



ON MARKING OF FISHING GEAR AND PREVENTION OF MARINE POLLUTION

SUBMITTED BY: European Union

Explanatory memorandum

The European Union is proposing to adopt a Resolution on marking of fishing gear in line with the Voluntary Guidelines on the Marking of Fishing Gear adopted by FAO in 2019. This Resolution intends to contribute to a more sustainable fishery by encouraging the notification and retrieval of abandoned, lost or otherwise discarded fishing gear (ALDFG) to minimize their impact on both the environment and on the living marine resources of the Indian Ocean.

The system of marking of fishing gear is intended to provide means of identifying the ownership and position of fishing gears and shall be considered in the context of broader fisheries management measures which support sustainable fisheries and healthy oceans, including the reduction, minimisation and elimination of ALDFG.

In the light of an ever-growing level of marine pollution, the issue of abandoned, lost or otherwise discarded fishing gear is a legitimate concern. The International Convention for the Prevention of Pollution from Ships (MARPOL) prohibits in its Annex V the discharge of all garbage, including for fishing vessels.

In this Resolution, the European Union is proposing to prohibit the deliberate abandon of fishing gear, **except for** safety reason, to make mandatory the notification by a vessel of any ALDFG and to encourage the retrieval of any spotted ALDFG at sea.

Regarding Fish Aggregating Devices (FADs), they are not strictly fishing gear and therefore not including in this proposal for a Resolution. Nevertheless, the European Union is also proposing a revised version of Resolution 18/08 *Procedures on a fish aggregating devices (FADs) management plan, including a limitation on the number of FADs, more detailed specifications of catch reporting from FAD sets, and the development of improved FAD designs to reduce the incidence of entanglement of non-target species*, which is addressing concerns of marine pollution resulting from the use of drifting FADs.

Keywords: Fishing gear, Marking scheme, Abandoned, Lost or Otherwise Discarded Fishing Gear, Marine Pollution

RESOLUTION 19/XX
ON MARKING OF FISHING GEAR AND PREVENTION OF MARINE POLLUTION

The Indian Ocean Tuna Commission (IOTC),

AWARE of Article 18(3)(d) of UNFSA in relation to the marking of fishing vessels and fishing gear for identification in accordance with uniform and internationally recognizable vessel and gear marking systems, such as the Food and Agriculture Organization of the United Nations Standard Specifications for the Marking and Identification of Fishing Vessels and the Voluntary Guidelines on the Marking of Fishing Gear;

CONCERNED of the impact of Abandoned, Lost or Otherwise Discarded Fishing Gear (ALDFG) and plastic residues in the ocean greatly affecting marine life and the need to facilitate the identification and recovery of such gear;

HAVING REGARD to the Voluntary Guidelines on the Marking of Fishing Gear endorsed by the Committee on Fisheries (COFI) of the FAO at its thirty-third Session, held at FAO headquarters, Rome, Italy, from 9 to 13 July 2018.

RECALLING that the International Convention for the Prevention of Pollution from Ships (MARPOL) seeks to eliminate and reduce the amount of garbage being discharged into the sea from ships and that its Annex V applies to all vessels;

ADOPTS, in accordance with the provisions of Article IX, paragraph 1 of the IOTC Agreement, the following:

Marking of fishing gear

1. CPCs shall ensure that all fishing gear used by vessels flying their flag and fishing for tuna and tuna-like species in the IOTC area of competence are clearly marked.
2. The IOTC Secretariat shall develop standards for the marking scheme for consideration and adoption by the Commission in 2020, in coordination with CPCs and taking into account the FAO voluntary guidelines on the marking of fishing gear.
3. The Secretariat should consider, at a minimum, including the following elements in the marking scheme:
 - a) The marking should provide a simple, pragmatic, affordable and verifiable means of identifying ownership and position of fishing gear and its link with the vessel(s) or operator (s) undertaking the fishing operation;
 - b) To the extent possible, be compatible with related traceability and certification systems;
 - c) When applicable, the marking should match the vessel's registration details (e.g. the vessel's port letters and numbers or International Radio Call Sign or IMO number, if issued);
 - d) Marker buoys and similar objects floating on the surface and intended to indicate the location and/or origin of fixed fishing gear shall be clearly marked at all times;
 - e) The identification should be easy to apply to the fishing gear and should be applied in such a manner that it will permit its identification or electronic recognition taking into consideration confidentiality safeguards and should not become unreadable or disassociated from the fishing gear.
 - f) The marking materials used should not contribute to marine plastic pollution, and priority should be given to the use of biodegradable materials or ones that are more buoyant which increases chance of retrieval.

Retrieval of abandoned, lost or otherwise discarded fishing gear

4. CPCs shall ensure that:
- a) vessels flying their flag operating with any gear on board shall make all reasonable efforts to combat, minimise and eliminate abandoned¹, lost² or otherwise discarded³ fishing gear (ALDFG linked to those vessels);
 - b) no vessels flying their flag shall deliberately abandon fishing gear linked to those vessels, except for safety reasons, notably vessels in distress and/or life in danger;
 - c) vessels flying their flag that have lost gear shall not abandon it without making every reasonable attempt to retrieve it as soon as possible;
 - d) any vessels flying their flag operating with any gear on board have equipment, where possible, on board to retrieve ALDFG linked to those vessels.
 - e) if gear cannot be retrieved, any vessel flying their flag shall notify within 24 hours its competent authority of the following information:
 - i. the name, IMO number and call sign of the vessel;
 - ii. the type/material of lost gear;
 - iii. the quantity of gear lost or abandoned;
 - iv. the time when the gear was lost or abandoned;
 - v. the position (longitude/latitude) where the gear was lost or abandoned;
 - vi. measures taken by the vessel to retrieve lost or abandoned gear, and
 - vii. report, if known, the circumstances that led to the gear being lost, or abandoned for safety reasons.
 - f) following retrieval of any ALDFG not linked to the retrieving vessel, any vessel flying their flag shall notify within 24 hours its competent authority of the following information:
 - i. the name, IMO number and call sign of the vessel that has retrieved the gear;
 - ii. the name, IMO number and call sign of the vessel that lost or abandoned the gear (if known);
 - iii. the type of gear retrieved;
 - iv. the quantity of gear retrieved;
 - v. the time when the gear was retrieved;
 - vi. the position (longitude/latitude) where the gear was retrieved and
 - vii. if possible, photographs of the gear retrieved.

¹ 'Abandoned fishing gear' means fishing gear deliberately left at sea by the vessel due to force majeure or other unforeseen reasons.

² 'Lost fishing gear' means fishing gear over which the vessel has accidentally lost control and cannot be located and/or retrieved.

³ 'Discarded fishing gear' means fishing gear released at sea without any attempt for further control or recovery by the vessel.

- g) The IOTC Secretariat shall develop the template for the notifications referred to in subparagraphs e) and f).
- h) The authorities of the flag state referred to in paragraphs e) and f) shall promptly transmit the information received to the Executive Secretary for its notification to all CPCs.
- i) Retrieved gear should be either reused or discarded at adequate port reception facilities, in view, where possible, to being recycled.

Marine pollution

- 5. CPCs shall prohibit vessels flying their flag from discharging into the sea of all garbage⁴ and plastics⁵, including but not limited to synthetic ropes, synthetic fishing nets, plastic garbage bags and incinerator ashes from plastic products. All plastics on board shall be stored on board the vessel until they can be discharged at adequate port reception facilities.
- 6. Paragraph 5 shall not apply to the discharge of plastics from a vessel necessary for the purpose of securing the safety of a ship and those on board or saving life at sea;
- 7. This Resolution does not apply to Fish Aggregating Devices and is without prejudice to Resolution 18/08.

⁴ Garbage includes all kinds of food, domestic and operational waste generated during the normal operation of the vessels and excluding offal.

⁵ Plastic means a solid material which contains as an essential ingredient one or more high molecular mass polymers and which is formed (shaped) during either manufacture of the polymer or the fabrication into a finished product by heat and /or pressure.