



**COMMISSION
FOURTEENTH REGULAR SESSION
Manila Philippines
3 – 7 December 2017**

**PROPOSAL FOR CONSERVATION AND MANAGEMENT MEASURE TO LIMIT
MARINE POLLUTION FROM FISHING VESSELS**

**WCPFC14-2017-DP15_rev3
07 December 2017**

Proposal by the FFA Member CCMs

Application of CMM 2013-06 to DRAFT CMM ON MARINE POLLUTION

The following information is offered to assist the Commission to meet the requirements of CMM 2013-06 in respect of this draft CMM.

a. Who is required to implement the proposal?

All CCMs will be required to implement this proposal in order to take collective action in reducing the detrimental impact of marine pollution on ocean and coastal environments, wildlife, economies and ecosystems. All CCMs are required to cooperate in research into marine pollution related to fisheries in WCPFC fisheries and Convention area.

b. Which CCMs would this proposal impact and in what way(s) and what proportion?

This measure impacts all CCMs equally. There is no mandatory requirement within the measure that requires CCMs to take actions they are not currently readily able to or already required under existing MARPOL requirements.

c. Are there linkages with other proposals or instruments in other regional fisheries management organizations or international organizations that reduce the burden of implementation?

Assistance may be available from the International Maritime Organisation and the Secretariat of the Pacific Regional Environment Programme in implementing these requirements.

d. Does the proposal affect development opportunities for SIDS?

The proposal will affect those SIDS which have vessels fishing in the Convention Area, but if the CMM is implemented by all CCMs the impact should not be disproportionate.

e. Does the proposal affect SIDS domestic access to resources and development aspirations?

No.

f. What resources, including financial and human capacity, are needed by SIDS to implement the proposal?

SIDS currently will need to deploy technical and legislative resources in implementing the requirements of this proposed measure. In particular, should SIDS choose to develop communications frameworks encouraged by the measure, some development support might need to be sought. Although CCMs are encouraged to ensure port facilities are available to receive waste, this is not mandatory.

g. What mitigation measures are included in the proposal?

Developed CCMs are encouraged to assist SIDS to establish waste reception facilities in their ports.

h. What assistance mechanisms and associated timeframe, including training and financial support, are included in the proposal to avoid a disproportionate burden on SIDS?

Current and projected programmes of assistance relating to reporting of at-sea activities are expected to meet the needs for technical assistance to SIDS in relation to this measure.

FFA Proposal for a:

Conservation and Management Measure on Marine Pollution

CMM 2017-xx

The Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean

Concerned that marine pollution is increasingly recognised as a significant global problem, with detrimental impacts on ocean and coastal environments, wildlife, economies and ecosystems,

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 Western and Central Pacific marine environment and that these activities may play a notable role in WCPFC's efforts to minimise incidental mortality of non-target species and impacts on marine ecosystems,

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,

Noting that the provisions of Annex V of International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto and by the Protocol of 1997 (MARPOL), prohibit the disposal of all fishing gear and plastics at sea,

Further noting that the provisions of Annex I, Annex IV and Annex VI of MARPOL manage and restrict the discharge of oil, sewage and air pollutants from ships at sea,

Noting that there is limited monitoring and implementation of MARPOL obligations on fishing vessels, and consequently little information exists about illegal pollution activities by fishing vessels at sea,

Further noting that the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter 1972 (London Convention) and the 1996 Protocol (London Protocol) manage or prohibit through regulation the dumping into the sea of wastes or other matter.

Recalling that information from observer reports suggests that fishing vessels are responsible for significant amounts of marine pollution in the Western and Central Pacific Ocean, even when observers are aboard, and that marine pollution is likely to be even more significant on fishing vessels, particularly longline fishing vessels, where observer coverage is very low,

Recognising that Article 30(1) of the Convention requires the Commission to give full recognition to the special requirements of developing States that are Parties to the Convention, in particular the small island developing States (SIDS) and Territories, in relation to the conservation and management of highly migratory fish stocks in the Convention Area and development of fisheries for such stocks;

Recognising further that Article 30(2) of the Convention requires the Commission to take into account the special requirements of developing States, in particular SIDS and Territories. This includes ensuring that conservation and management measures adopted by it do not result in transferring, directly or indirectly, a disproportionate burden of conservation action onto developing States Parties, and Territories;

Recalling the adoption of CMM 2013-07 which also recognises the special requirements of SIDS and territories;

Adopts, in accordance with Article 5 (d-f) and 10 (1)(h) of the Convention that:

1. Commission Members, Cooperating Non-Members and Participating Territories (CCMs) that are entitled to ratify, accept, approve or accede ~~are encouraged to consider the ratification, acceptance, approval or accession of~~ the annexes of MARPOL and the London Protocol are

[encouraged to do so](#) at the earliest possible opportunity if they have not already done so. CCMs that experience difficulties in becoming Parties to the MARPOL or London Protocol are encouraged to inform the International Maritime Organization of the circumstances thereof, so that consideration can be given to take appropriate action in this respect, including providing necessary technical assistance.

2. CCMs shall prohibit their fishing vessels operating within the WCPFC Convention Area from discharging any plastics (including plastic packaging, items containing plastic and polystyrene) but not including fishing gear.⁴
3. CCMs are encouraged to prohibit their fishing vessels operating within the WCPFC Convention Area from discharging:
 - a) oil or fuel products or oily residues into the sea;
 - b) garbage, including fishing gear², food waste, domestic waste, incinerator ashes and cooking oil; and
 - c) sewage,except as would be permitted under applicable international instruments.
4. CCMs are encouraged to undertake research into marine pollution related to fisheries in the WCPFC Convention area to further develop and refine measures to reduce marine pollution, and are encouraged to submit to SC and TCC any information derived from such efforts.
5. CCMs ~~shall~~ encouraged ~~to ensure that~~ their fishing vessels within the WCPFC Convention Area ~~to~~ retrieve abandoned, lost or discarded fishing gear and retain the material on board, separate from other waste for discharge to port reception facilities. Where retrieval is not possible or does not occur, CCMs ~~shall encourage~~ ~~are requested to ensure that~~ their fishing vessels ~~to~~ report the latitude, longitude, type, size and age of abandoned, lost or discarded fishing gear.
6. CCMs are requested to ensure adequate port reception facilities are provided to receive waste from fishing vessels. SIDS CCMs are requested to utilise, as appropriate, regional port reception facilities in accordance with international standards.
7. CCMs are encouraged to ensure that fishing vessels flying their flag and operating within the WCPFC Convention Area inform their flag State of ports in countries that are Party to the annexes of MARPOL which do not have adequate port reception facilities for MARPOL wastes.-
8. CCMs shall cooperate, consistent with national laws and regulations, directly or through the Commission, and in accordance with their capabilities, to actively support SIDS and Territories through the provision of adequate port facilities for receiving and appropriately disposing of waste from fishing vessels.
9. CCMs are encouraged to develop communication frameworks to enable the recording and sharing of information on fishing gear loss in order to reduce loss and facilitate recovery of fishing gear.
10. CCMs are further encouraged to develop frameworks or systems to assist fishing vessels to report the loss of gear to their flag State, relevant coastal States, and the Commission.
11. CCMs are encouraged to conduct training and awareness programs for the crew and master of fishing vessels flying their flag regarding the impacts of marine pollution and operational practices to eliminate marine pollution caused by fishing vessels.

12. This measure will be reviewed by the Commission every {3} years to consider expanding the scope of measure with respect to the elimination of marine pollution caused by fishing vessels.

13. [The date of implementation for this measure is 1 January 2019.](#)

⁴ ~~Paragraph 2 of this measure shall only apply to China and Chinese Taipei from 1 January 2019. This will allow these CCMs the opportunity, during 2018, to conduct training and awareness programs with their industry to facilitate compliance with this paragraph.~~

² Fishing gear, [for the purposes of this measure](#), that is released into the water with the intention of later retrieval such as FADs, traps and static nets, are not considered garbage.

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