

Cover sheet to accompany new proposals
(proposal submitted by Canada)

Title of the Proposed Draft Recommendation/Resolution: *Draft Recommendation by ICCAT to Prevent, Deter, and Eliminate Marine Pollution from Fishing Activities*

Title of currently in force recommendation(s) or resolution(s) addressing the same or related issues: *Recommendation by ICCAT on abandoned, lost or otherwise discarded fishing gear (Rec. 19-11)*

1. Does it create new **reporting obligation(s)** for CPCs?

Yes No

Brief Description of new reporting obligation(s):

Building off of the reporting requirements for abandoned, lost, or otherwise discarded fishing gear (ALDFG) included in Rec. 19-11, our proposal introduces similar reporting requirements for the loss of foreign substances. Also, our proposal introduces observer requirements for ALDFG and lost foreign substances. Finally, CPCs must provide a summary of the information reported by vessels and observers in their annual report.

2. Does it require additional input or **work by the SCRS**?

Yes No

Is this work already included in the current SCRS workplan?

Yes No

Brief description of new scientific work required (i.e. stock assessment, analysis, external consultant):

N/A

3. Does it involve the creation of a **new working group or intersessional process**?

Yes No

4. Does it require a new **programme or additional activities to be managed by the Secretariat**?

Yes No

Brief description of new Secretariat work required:

When CPCs report on ALDFG or lost foreign substances, the Executive Secretary shall, without delay, post the information provided by CPCs on the ICCAT secure website.

5. What is the proposed timeframe for implementation, and are there different specific timeframes for certain CPCs, fisheries, regions, etc.?

Entry into force six months after adoption as per ICCAT rules and regulations.

6. Is there any other relevant information regarding the resource and workload implications of the proposal:

No

**Explanatory Note to Draft Recommendation by ICCAT to Prevent, Deter,
and Eliminate Marine Pollution from Fishing Activities**

(proposal submitted by Canada)

With this proposed measure, Canada wishes to build on the [Recommendation by ICCAT on abandoned, lost or otherwise discarded fishing gear \(Rec. 19-11\)](#) by expanding its material scope to all foreign substances harmful to ICCAT species or the ecosystem in which they live. Moreover, our draft Recommendation applies to all gear types. As a core principle, Canada believes that any fishing gear-in use or retired-as well as any other substances used in the conduct of fishing operations should stay onboard the vessel for the duration of the fishing trip, except for safety reasons that may require their discarding.

Therefore, the measure keeps the same prohibition and reporting requirements on abandoned, lost or other discarded fishing gear (ALDFG) as in [Recommendation 19-11](#), and introduces similar provisions to all foreign substances. The measure also introduces provisions on preventative measures, the retrieval of harmful substances, observer reporting, and an exception clause to the prohibitions for safety reasons.

We believe that this measure is an important step in ensuring the health of our fish stocks and the ecosystems in which they live, and hope that CPCs can join us in supporting this marine pollution measure.

**Draft Recommendation by ICCAT to prevent, deter, and eliminate
marine pollution from fishing activities**
(proposal submitted by Canada)

RECALLING that Target 14.1 of the United Nations Sustainable Development Goals (SDGs) calls upon States to prevent and significantly reduce marine pollution of all kinds;

TAKING INTO ACCOUNT that abandoned, lost, or other discarded fishing gear (ALDFG) constitutes a significant part of marine pollution;

RECOGNIZING that ghost fishing conducted by ALDFG constitutes an unmanaged and unsustainable exploitation of marine resources that leads to undesirable mortality of marine life;

AWARE that retrieving ALDFG will contribute to reducing marine pollution;

CONVINCED that the fishing industry can contribute significantly to reducing the amount of ALDFG;

NOTING ICCAT Recommendation 03-12 which requires CPCs to mark their fishing gears;

FURTHER NOTING that the Committee on Fisheries of the United Nations Food and Agriculture Organization (FAO) endorsed the Voluntary Guidelines on the Marking of Fishing Gear at its thirty-third session and further work to address ALDFG including the development of a comprehensive global strategy to tackle issues relating to ALDFG;

ALSO AWARE of the need for an obligation for fishermen not only to mark the fishing gear, but also to report it when abandoned, lost or discarded, as well as to try to retrieve the gear where possible;

ACKNOWLEDGING that retrieving ALDFG without knowing the position of the gear will be challenging;

ALSO ACKNOWLEDGING that to prevent ghost fishing, efforts should be undertaken to retrieve ALDFG;

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION OF
ATLANTIC TUNAS (ICCAT) RECOMMENDS THAT:

SECTION 1 – INTERPRETATION

1. This Recommendation shall be interpreted in accordance with the Convention.
2. For the purpose of this Recommendation, the following definitions apply:
 - a) “fishing gear” means any physical device or part thereof, or combination of items that may be placed on or in the water, or on the seabed, with the intended purpose of capturing, or controlling for subsequent capture, tuna or tuna-like species; and
 - b) “foreign substance” means any substance, regardless of form, function, or composition, except for those enumerated in **Annex 1**.

SECTION 2 – GENERAL PROVISIONS

Prohibitions

3. A CPC shall ensure that a fishing vessel entitled to fly its flag does not release any foreign substance in the Convention area.

4. A CPC shall ensure that a fishing vessel entitled to fly its flag does not abandon or discard its fishing gear in the Convention area.

Exception Clause

5. Notwithstanding paragraphs 4 and 5, a fishing vessel may release a foreign substance, or abandon or discard its fishing gear, for safety reasons.

Loss of Foreign Substance or Fishing Gear

6. A fishing vessel is deemed to have released a foreign substance, or abandoned or discarded its fishing gear, unless the fishing vessel:
 - a) loses a foreign substance, or its fishing gear;
 - b) makes every reasonable attempt to retrieve the foreign substance or fishing gear as soon as possible but is unable to retrieve it; and
 - c) reports the loss of the foreign substance or fishing gear in accordance with Section 3in which case the foreign substance or fishing gear is deemed lost.

Preventative Measures

7. A CPC shall ensure that a fishing vessel entitled to fly its flag takes all reasonable measures to prevent:
 - a) the release or loss of a foreign substance in the Convention Area; and
 - b) the abandonment, loss, or discard of its fishing gear in the Convention Area.

Retrieval of Foreign Substance or Fishing Gear

8. A CPC shall ensure that a fishing vessel entitled to fly its flag makes every reasonable attempt as soon as possible to retrieve any foreign substance or fishing gear that the fishing vessel loses.
9. A CPC shall ensure that a fishing vessel entitled to fly its flag, and that is 12 metres in length or more, has appropriate equipment¹ on board to retrieve any fishing gear or, to the extent possible, foreign substance that the fishing vessel loses.

SECTION 3 – REPORTING PROVISIONS

Reporting of Lost Fishing Gear

10. The master of a fishing vessel shall notify its flag CPC within 24 hours of any fishing gear that it has lost. The master of the fishing vessel shall provide the following information to its flag CPC:
 - a) the name and call sign of the fishing vessel;
 - b) the type of fishing gear that was lost;
 - c) the quantity of fishing gear lost;
 - d) the date and time when the fishing gear was lost;
 - e) the position where the fishing gear was lost; and

¹ Equipment used to retrieve abandoned, lost, or discarded fishing gear could be a simple anchor attached to a strong rope or wire, or otherwise as defined in the CPCs' domestic law.

- f) the measures taken by the fishing vessel to retrieve the lost fishing gear.
11. If a fishing vessel retrieves lost fishing gear, the master of the fishing vessel shall notify its flag CPC within 24 hours of the retrieval. The master of the fishing vessel shall provide the following information to its flag CPC:
- a) the name and call sign of the fishing vessel that retrieved the fishing gear;
 - b) the name and call sign of the fishing vessel that lost the fishing gear, if known;
 - c) the type of fishing gear retrieved;
 - d) the quantity of fishing gear retrieved;
 - e) the date and time when the fishing gear was retrieved; and
 - f) the position where the fishing gear was retrieved.

Reporting of Lost Foreign Substances

12. The master of a fishing vessel shall notify its flag CPC within 24 hours of any foreign substance that it has lost. The master of the fishing vessel shall provide the following information to its flag CPC:
- a) the name and call sign of the fishing vessel;
 - b) the type of foreign substance that was released;
 - c) the quantity of foreign substance released, if known;
 - d) the date and time when the foreign substance was released, if known;
 - e) the position where the foreign substance was released, if known; and
 - f) the circumstances that contributed to the loss of the foreign substance and, if any, the measures taken by the fishing vessel to retrieve the lost foreign substance.

Reporting in Exceptional Circumstances

13. If a fishing vessel releases a foreign substance, or abandons or discards its fishing gear, as permitted under paragraph 5, the master of the fishing vessel shall notify its flag CPC within 24 hours of releasing the foreign substance, or abandoning or discarding the fishing gear.
14. The master of the fishing vessel shall:
- a) in the case of a foreign substance that has been released, provide the information enumerated in sub-paragraphs 12(a) to (e) as well as the reason or reasons for the release; or
 - b) in the case of abandoned or discarded fishing gear, provide the information enumerated in sub-paragraphs 10(a) to (e) as well as the reason or reasons for the abandonment or discard.

Observer Reporting

15. Where a fishing vessel has an observer on board, the observer shall record any instance of a released or lost foreign substance, as well as abandoned, lost, or discarded fishing gear. For each instance, the observer shall use the form included in **Annex 2** to record.
16. The observer shall notify the flag CPC of the fishing vessel, and the Executive Secretary, within 24 hours of returning to port of any recorded instances of a released or lost foreign substance, or abandoned, lost, or discarded fishing gear.

Other Reporting Provisions

17. If it is not possible for the master of a fishing vessel to notify its flag CPC in accordance with paragraphs 10, 11, 12, 13, or 14 while at sea, the master of the fishing vessel shall instead fulfill paragraph 10, 11, 12, 13, or 14 within 24 hours of returning to port.
18. A CPC shall, without delay, notify the Executive Secretary of the information referred to in paragraph 10, 11, 12, 13, or 14. A summary of this information shall also be included in the CPCs' Annual Report to ICCAT.
19. The Executive Secretary shall, without delay, post the information provided by CPCs on the ICCAT secure website.
20. This recommendation replaces and repeals the *Recommendation by ICCAT on Abandoned, Lost or Otherwise Discarded Fishing Gear* (Rec. 19-11).

List of exempted substances

For the purpose of this Recommendation, the following substances are not considered foreign substances:

1. Fishing gear;
2. Fish aggregating devices that are placed in the water with the intention of later retrieval; and
3. Organic matter, such as fish offal or bait.

Standard form for observer record of instances of release or loss

Release or Loss Event Record	
Part 1 - Basic Information	
Vessel Name	
Vessel Call Sign	
Type of Event <i>(select one)</i>	<input type="checkbox"/> Release of Foreign Substance <input type="checkbox"/> Loss of Foreign Substance <input type="checkbox"/> Abandonment or Discard of Fishing Gear <input type="checkbox"/> Loss of Fishing Gear
Date of Event <i>(DD/MM/YYYY)</i>	
Time of Event <i>(HH:MM)</i>	
Position of Event (Latitude and Longitude)	
Type of Foreign Substance or Fishing Gear	
Quantity of Foreign Substance or Fishing Gear	
Part 2 - Additional Comments	
<ul style="list-style-type: none"> What is/are the reason(s) or circumstances that led to the event? Were appropriate measures in place on the fishing vessel to prevent the event? What actions, if any, did the fishing vessel take to attempt to retrieve the foreign substance or fishing gear? 	