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NGOs applaud the principle of partial fishing closures, but African Penguins urgently need more

28 September 2022 - We commend the Department of Forestry, Fisheries and the Environment on recently announcing the partial closure of fishing around some African Penguin breeding colonies. This announcement explicitly acknowledges the importance of island closures in enhancing successful African Penguin breeding efforts. It is principally based on the recommendations that were made almost a year ago jointly by state fisheries and conservation scientists.

Had these closures been announced six months earlier, they would likely have had a more positive effect on the penguin breeding efforts of 2022. The timing of the newly announced closures comes after the small pelagic industry has already caught most of its quota, and therefore will be too late to have the intended effect.

The delay in decision-making comes after a highly contested and protracted engagement between representatives of the small pelagic fishing industry and conservation NGOs over the future of African Penguins. Significantly, while these discussions were ongoing, there were no special protections in place for penguins and their numbers continued to decline.

The fishing industry has placed much emphasis on the negative social and economic impacts previous experimental closures have had and strongly argued that further closures would have a major impact on their work force. While the conservation NGOs have repeatedly expressed their willingness to consider and develop ways of mitigating such claims of social and economic impacts, the fishing industry refused to share the actual social or economic impact data that could objectively be interrogated and potentially mitigated.

In the meantime, the small pelagic fishing industry has continued to fish and, by the time the formal interim closures were announced, the closures no longer served the purpose for which they were intended, namely to reduce penguin/industry competition for fish. More worrying is that the interim closure is only until 14 January 2023, after which the industrial fishing season for anchovy and the already depleted sardine stock will start again.

Both the small pelagic fishery and the African Penguin are highly dependent on these resources, but the penguins are at a distinct disadvantage as they can only forage close to their colonies when breeding. Failing to meet the high energy requirements of rearing chicks results in poor chick condition, chick deaths, the

abandonment of the chicks and a failed breeding attempt. In the worst case scenario, this could lead to starvation of adult penguins and ultimately death.

The recent announcement includes reference to the establishment of an “Independent International Science Panel” to provide longer-term guidance to the Minister of Forestry, Fisheries and the Environment, Barbara Creecy, on how to balance the future of the African Penguin with the commercial, subsistence and social demands of the fishing industry and the people who are dependent on it. A call for nominations to this panel has only just been advertised and it is unlikely that this process will be completed by the time the interim closure lapses.

We are deeply concerned that, with all these delays, we will have another breeding season come and go without any precautionary protections given to the penguins. Given the perilous and rapid decline of Africa’s only penguin species, we cannot afford another squandered year.

Bearing in mind that a clear decision on future measures will only follow after the independent Science Panel has made its recommendations, we believe that the following steps be taken urgently:

1. A highly respected, knowledgeable and balanced panel needs to be constituted as rapidly as possible to examine the available facts that can underpin a strong decision, including taking into account the argument for invoking the precautionary principle.
2. A totally transparent process must be run in order to secure the full buy-in of both the NGOs and the fishing industry including the appointment of panel members, their credentials, final agreed upon terms of reference, and the time frame of review.
3. A decision to ensure that the period between the intended lifting of the interim closure and when the panel recommendations are enacted is covered. This must be done in a way that takes into account the interests of both African Penguins and the most vulnerable people associated with the fishing industry.
4. An ecosystem approach to fisheries must be prioritised across all fisheries so that all species and their respective interactions are considered in decision making, as well as the interests of all of those dependent on the ocean as a source of their livelihoods and wellbeing.

Finally, it is important to note that the annual African Penguin breeding population is a good indicator of the amount of prey available (sardine and anchovy) in the Southern Benguela Marine Ecosystem and closely follows the abundance of the sardine resource. The penguins have sounded the alarm and the depleted status of their shared sardine resource should be of major concern also to the small pelagic industry.

If this situation is not urgently addressed, it could result in a long-term collapse of the small pelagic fishery in South Africa. This tough lesson has been learnt in Namibia, where the fishery has had to remain closed since 2018.

More on the decline of penguin and sardine populations:

- The African Penguin, which is endemic species to our coastline, has declined drastically from over a million breeding pairs estimated in the early 1900s in South Africa to around 10 000 breeding pairs. This means that since the 1900s, we have lost 99% of the population.
- Although the IUCN first classified the African Penguin "Endangered" in 2010 the population has continued to decline at an alarming rate of between 5-10% per annum.
- Given the current population trends and failing urgent precautionary action, colonies on the West Coast and in Algoa Bay, including four of the last remaining seven large colonies, are likely to be lost in their entirety within the next 10 to 20 years.
- Reported sardine catches have shrunk from over 400 000 tonnes in 2004 to a record low of 2 100 tonnes in 2019, representing a >99% reduction in annual catch.
- Historically, the small pelagic fishery regularly caught its entire annual sardine allocation, but has struggled to achieve this since 2017, despite the substantial reductions in quotas.
- The recent inability for the fishing industry to find and catch its entire sardine quotas underscores the poor state of the sardine resource and concomitant socio-economic challenges this poses for the small pelagic industry.
- This low level of the sardine resource also poses severe environmental challenges for all top predators, among them Bryde's whales, seals, dolphins, yellowtail, snoek, hake, various shark species, Cape Gannets, Cape Cormorants and the African Penguin, all of which are dependent on sardines as a food source.

This is a joint statement from WWF South Africa, BirdLife South Africa, SANCCOB and the Endangered Wildlife Trust

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