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RMI - DRAFT CMM ON MARINE POLLUTION

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Paper prepared by Marshall Islands



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RMI - DRAFT CMM ON MARINE POLLUTION

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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 habitats, be harmful to marine life through ghost fishing, entanglement 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 ~~in the WCPFC Convention Area~~,

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Further noting that the provisions of Annex I, ~~and~~ Annex IV and Annex VI of MARPOL manage and restrict the discharge of oil, ~~and~~ 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 Convention / Protocol~~) manage or prohibit through regulation the dumping into the sea of wastes s or other matter materials.

Recalling that information from GEN-6 observer reports analysed by SPREP (WCPFC-TCC11-

2015-OP06) suggests that fishing vessels are responsible for significant amounts of marine pollution in the Western and Central Pacific Ocean,

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

1. Commission Members, Cooperating Non-Members and Participating Territories (CCMs) shall urge CCM Governments to consider ~~accepting ratification of or accession to~~ the annexes of MARPOL and London Protocol at the earliest possible opportunity if not already done so. Governments that experience difficulties in the process of 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 taking appropriate action in this respect, including providing necessary technical assistance.
2. WCPFC authorised ~~V~~vessels fishing with in the WCPFC Convention Area will be prohibited from discharging:
 - a) oil or fuel products or oily residues into the sea, except as permitted under Annex I of MARPOL;
 - b) garbage including food waste, domestic waste, all plastics, incinerator ashes, and cooking oil, and fishing gear, except as permitted under Annex V of MARPOL;
 - ~~b)c) fishing gear, except when unavoidable or for safety of life at sea,~~
 - ~~e)d) sewage, except as permitted under Annex IV of MARPOL;~~
3. CCMs will aim to report annually to WCPFC on marine pollution, detailing waste dumped overboard; oil spillages; and abandoned, discarded or lost fishing gear.
4. CCMs will cooperate to undertake research into marine pollution related to fisheries in the WCPFC fisheries and Convention area and to further develop and refine measures to reduce marine pollution, submitting to the SC and TCC any information derived from such efforts.
5. WCPFC authorised ~~V~~vessels fishing within the WCPFC Convention Area are encouraged to retrieve ~~abandoned, lost or discarded fishing gear lost, discarded or abandoned fishing gear and retain the material for discharge to port reception facilities~~. Where retrieval does occur, CMMs are encouraged to report to WCPFC the latitude and longitude of the retrieval event. Where retrieval is not possible or does not occur, fishing vessels are encouraged to report the latitude, longitude, type, size and age of ~~abandoned, lost or discarded fishing gear lost, discarded or abandoned fishing gear~~.
6. CCMs are encouraged to ensure adequate port reception facilities are provided to receive waste from vessels. SIDS CCMs are encouraged to utilise, as appropriate, regional port reception facilities in accordance with the International Maritime Organization circular MEPC.1/Circ.859 Regional reception facilities plan for the small island developing states in the Pacific region.
7. WCPFC authorised vessels fishing within the WCPFC Convention Area are encouraged to inform their flag State of ports in countries Party to MARPOL Annex V which do not have adequate port reception facilities for MARPOL wastes. Skippers should communicate all relevant details using the IMO format for reporting alleged inadequacies of port reception facilities as outlined at Appendix 1 to MEPC.1/Circ.834.
8. CCMs are encouraged to develop communication frameworks to enable the recording and sharing of information on fishing gear loss where necessary in order to reduce loss and facilitate recovery of fishing gear.

Comment [A1]: Note that the requirements of MARPOL Annex IV only apply to vessels engaged in international voyages that are 400GT and above, or less than 400GT which are certified to carry more than 15 persons. The current wording of 2.(d) would be much more prohibitive than MARPOL.

Comment [A2]: Note under MARPOL there are mandatory reporting requirements to coastal States for discharges of oil or oily in excess of permitted levels/quantities/rates.

Under MARPOL Annex V, fishing vessels are also required to report the loss of or discharge of fishing gear, which poses a significant threat to the environment or navigational safety, to their flag State and affected coastal States. This allows the notification of other vessels in the area to look out for the gear, and retrieve it if possible.

9. CCMs are further encouraged to develop frameworks or systems to assist WCPFC authorised fishing vessels to report the loss of gear to the flag States and the affected coastal state.