

# INTER-AMERICAN TROPICAL TUNA COMMISSION

## 102<sup>ND</sup> MEETING

Panama City, Panama

2-6 September 2024

### PROPOSAL IATTC-102 E-1 **REV 1<sup>1</sup>**

#### SUBMITTED BY CANADA

#### EXPLANATORY NOTE

Since the IATTC is one of the few tuna and Pacific RFMOs to not have a pollution prevention measure in place for vessels operating in its convention area, Canada is proposing a new Resolution on the management of marine pollution in the Eastern Pacific Ocean to fill this gap. This proposal takes into consideration existing language from other international instruments such as:

- NPFC – 2023-15 MARINE POLLUTION (OBLIGATION ON VESSEL)
- SPRFMO – 2022-17 GEAR AND MARINE POLLUTION (OBLIGATION ON PARTY)
- WCPFC – 2017-04 MARINE POLLUTION (OBLIGATION ON PARTY)
- ICCAT – 2019-11 ALDFG
- FAO
- MARPOL
- EU PROPOSAL IATTC-94
- ANTIGUA CONVENTION
- NEW TEXT

Abandoned, lost or otherwise discarded fishing gear (ALDFG, or “ghost gear”) is a significant source of marine debris and threatens marine ecosystems, fish stocks and species at risk. Climate change and extreme weather events present significant challenges as a source of new ghost gear and the resuspension of existing gear. Without new and effective control measures, global plastic production and waste is set to triple by 2060, with plastic pollution flows projected to grow 2.5 times from 2015 levels by 2040. Plastic pollution is a global problem that requires urgent attention.

This proposal aims to ensure effective management of fishing gear and plastics onboard vessels to reduce and prevent marine pollution. It includes a prohibition on the abandonment and discard of fishing gear and plastics; reporting requirements for lost gear; requirements for appropriate retention, storage, and disposal of gear and marine pollutants; capacity building initiatives; and encourages retrieval programs.

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#### <sup>1</sup> RATIONALE FOR REVISING PROPOSAL IATTC-102 E-1

Based on initial comments received, please find below a revised version of Canada’s proposal IATTC-102 E-1 on marine pollution.

These changes include removing the references to fish aggregating devices, clarifying the obligations with respect to abandoned, lost and discarded fishing gear, as well as adjusting the management plan and record book to better align with the requirements agreed to in MARPOL.

New text is in red, and text proposed for deletion in green strikethrough.

## **RESOLUTION C-24-XX ON THE MANAGEMENT OF MARINE POLLUTION**

The Inter-American Tropical Tuna Commission (IATTC), gathered in Panama City, Panama, at the occasion of its 102<sup>nd</sup> meeting:

CONCERNED that marine pollution, particularly abandoned, lost, or discarded fishing gear (ALDFG), is increasingly recognized as a significant global problem, with detrimental impacts on ocean and coastal environments, wildlife, economies, and ecosystems; and noting the need to reduce such impacts;

RECALLING that the need to prevent and significantly reduce marine pollution of all kinds was affirmed at the United Nations Conference to Support the Implementation of Sustainable Development Goal 14 through the adoption of paragraph 13(g) of the ‘Our ocean, our future: call for action’ declaration;

CONVINCED that certain activities associated with fishing may affect the Eastern Pacific marine environment and that these activities could play a notable role in IATTC’s efforts to conserve and sustainably manage fish stocks covered by the Convention and minimize incidental mortality of non-target species and impacts on marine ecosystems;

RECALLING the mandate of the Commission under Article VII(1)(f) of the Antigua Convention to adopt, as necessary, conservation and management measures and recommendations for species belonging to the same ecosystem and that are affected by fishing for, or dependent on or associated with, the fish stocks covered by this Convention, with a view to maintaining or restoring populations of such species above levels at which their reproduction may become seriously threatened;

FURTHER RECALLING the mandate of the Commission under Article VII of the Antigua Convention to adopt appropriate measures to avoid, reduce and minimize waste, discards, catch by lost or discarded gear, catch of non-target species (both fish and non-fish species), and impacts on associated or dependent species, in particular endangered species;

NOTING that abandoned, lost, or otherwise discarded fishing gear in the marine environment can damage marine, reef, and coastal habitats, be harmful to marine life through ghost fishing, entanglement, ingestion and acting as habitat for the spread of invasive species, and create a navigation hazard;

FURTHER NOTING that the International Convention for the Prevention of Pollution from Ships (MARPOL) seeks to eliminate and reduce the amount of pollutants being discharged into the environment from ships.

RECOGNIZING that Article XXIII of the Antigua Convention requires the Commission to adopt measures to assist developing countries that are members of the Commission, to fulfill their obligations under this Convention.

***Adopts the followings:***

**Definitions:**

1. For the purposes of this measure, the following definitions will apply:
  - a. (MARPOL) E-waste: electrical and electronic equipment used for the normal operation of the vessel or in the accommodation spaces, including all components, subassemblies, and consumables, which are part of the equipment at the time of discarding, with the presence of material potentially hazardous to human health and/or the environment.
  - ~~b. (IATTC C-19-01) Fish aggregating device (FAD): means anchored, drifting, floating or submerged objects deployed and/or tracked by vessels, including through the use of radio and/or satellite buoys, for the purpose of aggregating target tuna species for purse-seine fishing operations (pursuant to the requirements in Resolutions C-19-01, C-23-03, C-23-04, and C-23-05).~~
  - c. (NPFC) Fishing gear: 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 catching, extracting, harvesting, or controlling, for the subsequent catch, extraction, or harvest, of fisheries resources.
  - d. (SPRFMO/MARPOL) Garbage: includes but is not limited to fishing gear, food waste including avian products (poultry parts such as eggshells), domestic waste, incinerator ashes, clinkers, cooking oil, floating dunnage, lining and packing materials, bags, paper, rags, glass, metal bottles, crockery and similar refuse.
    - i. (WCPFC) Fishing gear released into the water with the intention and capacity for later retrieval such as traps and static nets are not considered garbage.
  - e. (NEW) Marine pollutants: includes but is not limited to e-waste, garbage, and plastics.
  - f. (FAO) Open burning: uncontrolled combustion of marine pollutants or other garbage without emissions control.
  - g. (NPFC) Plastics: a solid material which contains as an essential ingredient one or more high molecular mass polymers, and which is formed during either manufacture of the polymer or the fabrication into a finished product by heat or pressures.
  - h. (NEW) Vessel: means any vessel used or intended for use for the purpose of fishing, including support vessels, carrier vessels and any other vessels directly involved in such fishing operations and is included in the Regional Vessel Register.

**General Provisions**

2. (NEW) CPCs are encouraged to consider ratifying, accepting, approving, or acceding to relevant international agreements aimed at strengthening obligations relating to marine pollution.
3. (NEW) The IATTC Secretariat and Staff is encouraged to engage with the Secretariats of other international organizations, including Regional Fisheries Management

Organizations, to discuss shared challenges and identify potential pathways for cooperation on addressing marine pollution from fisheries.

### Prohibition on Marine Pollution

4. (NEW) If a vessel releases its ~~FAD~~, fishing gear **or** marine pollutants
  - a. for purposes of securing the safety of a vessel and those on board,
  - b. saving a life at sea, or
  - c. due to environmental factors (adverse weather conditions, tides or strong current, underwater snag)

despite taking every reasonable precaution to prevent such loss, and makes every reasonable effort to retrieve it, including having capacity and a dedicated means for retrieval, but retrieval is not possible, the ~~FAD~~, fishing gear, or marine pollutant is considered lost.

5. (WCPFC) ~~FADs and fishing gear~~ released into the water with the intention and capacity of later retrieval, ~~are~~ is not considered lost, abandoned or discarded, at the time of release.
6. (NEW) ~~FADs and fishing gear~~ and marine pollutants released due to any reason other than the circumstances identified in paragraph 4 are considered abandoned or discarded.
7. (MIX) CPCs shall prohibit their vessels from abandoning or discarding ~~FADs, fishing gear,~~ and marine pollutants, unless permitted under applicable international instruments.
- ~~4. (MIX) CPCs shall prohibit their vessels from abandoning and discarding FADs, fishing gear, and marine pollutants, except for the purpose of securing the safety of a vessel and those on board or saving a life at sea or as would be permitted under other international instruments.
  - a. (WCPFC) FADs released into the water with the intention and capacity of later retrieval, are not considered a marine pollutant, or abandoned, lost, or discarded.
  - b. (NEW) Fishing gear released into the water with the intention and capacity of later retrieval is not considered a marine pollutant, or abandoned, lost or discarded.
  - c. (NEW) FADs, fishing gear, and marine pollutants are considered lost when the vessel makes every reasonable effort to retrieve them, including having capacity and a dedicated means for retrieval, but retrieval is not possible.
  - d. (NEW) FADs, fishing gear, and marine pollutants are considered abandoned or discarded when they are released outside of circumstances related to safety concerns or as would be permitted under other international agreements.~~
8. (NEW) CPCs shall prohibit their vessels from the uncontrolled/open burning of fishing gear and marine pollutants.

## Retrieval

9. (NEW) CPCs should encourage their vessels to initiate marine pollution retrieval programs, in the same spirit as what is currently in place for fish aggregating devices in paragraph 3 of Resolution C-23-03.

## Storage, Retention, and Disposal

10. (NEW) Paragraphs 13 – 16 shall not apply to vessels under 12 m in length.
11. (NEW) CPCs shall ensure their vessels safely store and retain on board all fishing gear not in use.
12. (MIX) CPCs shall ensure their vessels safely store and retain on board all ~~fishing gear not in use, including~~ retrieved ALDFG, FADs, and marine pollutants until they can be disposed of at a port reception facility, as identified by CPCs, pursuant to Paragraph 22.
13. (NEW) CPCs shall ensure their vessel masters develop, carry, and implement a ~~Marine Pollutant~~ Garbage Management Plan, which includes information on where ~~marine pollutants and fishing gear, including retrieved ALDFG and FADs,~~ garbage is being stored on the vessel. Vessels flagged to CPCs who are signatories to MARPOL Annex V, can use Garbage Management Plan to satisfy this requirement.
14. (NEW) CPCs shall also ensure their vessel masters develop, carry, and maintain a Marine Pollutant Record Book, to record instances of marine pollutants and fishing gear discards, consistent with the template in Annex 1. The vessel master should obtain from the operator of port reception facilities, or from the vessel master receiving the marine pollutants and fishing gear, a receipt or certificate specifying the estimated amount of marine pollutants and fishing gear transferred. The receipts or certificates must be kept on board the vessel with the Marine Pollutant Record Book for two years. Vessels flagged to CPCs who are signatories to MARPOL Annex V can use the Garbage Record Book to satisfy this requirement.

## Reporting Requirements

15. (MIX) CPCs shall ensure that their vessels notify its competent authority (fishing authority, environmental authority, or other as deemed relevant) of losing gear at the end of each fishing trip.
  - a. the name, IMO number, flag State, and call sign of the vessel;
  - b. the type/material of the lost gear;
  - c. the quantity of lost gear;
  - d. the date (DD-MM-YYYY) and time (HH:MM and UTC) that the gear was lost;
  - e. the position (longitude/latitude) where the gear was lost;
  - f. measures taken by the vessel to retrieve the lost gear;
  - g. the circumstances, if known, that led to the gear being lost.

16. (MIX) CPCs shall ensure that their vessels notify its competent authority (fishing authority, environmental authority, or other as deemed relevant) when they retrieve ALDFG at the end of each fishing trip.
  - a. the name, IMO number, flag State, and call sign of the vessel that has retrieved the gear;
  - b. the name, IMO number, flag State, and call sign of the vessel that abandoned, lost, or discarded the gear (if known);
  - c. the type/material of gear retrieved;
  - d. the quantity of gear retrieved;
  - e. The date (DD-MM-YYYY) and time (HH:MM and UTC) that when the gear was retrieved;
  - f. the position (longitude/latitude) where the gear was retrieved and,
  - g. if possible, photographs of the gear retrieved.
  
17. (NEW) CPCs shall ensure that when their vessels ~~lose-abandon or discard FADs,~~ fishing gear or marine pollutants **due to the circumstances identified in paragraph 4,** ~~for the purpose of securing the safety of a vessel and those on board, or saving life at sea,~~ it must report the following information to its competent authority (fishing authority, environmental authority, or other as deemed relevant) within 48 hours:
  - a. the name, IMO number and call sign of the vessel;
  - b. the quantity and category of gear or pollutants abandoned or discarded;
  - c. the date (DD-MM-YYYY) and time (HH:MM and UTC) of the abandonment or discard;
  - d. the position (longitude/latitude) of the abandonment or discard; and
  - e. the circumstances, if known, that led to the abandonment or discard.
  
18. (NEW) CPCs shall transmit the information received pursuant to paragraphs **15 and 17,** within 48 hours of receiving this information from the vessel to the IATTC Secretariat for its notification to all CPCs, so every attempt can be made to retrieve the lost gear and marine pollutants.
  
19. (NEW) The IATTC Secretariat shall develop a reporting template for CPCs to report on their compliance with the obligations in paragraphs **11-17,** to be endorsed by the Commission in 2026.
  
20. (NEW) CPCs shall use the reporting template developed by the Secretariat as part of the annual IATTC Compliance Questionnaire starting in 2027.
  
21. (NEW) Starting in 2028, the IATTC Secretariat shall create and present an annual summary report to the Commission on ALDFG related data using the information provided in the annual IATTC Compliance Questionnaire **and information received pursuant to paragraphs 15-17.**

## Capacity Development, Training, and Research

22. (NEW) CPCs are encouraged to communicate to the IATTC Director which of their designated port facilities are adequate or not, and any changes to said ports, for the receiving fishing gear and marine pollutants from fishing vessels to the extent possible to identify capacity issues for developing countries.
23. (NEW) The IATTC Director shall establish and maintain a register based on the list submitted by the CPCs in accordance with Paragraph 22. The register and any subsequent changes shall be published annually on the IATTC website.
24. (NEW) CPCs are encouraged to provide capacity building assistance to developing CPCs that have identified port facilities inadequacies in accordance with Paragraph 22, to support the development of, or provide access to adequate port reception facilities to receive and appropriately dispose of marine pollutants and fishing gear.
25. (MIX) The IATTC Scientific Staff shall undertake research on fisheries related marine pollution in the IATTC Convention Area to further develop and refine measures to reduce marine pollution and shall submit information derived from such efforts to the Scientific Advisory Committee and the Compliance Committee.
26. (WCPFC) CPCs are encouraged to conduct training and awareness programs for the crew and masters of fishing vessels flying their flag regarding the impacts of marine pollution, operational practices, and safety protocols relating to retrieval of marine pollution.

## Review and Implementation

27. (MIX) This measure will be reviewed by the Commission in 2028 to consider strengthening the measure with respect to the elimination of marine pollution caused by fishing vessels.
28. The date of implementation of this measure is 1 January 2026.

## **ANNEX 1 – Marine Pollutant Record Book**

### **Logistical information**

Name of vessel: \_\_\_\_\_

IMO No.: \_\_\_\_\_

Length of trip (Days): \_\_\_\_\_

Date \_\_\_\_\_

Port of Discharge: \_\_\_\_\_

### **Description of marine pollutants**

Marine pollutants are to be grouped into categories for the purposes of this record book as follows:

- 1      Plastics
- 2      Food waste
- 3      Domestic waste
- 4      Cooking oil
- 5      Incinerator ashes
- 6      Operational wastes
- 7      Animal carcasses
- 8      Fishing gear
- 9      E-waste

### **Entries in the Marine Pollutant Record Book**

Entries in the Marine Pollutant Record Book shall be made on each of the following occasions:

- (a) When marine pollutants are discharged into the sea:
  - (i) Date and time of discharge
  - (ii) Position of the vessel (latitude and longitude).
  - (iii) Category of marine pollutants discharged



- (iv) Estimated amount discharged for each category in cubic meters
  - (v) Signature of the officer in charge of the operation.
- (b) When marine pollutants are discharged to reception facilities ashore or to other vessels:
- (i) Date and time of discharge
  - (ii) Port or facility, or name of vessel
  - (iii) Category of marine pollutants discharged
  - (iv) Estimated amount discharged for each category in cubic meters
  - (v) Signature of officer in charge of the operation.
- (c) When marine pollutants are incinerated:
- (i) Date and time of start and stop of incineration
  - (ii) Position of the vessel (latitude and longitude)
  - (iii) Estimated amount incinerated in cubic meters
  - (iv) Signature of the officer in charge of the operation.
- (d) Accidental or other exceptional discharges of marine pollutants
- (i) Time of occurrence
  - (ii) Port or position of the vessel at time of occurrence
  - (iii) Estimated amount and category of marine pollutants
  - (iv) Circumstances of disposal, escape or loss, the reason therefore and general remarks.