

Amendment, adopted at Lima on 27 April 2012, to Annex 1 of the Agreement on the Conservation of Albatrosses and Petrels (ACAP) of 19 June 2001

Introduction

- 8.1 Minor treaty actions are generally technical amendments to existing treaties which do not impact significantly on the national interest.
- 8.2 Minor treaty actions are presented to the Joint Standing Committee on Treaties with a one-page explanatory statement. The Committee has the discretion to formally inquire into these treaty actions or indicate its acceptance of them without a formal inquiry and report. Minor treaty actions are listed on the Committee's website.

Minor treaty action

- 8.3 The minor treaty action considered in this chapter is the Category Three treaty: *Amendment, adopted at Lima on 27 April 2012, to Annex 1 of the Agreement on the Conservation of Albatrosses and Petrels (ACAP) of 19 June 2001* that enters into force automatically on 26 July 2012.
- 8.4 This treaty action amends the list of species contained in Annex 1 of ACAP. Annex 1 lists all species to which ACAP (including conservation measures as adopted by the Meeting of the Parties) applies. The proposed

amendment adds a northern hemisphere species, the Balearic shearwater (*Puffinus mauretanicus*), to the Annex.

- 8.5 The practical, financial and legal effect of the amendment for Australia is negligible. The Balearic shearwater's range does not overlap with fisheries within Australian territory or any part of Australia's jurisdiction. Its inclusion under Annex 1 of ACAP is not expected to require any change to Australia's negotiating positions in regional fisheries management organisations to which we are a Party, nor any changes to the practices of Australian fishers.
- 8.6 Australia's endorsement of the proposed amendment is consistent with Australia's active participation in ACAP. Importantly, the listing of the species will expand ACAP's coverage of northern hemisphere species. Since ACAP is open for accession by any range State, this listing will increase the number of countries eligible to join ACAP. This could result in an increased number of Parties to ACAP, increasing support for the conservation of both northern and southern hemisphere albatrosses and petrels.
- 8.7 The Committee determined not to hold a formal inquiry into this treaty action and agreed that binding treaty action may be taken.

Kelvin Thomson MP

Chair