

## Proposal of Terms of Reference for developing a scheme to operationalise the FAO Voluntary Guidelines on the Marking of Fishing Gear (VGMFG)

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### PURPOSE

To provide the Compliance Committee with an update of the work for developing a scheme to operationalise the FAO Voluntary Guidelines on the Marking of Fishing Gear (VGMFG), and for the Compliance Committee to recommend a Terms of Reference for developing a scheme to operationalise the FAO Voluntary Guidelines on the Marking of Fishing Gear (VGMFG) to the Commission.

### BACKGROUND

At the 23<sup>rd</sup> Session of the Commission, the European Union submitted a proposal *On Marking of Fishing Gear and Prevention of Marine Pollution* (Proposal L) for consideration. There was no consensus for this proposal to be adopted as a Resolution. However, the Commission **REQUESTED** the Secretariat to initiate a process to develop draft guidelines on how IOTC might operationalize the FAO voluntary guidelines on the marking of fishing gear. The process should utilize the expertise of IOTC technical bodies and review the guidelines by electronic means, before being made available to the Commission in 2020 (paragraph 53, IOTC-2019-S23-R\_rev1[E], 105 pp).

At the 3<sup>rd</sup> meeting of the WPICMM, the document [IOTC-2020-WPICMM03-12](#) was presented and noted, which sets out the work required to be undertaken in order to develop a process to operationalise the *FAO Voluntary Guidelines on the Marking of Fishing Gear*.

The WPICMM03 **AGREED** for the IOTC Secretariat to develop the Terms of Reference, without prejudging the recruitment of a consultant, to be circulated to CPCs prior to the Compliance Committee, in June 2020, for consideration by CoC17, SCAF17 and the Commission (S24).

### DISCUSSION

The IOTC Secretariat, in conjunction with the Fishing Operations and Technology Branch (FIAO) of the FAO, have developed an initial draft of the ToR which was circulated through IOTC Circular 2020-22. Four CPCs provided comments (Australia, the European Union, Japan and Thailand) from which a final draft version of the ToR was consolidated. This is presented in Appendix I for the consideration of CoC17.

### Recommendation/s

- That the CoC17 **CONSIDER** and, as appropriate, amend the proposed Terms of Reference for developing a scheme to operationalise the *FAO Voluntary Guidelines on the Marking of Fishing Gear (VGMFG)*, provided in Appendix I.
- That the CoC17 **RECOMMENDS** the Terms of Reference for developing a scheme to operationalise the *FAO Voluntary Guidelines on the Marking of Fishing Gear (VGMFG)*, to the Commission.

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## Appendix I

### **Terms of Reference for developing a scheme to operationalise the *FAO Voluntary Guidelines on the Marking of Fishing Gear (VGMFG)***

The specific purpose of the Terms of Reference is to, bearing in mind the IOTC's objectives pursuant to Article V of the IOTC Agreement:

- 1) Assess the economic impact for operationalising the FAO VGMFG in the IOTC Area, bearing in mind that the vast disparity in development status among IOTC CPCs may necessitate a phased approach for operationalising the VGMFG.
- 2) Identify, through documented risk assessments, fishing gears and FADs<sup>1</sup> which are widely used in IOTC fisheries that can contribute to marine pollution through abandonment, becoming lost or are otherwise discarded. Such risk assessments methodology to be developed based on the guidelines provided in the Annex of the VGMFG.
- 3) Collate, for comparative purposes, the relevant IOTC regulations or administrative measures and international instruments/guidelines that pertain to the marking of fishing gears and FADs as identified for marking in the risk assessment that can contribute to marine pollution through abandonment, becoming lost or are otherwise discarded.
- 4) Assess existing IOTC measures to allow for the effective implementation, monitoring, control and enforcement of a fishing gears and FADs marking scheme in IOTC fisheries, including the removal and disposal, plus any other enforcement action related to unmarked fishing gears and FADs.
- 5) Consider how measures specified in para 4 may be improved and where a need is identified prepare draft proposals which shall be considered by the Commission for adoption in accordance with the mandate of the IOTC Agreement.
- 6) Review the purpose and the design of existing fishing gear markers relevant to IOTC fishing gears and FADs identified for marking, particularly in the light of practicality for placement on fishing gears and FADs, impact on fishing efficiency (catchability), affordability, safety of use, environmental impact, potential contribution to counteraction against IUU fishing activities and technological developments. In considering the affordability for marking of fishing gears and FADs consideration must be given to possible alternative and less expensive options for Developing Countries and Least Developed Countries (LDCs).
- 7) Consideration given to the design of existing fishing gears and FADs markers and how they may be improved to better meet requirements identified in para 6.
- 8) Consider the relationship between marking for licensing/authorisation and marking for visibility, location, options for avoidance and identification of ownership.
- 9) Review the practicality of identifying and separating areas and fisheries, bearing in mind the current lack of agreement of what constitutes artisanal, coastal and semi-industrial fisheries in terms of applying gear marking measures to fishing gears and FADs.
- 10) Raise awareness of:
  - a. the detriment to the environment, the safety of navigation, and the risk to life at sea, associated with poorly marked or abandoned fishing gears and FADs.
  - b. the benefits of the marking of fishing gears and FADs.

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<sup>1</sup> FADs used for aggregating non-IOTC species shall be exempted.

- 11) Consider and determine capacity-building requirements of CPCs for the attachment of markers to fishing gears and FADs.
- 12) In undertaking the above tasks, due considerations shall be given to initiatives which will be considered by the IMO, and especially in the context of the International Convention for the Prevention of Pollution from Ships (MARPOL), to streamline and standardise any requirements developed.
- 13) Publish a report of its findings and conclusions for consideration by the IOTC Working Party on the Implementation of Conservation and Management Measures, Compliance Committee, Standing Committee on Administration and Finance, and the Commission.