
ON CONSERVATION AND MANAGEMENT ON MARINE POLLUTION**SUBMITTED BY : REPUBLIC OF KOREA**

Explanatory Memorandum

Given the amount of marine litter and plastic waste has been growing rapidly, it is now well evidenced that negative impacts marine litter on marine ecosystem is deteriorating. In order to ensure the conservation of tuna and tuna-like species in the Indian Ocean and promoting their optimum utilization, and the sustainable development of the fisheries, the conservation of marine environment by reducing marine pollution is indispensable.

Especially plastic debris seriously harms thousands of sea creatures, including various species of fish, sea birds, sea mammals and marine turtles. Moreover, according to the Factsheet on Marine Pollution published at the United Nations Ocean Conference in 2017, abandoned, lost or discarded fishing gear in the oceans makes up around 10 percent of all marine litter.

Several regional fisheries management organization, including the Western and Central Pacific Fisheries Commission (WCPFC), the South Pacific Regional Fishery Management Organization (SPRFMO), the North Pacific Fisheries Commission (NPFC), International Commission for the Conservation of Atlantic Tunas (ICCAT) have taken measures to conserve and manage the marine pollution, including the prohibition of discard or abandonment of fishing gear. However, until now, there is no written consensus in IOTC.

The republic of Korea hopes that the proposal would stimulate further discussion of marine pollution within the IOTC, and eventually lead to more detailed action in the wider field.



RESOLUTION 24/XX

ON CONSERVATION AND MANAGEMENT MEASURE ON MARINE POLLUTION

The Indian Ocean Tuna Commission (IOTC),

CONCERNED that marine pollution is increasingly recognized as a significant global problem, with detrimental impacts on marine species, marine ecosystems, coastal environments, and the livelihoods of legitimate fishers;

CONVINCED that certain activities associated with fishing may affect the Indian Ocean marine environment and that these activities may play a notable role in IOTC's efforts to minimize incidental mortality of non-target species and impacts on marine ecosystems;

NOTING that the provisions of Part XII of the United Nations Convention on the Law of the Sea (UNCLOS) provides the obligations for States to protect and preserve the marine environment, in particular, as per Article 194 of the UNCLOS, to take all measures necessary to prevent, reduce and control pollution of marine environment from vessels;

NOTING that the United Nations Fish Stock Agreement (UNFSA) has underlined the importance of ensuring the conservation and optimum utilization of highly migratory species through the action of regional fishery bodies, such as the IOTC, and provides that States should minimize pollution, waste, discards, catch by lost or abandoned gear through measures at Article 5 of the Agreement;

CONCERNED about the impact of unsustainable fishing practices upon the oceanic environment, represented by the discarding of fishing gear and plastic residues in the Indian Ocean, may damage marine, reef and coastal habitats.

RECALLING that International Convention for the Prevention of Pollution from Ships (MARPOL) seeks to eliminate and reduce the amount of garbage being discharged into the sea from ships and that Annex V of MARPOL applies to all vessels but 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 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;

ADOPTS, in accordance with paragraph 1 of Article IX of the IOTC Agreement, that:

Abandoned, lost or discarded fishing gear

1. CPCs are encouraged to ensure that :
 - a) vessels flying their flag operating with any gear on board shall make all reasonable efforts to combat, minimize and eliminate abandoned, lost or discarded fishing gear linked to those vessels;
 - b) no fishing vessels flying their flag deliberately discard or abandon fishing gear at sea, except in the event of distress or case of *force majeure*;



- c) vessels flying its flag that have lost fishing gear unintentionally shall not abandon it without making every reasonable effort to retrieve the fishing gear;
2. CPCs are encouraged to ensure the vessels flying their flag, if the vessels discover abandoned, lost or discarded fishing gear which is not linked to that vessel, to attempt to retrieve the discovered gear from the sea.
3. The IOTC Secretariat shall develop a data form standards for collecting and reporting the information of the recovery of abandoned, lost or discarded fishing gear.

Marine Plastic Pollution

4. CPCs shall prohibit vessels flying its flag from discharging into the sea all plastics, including but not limited to synthetic ropes, synthetic fishing nets, plastic garbage bags and incinerator ashes from plastic products.
5. Paragraph 3 shall not apply to the discharge of plastic from a vessel for the purpose of securing the safety of a ship and those on board or saving life at sea or to accidental loss of plastics, synthetic ropes and fishing ropes and fishing nets from a vessel provided that all reasonable precautions have been taken to prevent such loss.

Other Marine Pollution

6. CPCs are encouraged to implement appropriate onboard storage and to prohibit their fishing vessels operating in the IOTC area of competence from discharging, except as permitted under applicable international instruments:
 - a) oil or fuel products or oily residues into the sea;
 - b) other garbage, including fishing gear, food waste, domestic waste, incinerator ashes and cooking oil; and
 - c) sewage
7. CPCs are encouraged to ensure that fishing vessels flying their flag and operating in the IOTC area of competence 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. 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 and operational practices to eliminate marine pollution caused by fishing vessels.
9. CPCs are encouraged to undertake research into marine pollution related to fisheries in the IOTC area of competence to further develop and refine measures to reduce marine pollution and are encouraged to submit to the Scientific Committee any information derived from such efforts.
10. This Resolution does not apply to Fish Aggregating Devices and is without prejudice to Resolution 23/01 or other resolutions on management of Fish Aggregating Devices.
11. This measure will be reviewed by the Commission in 2027 to consider expanding the scope of measure with respect to the elimination of marine pollution caused by fishing vessels.