flyway Conservation (10.10)

> In 2011 New Zealand, represented by the Department of Conservation, became a Government partner in the East Asia-Australasian Flyway Partnership (EAAFP).

New Zealand's involvement in the Flyway Partnership is a response to the ongoing declines in total numbers of Eastern bar-tailed godwit, lesser knot and ruddy turnstones. The recent revision of the New Zealand Threat Classification System for birds ranked the lesser knot as 'Nationally Vulnerable' and Eastern bar-tailed godwit as 'At Risk'.

We seek to add value to the conservation of the parts of the Flyway which are important to species of migratory birds which over winter in New Zealand in significant numbers and to identify and provide input and advice (technical and policy) on issues of direct relevance to the management of those birds or their habitats. We are currently exploring an arrangement with China to collaborate on migratory bird related activities in China.

Migratory Freshwater Fish (10.12)

> -

Migratory Landbirds in the African Eurasian Region (10.27)

> -

Cooperation with Other Bodies and Processes (7.9)

> -

CMS Strategic Plan 2006-2011 (8.2)

> New Zealand has been active in attaining targets of Strategic Plan, including by providing national information on species, threats, etc.; integrating migratory species considerations into NBSAPs; participation in relevant Agreements; submitting comprehensive and accurate national reports; promoting CMS to relevant

national players; assisting in the recruitment of new Parties; and fostering and enhancing regional capacity.

Contribution of CMS in Achieving the 2010 Biodiversity Target (8.7)

> -

Synergies and Partnerships / Cooperation with other Conventions (8.11 / 9.11 / 10.21)

> New Zealand's CMS focal point is also New Zealand's CITES Management Authority allowing for intergration of issues related to cross-listed species, e.g. cetaceans, sharks.

There is also very close cooperation with the CBD focal point facilitating cooperation on Strategic Plan implementation and achievement of Aichi Targets. The CMS focal point will attend the meeting of the WGRI of the CBD.

National Reports for the Eighth and Ninth Meetings of the Conference of the Parties (8.24)

> New Zealand has submitted required national reports.

CMS Information Priorities (9.3)

> -

Outreach and Communication Issues (9.5 / 10.7)

> New Zealand Birds Online, a searchable encyclopaedia of New Zealand birds, was launched in 2013. It provides detailed information about all 457 species of New Zealand birds, including all living, extinct, fossil, vagrant and introduced bird species. The database is searchable by name, conservation status, and geographical distribution. (See www.nzbirdsonline.org.nz/)

An education programme is a key component of the Miranda Shorebird Centre (Firth of Thames Network Site) with many schools visiting throughout the year. An estimated 20,000 people annually visit the Miranda Shorebird Centre, where there are extensive educational displays. Many of these visitors also visit the hides overlooking the roost sites of migratory shorebirds. Many public talks on migratory birds were given at the Centre, or given by Miranda Naturalists' Trust staff and committee members. Each year the Miranda Shorebird Centre holds two public open days: Autumn Migration day (or "Farewell to the Birds") in March and Spring Migration day (or "Welcome to the Birds") in October. These occasions are used primarily to raise public awareness of the Flyway and its shorebirds. The Miranda Naturalists Trust operates a website providing information about shorebirds. It also maintains a record of recent sightings (www.miranda-shorebird.org.nz refers).

Two commercial tour operators take about 5,000 tourists to Farewell Spit Nature reserve each year. They have displays and talk to customers about migratory birds as part of their operation. A Visitor Centre at the base of Farewell Spit, with displays about migratory birds, hosts over 10,000 visitors each year.

Capacity Building Strategy (9.12 / 10.6)

> The National Wetland Trust provides networking and training opportunities via bi-annual National Wetland Restoration Symposia with the most recent symposia held in February 2014.

The Department of Conservation's Arawai Kākāriki wetland restoration programme supports national research and best practice development to share with other wetland managers. A five- year programme review has been completed and the programme is confirmed to continue until at least 2017.

The New Zealand Ornithological Society (OSNZ) is a national body that promotes the study, recording and enjoyment of birds in New Zealand. It regularly monitors bird species and populations across a wide range of habitats and locations.

New Zealand Birds Online, a searchable encyclopaedia of New Zealand birds, was launched in 2013. It provides detailed information about all 457 species of New Zealand birds, including all living, extinct, fossil, vagrant and introduced bird species. The database is searchable by name, conservation status, and geographical distribution. (See www.nzbirdsonline.org.nz/)

Financial and Administrative Matters and Terms of Reference for the Administration of the Trust Fund (10.1)

> New Zealand has paid annual contributions.

In 2014, New Zealand pledged EUR 2,800 to the Memorandum of Understanding for the Conservation of Cetaceans and their Habitats in the Pacific Islands Region towards the development of an Online Workspace for Technical Advisory Group.

Future strategies of the CMS Family / "Future Shape" (10.9)

> Strategic Plan Working Group: New Zealand has had a leadership role in the Strategic Plan Working Group with Dr. Wendy Jackson as the Vice Chair and Oceania representative of the group.

Partnerships: New Zealand has been working multilaterally within the Pacific region with agencies such as SPREP, and also bilaterally (e.g. with China on migratory species issues of mutual concern).

Scientific research and information: See above regarding research on CMS-listed species.

Coordination between institutions: New Zealand officials working on CMS also engage actively in related fora, such as the CBD, CITES, IWC, IUCN, etc. This has benefits (e.g. improving synergies and information-sharing) at the national level.

Recommendations

Recommendation 7.6 - Improving the Conservation Status of the Leatherback Turtle (*Dermochelys coriacea*)

> -

Recommendation 8.17 - Marine Turtles

> -

Recommendation 9.1 - Central Eurasian Aridland Mammals

> -

Recommendation 9.2 - Sahelo-Saharan Megafauna

> -

Recommendation 9.3 - Tigers and other Asian Big Cats

> -

Recommendation 9.5 - Cooperative Action for the Elephant (*Loxodonta africana*) in Central Africa

> -

Other resolutions/recommendations:

> -

Other remarks:

> -

Annex: Updating Data on Appendix II Species

1. The drop-down lists below contain the list of all species listed in Appendix II. New Parties which have acceded since COP10 in 2011 and Parties which did not submit a National Report in time in 2011 are requested to complete the entire form.

Parties that did submit a timely report in 2011 are requested to review and update the data (e.g. new published distribution references and details concerning species added to Appendix II at COP9 and COP10).

Charadriiformes

Scolopacidae spp

Please choose the one that applies.

Range State

Published distribution reference

> Eastern curlews are found in small numbers on major harbours and estuaries from Parengarenga in the Far North to Awarua Bay in Southland, with strongholds at Manukau Harbour and Farewell Spit. They have been recorded as vagrants on North Meyer Island (Kermadec Islands), and on Chatham, Stewart and Campbell Islands.

Numbers in New Zealand were regularly in the mid 40s during the 1980s but now fewer than 10 occur annually, with only 1 or 2 overwintering.

Riegen, A.C. 2013. Eastern curlew. In Miskelly, C.M. (ed.) New Zealand Birds Online. www.nzbirdsonline.org.nz

There have been 3 New Zealand records of Bristle-thighed curlews, all from the Kermadec Islands: Macauley Island (August 1966), North Meyer Islet (September 1972 – a dried corpse now in Te Papa), and Raoul Island (September 1972).

Melville, D.S. 2013. Bristle-thighed Curlew. In Miskelly, C.M. (ed.) New Zealand Birds Online. www.nzbirdsonline.org.nz

Rajiformes

Manta birostris

Please choose the one that applies.

Range State

Published distribution reference

> Rare or seasonal sightings of the Giant Manta Ray at locations such as northern New Zealand (Duffy and Abbott 2003)