Proposal by PECMAC

on amendments to the NEAFC Scheme of Control and Enforcement relating to abandoned, lost or otherwise discarded fishing gear (ALDFG)

Background:

Current requirements

Abandoned, lost or otherwise discarded fishing gear (ALDFG) is of growing concern to both civil society and to authorities, due to harmful impact on marine ecosystems and as one of many sources of marine litter. The NEAFC Scheme of Control and Enforcement includes provisions regarding the removal and disposal of unmarked or illegal fixed gear in Article 7a, and retrieval of lost fixed gear in Article 7b. According to Article 7b (2) in the current Scheme a vessel that has lost fixed gear shall attempt to retrieve it as soon as possible. Furthermore, Article 7b (3) provides that if the lost gear cannot be retrieved, the master of the vessel shall notify its flag State within 24 hours. The flag State shall without delay notify the NEAFC Secretary, who shall put this information on the NEAFC website without delay.

Currently there is no information regarding notifications of lost gear available on the NEAFC website, and according to the Secretariat, they have not received such information. However, as there are a number of vessels from NEAFC Contracting Parties using fixed gear in the Regulatory Area, it is likely that this gear is lost from time to time. Hence, Norway urges the Contracting Parties to share any relevant information regarding lost fixed gear and other fishing gear.

Amendment to include other gear types

The current requirements regarding removal and disposal of unmarked or illegal gear, and retrieval of lost gear, are limited to fixed gear in the NEAFC Scheme of Control and Enforcement. This is due the fact that the problem of ghost fishing is more substantial in relation to fixed gear, than in relation to other gears, such as trawl and purse seine.

However, the negative impact of ghost fishing by other gears should not be disregarded. Norway implemented a requirement for reporting of all lost fishing gear a number of years ago. Even if the majority of gears reported as lost are fixed gears, other types of lost gear are being reported, including a limited number of lost trawls. Experiences from 35 years of retrieval surveys show that if a trawl is lost, it does represent a risk of ghost fishing and of entanglement of marine mammals. In addition, there is a risk of entanglement of other gears.

In this context, we also note that the relevant provisions related to lost and abandoned gear of the NAFO Conservation and Enforcement Measures (CEM) apply to all gear types, c.f. Article 13 paragraphs 10 - 13.

Amending the scope of articles 7a and 7b will also prevent different interpretations with regard to which gear types are regarded as fixed gear.

Based on the above, Norway is proposing to expand the scope of Articles 7a and 7b of the NEAFC Scheme to all lost gear as proposed, as shown in track changes below.
Furthermore, the International Maritime Organization (IMO) is responsible for the prevention of pollution from ships according to MARPOL Annex V on Regulations for the Prevention of Pollution by Garbage from Ships. As this includes fishing gear, we propose to add a new paragraph 1 to Article 7b, referring to the obligation under MARPOL Annex V.

It should also be clarified in Article 7b paragraph 2 that the vessels are required to have equipment on board to retrieve their own gear if lost, not other gear types lost by other vessels. In addition, we propose to add that vessels shall be required to report the quantity of lost gear, i.a. length of gear, number of hooks etc, in Article 7b new paragraph 4 b.

Furthermore, it is proposed not to include information regarding vessel name and call sign in the information to be posted on the NEAFC website. The purpose is to encourage vessels to report lost gear, as vessels may avoid such reporting due to the negative impact of having their names and call sign published on the NEAFC website in this context.

In order to encourage reporting of lost gear, it is proposed to clarify that if lost gear is reported, this shall be put on the secure part of the NEAFC website.

Proposal:

**Article 7a – Removal and Disposal of Unmarked or Illegal Fixed Gear**  
Contracting Parties shall have the right to remove and dispose of fixed gear that is not marked, if marking of gear is required in accordance with Article 7 or in any other way contravenes other Recommendations adopted by NEAFC as well as fish that is found in the gear.

**Article 7b – Retrieval of Lost Fixed Gear**

1. Each Contracting Party shall require that its fishing vessels do not deliberately abandon or discard fishing gear, in accordance with MARPOL Annex V on Regulations for the Prevention of Pollution by Garbage from Ships.

2. Fishing vessels fishing with fixed gear shall have equipment on board to retrieve its gear, if that gear is lost.

3. A vessel that has lost fixed gear shall attempt to retrieve it as soon as possible.

4. If the lost gear cannot be retrieved the master of the vessel shall notify the competent authorities of its flag State within 24 hours of the following:
   a. the name and call sign of the vessel;
   b. the type and quantity of lost gear;
   c. the time when the gear was lost;
   d. the position where the gear was lost;
   e. if the vessel has tried to retrieve the gear.
45. The Contracting Party flag State shall without delay notify the Secretary of NEAFC of the information referred to in a-e. The Secretary shall without delay put this information on the secure part of the NEAFC website.

56. Contracting Parties shall on a regular basis undertake to retrieve lost fixed gears. If gear is retrieved that has not been reported as lost, the Contracting Party that retrieved the gear may recover the cost from the master of the vessel that has lost the gear.