



**SCIENTIFIC COMMITTEE
TWENTY-SECOND REGULAR SESSION**

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Apia, Samoa (Hybrid)

INTERSESSIONAL REVIEW OF THE MARINE POLLUTION CMM (CMM 2017-04)

WCPFC-SC22-2026-EB-WP12

11 July 2026

Submitted by Canada

Update on the informal intersessional process to review the marine pollution measure

Submitted by Canada

Purpose

1. The purpose of this paper is to provide SC22 with an update on the progress of the informal intersessional process to review the Conservation and Management Measure on marine pollution ([CMM 2017-04](#)) and seek advice from SC22 to support this process.

Background

2. The CMM on marine pollution states that the measure will be reviewed by the Commission every 3 years to consider expanding its scope with respect to the elimination of marine pollution caused by fishing vessels (paragraph 12 of [CMM 2017-04](#)).
3. In 2024, Canada submitted a proposal to WCPFC21 to amend the CMM on marine pollution (WCPFC21-2024-DP04).
4. WCPFC21 invited interested CCMs to work on the marine pollution issue in 2025 and 2026 in light of WCPFC-2024-DP04, and to develop a proposal to amend CMM 2017-04 for submission to TCC22 in 2026 with a view to adopt a measure by WCPFC23 (paragraph 605 of [WCPFC21 Summary Report](#)).
5. In 2025 and 2026, CCMs and Observers contributed to the intersessional review of CMM 2017-04 and signaled a need for SC advice. In particular, SC review and advice is requested on issues related to the:
 - i. Inclusion of underwater noise within the scope of this measure;
 - ii. Inclusion of greenhouse gas emissions within the scope of this measure;
 - iii. Utility of Abandoned, Lost or otherwise Discarded Fishing Gear (ALDFG) data, and how it may best be collected and transmitted to the SSP;
 - iv. Revision period to ensure it aligns with the SC workplan; and,
 - v. Any other issue on which the SC may wish to provide advice.
6. The latest draft of the revised CMM is contained in Annex 1.



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

CONSERVATION AND MANAGEMENT MEASURE ON MARINE POLLUTION

Conservation and Management Measure 2017-04

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 paragraph (e) of Article 5 of the WCPFC Convention which states that members shall adopt measures to minimize waste, discards, catch by lost or abandoned gear, pollution originating from fishing vessels, catch of non-target species, both fish and non-fish species, and impacts on associated or dependent species, in particular endangered species and promote the development and use of selective, environmentally safe and cost-effective fishing gear and techniques;

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.

Noting the continued Global Plastics Treaty negotiations to develop a legally binding instrument on plastic pollution, including in the marine environment;

Many CCMs do not support incorporating underwater noise within the scope of this measure, as scientific discussions on the impacts of underwater noise on species covered by the Convention and the ecosystem have not yet been sufficiently developed or concluded.

Some CCMs are willing to consider how underwater noise impacts can be addressed in the work program of the Commission and some CCMs suggested that a **recommendation from the SC** would be necessary to consider including these preambular paragraphs.

~~*[Noting that anthropogenic underwater noise from fishing vessel operations, particularly from vessel engines, propeller cavitation, sonar, and fish-finding technologies, is increasingly recognised as a pollutant under international and regional frameworks, and is a growing threat to marine ecosystems, disrupting communication, navigation, and feeding behaviours of cetaceans, fish, and other marine species;*~~

~~*Noting the International Maritime Organization's (IMO) 2023 Revised Guidelines for the Reduction of Underwater Radiated Noise from Shipping to Address Adverse Impacts on Marine Life (MEPC.1/Circ.906) provide a framework for mitigating noise impacts through technical and operational measures and encourage their application to fishing vessels where feasible;*~~

~~*Concerned that chronic noise pollution in the Western and Central Pacific Ocean (WCPO) may exacerbate stressors on migratory species, including tuna and cetaceans, and undermine the Convention's objectives under Article 5(d-f);*~~

~~*Recognizing the special vulnerability of Small Island Developing States (SIDS) and Territories to the impacts of underwater noise, which may interfere with traditional and subsistence fisheries, marine biodiversity, and cultural heritage;*~~

Noting that the Convention on Migratory Species (CMS), the Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR), and the General Fisheries Commission for the Mediterranean (GFCM), have recognised underwater noise as a form of marine pollution requiring monitoring and management;

Some CCMs suggested edits to specifically reference the ITLOS AO, and others did not support treating greenhouse gas emissions as marine pollution within the scope of this CMM, as scientific and policy discussions on their relevance to, and impacts on, species covered by the Convention and associated ecosystems have not yet been sufficiently developed or concluded.

Some CCMs suggested that a **recommendation from the SC** would be necessary to consider including this preambular paragraph.

~~[Recalling the [Advisory Opinion issued by the] International Tribunal for the Law of the Sea (ITLOS) [Advisory Opinion Case No. 31] which affirmed that Parties to the United Nations Convention on the Law of the Sea (UNCLOS) have specific obligations to prevent, reduce, and control pollution of the marine environment from anthropogenic sources;]~~

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,

Recognizing the work undertaken by the Fish Aggregating Device Management Options Intersessional Working Group (FADMO-IWG) to improve the management of Fish Aggregating Devices (FADs);

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:

Definitions

1. For the purposes of this measure, the following definitions will apply:

[Fishing gear: any physical device or part thereof or combination of items that may be placed on or in the water or on the sea-bed with the intended purpose of capturing, or controlling for subsequent capture or harvesting, marine or fresh water organisms [and that poses a significant risk of ghost fishing when abandoned, lost or discarded].]

Abandoned fishing gear: fishing gear left at sea due to force majeure or other unforeseen reasons.

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

Lost fishing gear: fishing gear over which the vessel has [accidentally] lost control and cannot be located and/or retrieved.

Garbage: all kinds of [food,] domestic and operational waste, all plastics, cargo residues, incinerator ashes, cooking oil, [fishing gear,] and [animal carcasses] generated during the normal operation of the ship and liable to be disposed of continuously or periodically.

[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.]

[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. All plastics means all garbage that consists of or includes plastic in any form, including synthetic ropes, synthetic fishing nets, plastic garbage bags and incinerator ashes from plastic products.]

[Alt: Plastics: includes plastic packaging, items containing plastic and polystyrene, but not including fishing gear.]

Definition of underwater noise: Many CCMs do not support incorporating underwater noise within the scope of the measure on marine pollution. While the IMO recognizes the issue of underwater vessel noise and its harmful impacts on aquatic ecosystems, it stops short of qualifying it as pollution. One potential compromise to consider is to include underwater noise in the preamble, research and review sections of the measure, and/or in future work plans.
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~~[Underwater noise [pollution]: means energy from anthropogenic sources introduced into the marine environment that has the potential to cause harm to marine life, including but not limited to vessel engine noise, propeller cavitation, sonar use, echo sounders, and noise associated with fishing activities such as gear deployment and retrieval.]~~

General Provisions

- [1. This measure shall apply to all vessels on the WCPFC Record of Fishing Vessels.
2. This measure shall apply to the following categories of fishing vessels authorized to fish in the Convention Area:
 - a. vessels fishing exclusively on the high seas in the Convention Area; and
 - b. vessels fishing on the high seas and in waters under the jurisdiction of one or more coastal States and vessels fishing in the waters under the national jurisdiction of two or more coastal States.
3. This measure shall apply to the following categories of fishing vessels authorized to fish in the Convention Area:
 - c. vessels fishing exclusively on the high seas in the Convention Area; and
 - d. vessels fishing on the high seas and in coastal State EEZs; and
 - e. vessels fishing in the EEZs of two or more coastal States.
4. This measure shall apply to all vessels on the WCPFC Record of Fishing Vessels fishing on the high seas in the Convention Area.]

[For the purpose of this measure, fishing gear that is released into the water with the intention of later retrieval such as Fish Aggregating Devices (FADs), traps and static nets, are not considered a [garbage][~~marine pollutant~~][, or abandoned, lost or discarded].]

1. Commission Members, Cooperating Non-Members and Participating Territories (CCMs) that are entitled to ratify, accept, approve or accede to 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.

Prohibition on Marine Pollution

- 1.bis CCMs shall prohibit their fishing vessels operating within the WCPFC Convention Area from abandoning or discarding any fishing gear into the water, except as would be permitted under applicable WCPFC obligations.
2. CCMs shall prohibit their fishing vessels operating within the WCPFC Convention Area from [discharging] any [garbage] [garbage, including all plastics] (including plastic packaging, items containing plastic and polystyrene) [and e-waste] [except as would be permitted under applicable international instruments] [~~but not including fishing gear~~].
- ~~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 gear[†], food waste, domestic waste, incinerator ashes and cooking~~

oil; and
e) ~~sewage,~~
except as would be permitted under applicable international instruments.

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

GHG: While there was some support to reference GHG emissions in the preamble, many CCMs did not support the inclusion of GHG emissions within the scope of the measure at this time. Some CCMs noted that scientific and policy discussions on their relevance to, and impacts on, species covered by the Convention and associated ecosystems have not yet been sufficiently developed or concluded. A **recommendation from the SC** may be necessary to further consider this text.

~~[3.ter CCMs [other than SIDSs] shall [take all necessary measures][meet their obligations] to prevent, reduce and control pollution [from] [of the marine environment] anthropogenic GHG emissions from their fishing operations within the Convention Area.]~~

Underwater noise: Similar views were shared to those on GHG emissions above. A CCM also noted the complexities associated with measuring underwater noise and ability to assess compliance with any relevant obligations. A **recommendation from SC and possibly TCC** may be necessary to further consider this text.

~~[3. quater CCMs shall encourage their fishing vessels to assess and, where feasible, mitigate sources of underwater noise generated by fishing vessel operations, particularly through the adoption of quiet vessel technologies (e.g., quieter propellers, hull coatings, machinery insulation) and operational practices (e.g., speed reductions and route adjustments in sensitive areas).]~~

~~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.~~

Retrieval, Storage and Disposal

5. CCMs shall encourage their fishing vessels ~~[within the WCPFC Convention Area]~~ to retrieve [any] abandoned, lost or discarded fishing gear [that the vessel encounters within the WCPFC Convention Area] ~~[- 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 their fishing vessels to report the latitude, longitude, type, size and age of abandoned, lost or discarded fishing gear].~~

5.bis CCMs shall [ensure][require][encourage] their fishing vessels [,to the extent possible] to safely store all retrieved abandoned, lost or discarded fishing gear on board, separate from [garbage] for discharge to port reception facilities [or carriers]. Where retrieval is not possible or does not occur, CCMs shall encourage their fishing vessels to report the [date, time,] latitude, longitude, type, size and age of abandoned, lost or discarded fishing gear.

5.ter CCMs shall ensure their fishing vessels that are greater than 100 gross tonnage and certified to carry 15 or more persons carry ~~[and maintain]~~ a waste management plan [, garbage disposal record book and garbage placards, in accordance with applicable international instruments]. This plan shall provide written procedures for minimizing, collecting, storing, processing ~~[and]~~ disposing ~~[and transshipping]~~ of fishing gear [and garbage] [and garbage, including all plastics and e-waste,] onboard, including the use of the equipment on board. It shall also designate the person or persons in charge of carrying out the plan.

[5.quer CCMs are encouraged to apply compatible record keeping practices to all fishing vessels, where possible.]

5. quinquies CCMs shall ensure their fishing vessels use shipboard incinerators in accordance with applicable international instruments such as MARPOL.

6. CCMs are requested to ensure [:

(a)] adequate port reception facilities [,in accordance with applicable international guidelines,] are provided to receive ~~[waste]~~ [fishing gear] [and garbage] [and garbage, including all plastics and e-waste,] from fishing vessels~~[- SIDS CCMs are requested to utilise, as appropriate, regional port reception facilities in accordance with international standards]~~

[(b) adequate facilities are provided on carriers engaged in transshipping in the high seas and at the ports at which those carriers are unloading to receive fishing gear [and garbage] [and garbage, including all plastics and e-waste,] from fishing vessels unloading to carrier].

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.

~~[7. alt CCMs shall encourage their fishing vessels flying their flag and operating within the WCPFC Convention Area to inform their flag State of the ports in the countries that are Party to the annexes of MARPOL that have adequate port reception facilities, in accordance with international guidelines, for MARPOL wastes.]~~

~~[7. bis CCMs with adequate port reception facilities shall provide a list of its ports with adequate reception facilities, in accordance with international standards, to the WCPFC Secretariat for its dissemination to all CCMs.]~~

~~[7. ter CCMs shall encourage their fishing vessels to utilize, as appropriate, the ports identified as having adequate port reception facilities.]~~

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]~~ [fishing gear and garbage, including all plastic and e-waste,] from fishing vessels.

[8.bis During a transshipment event [on the high seas] [at sea], CCMs shall [ensure] [encourage]

their flagged vessels receiving fish to also accept [garbage, including all plastic and e-waste,] and manage it, in accordance with this measure and other applicable international instruments [, wherever possible].]

ALDFG Reporting Requirements

The Reporting Requirements section aims to cover reporting requirements, including what is to be reported, information flow and associated timelines.

The original proposed text suggested that all ALDFG be annually reported with the intent to support research. Several CCMs did not support mandatory annual ALDFG reporting, noting that such requirements would be administratively burdensome and that the scientific justification has not yet been well demonstrated. If there is a scientific purpose for this data, it could be provided in log sheet form as Scientific Data or be collected by observers in a form that enables analysis associated with ALDFG.

Another perspective noted that extensive reporting systems for FAD-related data already exist and that the proposed requirements could duplicate current processes, add manual burdens, and may not be feasible given that much deactivated gear cannot be verified at the time of loss. It was suggested that automated reporting and existing scientific data channels are better suited for compiling annual summaries.

It is proposed that **advice from SC** be sought on the utility of ALDFG data, recognizing monitoring limitations, and how it may best be collected and transmitted to the SSP.

[8. ter CCMs shall ensure their fishing vessels annually report all abandoned, lost and discarded fishing gear. The Secretariat shall create and present an annual summary report to the Commission [and relevant subsidiary bodies] on ALDFG related data using the information provided in CCM annual reports.]

The original proposed text recommends that ALDFG deemed to pose a significant risk of ghost fishing and/or navigational safety be reported as soon as possible to ensure the safety of fishing vessels and to minimize the impact of ALDFG on fish stocks and the ecosystems they depend on. From a practical standpoint and based on observed cases at sea, large nets and significant lengths of fishing line are reported to get caught in propellers and ghost fish. Consideration may be given to limiting these two obligations to these types of fishing gear.

A CCM noted that the proposal resembles existing automated FAD-tracking and recovery programs, which already manage similar information flows more efficiently. It was suggested that encouraging broader participation in these programs may achieve the intended outcome without creating duplicative or burdensome reporting systems.

Questions were raised about how the Commission would manage and enforce such reporting. **Guidance from CCMs** who are also members to SPRFMO on how this is managed is requested.

Concerns were expressed about applying these requirements to longline fisheries, where lost components are often small, difficult to track, and unlikely to ghost fish. It was noted that

requiring reporting of such items could generate large volumes of low-value information and strain retrieval capacity.

Another view opposed introducing detailed mandatory reporting obligations, noting that they exceed existing international standards and that the need for such specificity has not been demonstrated. If included, such provisions were recommended to remain on an “encouraging” basis.

It was also suggested that these reports should be sent simultaneously to both the flag authority and the Secretariat.

[8. quater CCMs shall [ensure] [encourage] their fishing vessels [to] notify their competent authority [and the Secretariat] [within 24 hours] of the following information when vessels cannot retrieve abandoned, lost or discarded fishing gear [linked to that vessel and deemed to pose a significant risk of ghost fishing and/or navigational safety (e.g., nets and more than X meters of longline)]:

- a. the vessel name;
- b. the type/material of the gear lost/[observed];
- c. the quantity of the gear lost;
- d. the date (DD-MM-YYYY) that the gear was abandoned, [lost,] or discarded;
- e. the position (longitude/latitude) where the gear was abandoned, [lost,] discarded;
- f. measures taken by the vessel to retrieve the ALDFG; and,
- g. the circumstances, if known, that led to the gear being abandoned, [lost,] or discarded.]

[CCMs] [The Secretariat] shall [promptly] transmit this information to all CCMs, as appropriate, so that every attempt can be made to retrieve the lost gear.]

It is proposed that CCMs ensure that their fishing vessels report information related to any retrieved ALDFG. It was suggested, however, that this provision be made an encouragement to align with the encouragement to retrieve ALDFG in paragraph 5, and that the reporting timeline remain flexible.

[8. quinquies [If ALDFG is retrieved,] CCMs shall [ensure] [encourage] their fishing vessels [to] report the following information to its competent authority [as soon as practicable after retrieving any ALDFG] [within 24 hours of returning to port regarding any retrieved ALDFG]:

- a. the vessel name;
- b. the name and call sign of the vessel that abandoned or lost the gear (if known);
- c. the type of gear retrieved;
- d. the quantity of gear retrieved;
- e. the date (DD-MM-YYYY) 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.]

Capacity Development, Training and Research

9. CCMs are encouraged to develop communication frameworks to enable the recording and sharing of information on [abandoned, lost and discarded] fishing gear ~~loss~~ in order to [prevent and] 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.

[10. bis CCMs are encouraged to develop and implement gear marking.]

10. ter CCMs are encouraged to increase, as appropriate, the number of adequate port reception facilities, carrier vessels with reception facilities, and vessels with incineration capabilities to dispose of waste in accordance with this measure and other international instruments.

Note deletion of underwater noise in paragraphs 11 and 11. bis, which would be subject to **SC advice**.

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 [~~including underwater noise,~~] and operational practices to [prevent and] eliminate marine pollution caused by fishing vessels.
11. bis CCMs are encouraged to undertake research into marine pollution [~~including underwater noise,~~] 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.

Review and Implementation

It is recommended that the review clause reference all issues flagged by this review that were not addressed. These may include how biodegradable fishing gear should be treated, and considering underwater noise and GHG emissions, for example. Revision period to be **discussed by SC and TCC**, to ensure it aligns with workplans of Subsidiary Bodies and the Commission.

12. This measure will be reviewed by the Commission every 3 years [starting in 20XX] to consider expanding the scope of measure with respect to the elimination of marine pollution caused by fishing vessels[. The Commission is invited to consider, *inter alia*, [issues that have yet to be addressed]].
13. The date of implementation for this measure is 1 January ~~2019~~ [2028].

Accompanying recommendations to consider:

1. The Commission recommends that the Regional Observer Program Intersessional Working Group develop a non-fish transfer template which allows for the monitoring of waste being transshipped at sea.
2. The Commission recommends that all receiving vessels that transship on the high seas accept waste, and manage it, in accordance with this measure and other applicable international instruments.
3. The Commission recommends increasing monitoring coverage, through the use of human observer and/or electronic monitoring, of [all] [longline] vessels to at least 20 per cent so as to not incentivize discharge of waste at sea.
5. The Commission recommends that SPC develops a voluntary reporting template to facilitate ALDFG reporting by CCMs.