

INC-4 Sub-Group 1.2 and Sub-Group 1.3

Streamlined text (Fishing gear)

Version of 27 April 2024 (8 pm)

Subgroup 1.3 considered paragraph 1, subparagraphs a. and b. at its meeting of 27 April 2024 (5 to 8 pm). The output of this work is reflected in the text below.

XX. Fishing gear

A decision on placement (or whether this provision should be included at all) is still pending. Different approaches have been proposed by Members of the INC for further consideration, including:

- *no dedicated provision on fishing gear*
- *having no provision on fishing gear and instead have a sectoral programme under current 4.bis of the revised zero draft*
- *having no provision on fishing gear and instead have to this specific sector in other relevant provisions of the instrument, as needed*
- *having a standalone provision*
- *having elements on fishing gear considered under Part II.8*
- *having elements on fishing gear considered under Part II.9*
- *having elements on fishing gear considered under Part II.5**

* one delegation proposed this alternative during the meeting of 27 April 2024.

Option 0

No provision on this matter.

Option 1

[Overarching obligation]

1. [Each Party] [Parties] [to the instrument] [[shall] [should] [cooperate]][is encouraged to] [, including through the cooperation mechanism referred to in [Part III, article number yet to be defined],] [and] [subject to its national plan and based upon national circumstances and capabilities] take [appropriate] [any][effective] [measures] [actions] [to tackle [abandoned, lost or otherwise discarded and end of life] [pollution arising] [from lost or damaged] fishing gear [waste.] / [across the [whole] lifecycle [of plastic gears used for] fishing [activities] and aquaculture gear][to prevent and [, reduce] [and where possible prevent] [with a view to eliminating] [and eliminate] [plastic pollution from] fishing gear [composed of plastic] from becoming abandoned, lost, [or otherwise] [and] discarded in the [marine] environment, [and to promote circularity], [taking into account,] as appropriate,] [consistent with] [in accordance with] [internationally agreed [instruments,] rules, [guidelines and] standards and recommended practices and procedures.] [taking into account as applicable relevant [MEAs] [international agreements] [and] [respecting] their respective mandates as well as common but differentiated responsibilities.]

[Particular measures]

[..., including [as appropriate]][on][

- a. **[[Encourage the development [or][and] [of] [improve the] [the enhancement of new] [design] [and technologies for] [for circularity] of fishing and aquaculture gear[s], [in line with performance criteria set out in part I of annex C, where practicable and feasible] [with a view to [reduce their environmental impact, while] [enhance] increasing durability, reusability, repairability and refurbishability and their capacity to be [dismantled] [repurposed,] recycled and disposed of in a safe and environmentally sound manner at end-of-life, and minimizing] [to minimise] releases [and] [emissions] [leakages] of or from fishing and aquaculture gears [waste], [including microplastics,] to the [marine] environment;]**
- b. **[to implement effective] marking [of [fishing] gears] [and net materials used for their repair, providing information in their description about the plastic materials, used for their production] [, [tracing][tracking] [, retrieval] [and][,] [and require] [a database for the monitoring, reporting] [and traceability] [of lost gears,] [by Part IV.3 on reporting on progress] [in accordance with][taking into account] other relevant regional and international [agreements] [regulations], [including MARPOL Annex V]][[and recovery] requirements,] to [prevent, reduce and eliminate, abandoned, lost or otherwise discarded][tackle] fishing gear [containing plastic], [taking into account] [internationally agreed rules, standards and recommended practices and procedures] [taking into account as applicable relevant MEAs and their respective mandates.] [Developed countries should provide support in terms of technology transfer for these initiatives]]**
- [b bis Carry out formal risk assessment to support the scope and design of fishing gear marking taking into account relevant FAO guidelines]**
- c. **[[promote][facilitate] the collection and environmentally sound [disposal or recycling of end-of-life] [waste management of] [fishing] gear, [including any recovered gear.] [Improve the management of gear at the end of its usable life,][including the reuse, repair and recycling of gear[.]]];and]**

[Other actions]

2. **[Each Party][Parties] should take actions to:**
 - a. **promote [and facilitate training,] [education and awareness raising] [with fishing industries and practitioners on best practices and methods to reduce the risk of losing fishing gear and other plastics during fishing operations, and for the environmentally sound disposal of end-of-life gear; and]**
 - b. **promote collaboration between Parties and relevant industry sectors and stakeholders, including fisheries, port reception facilities, waste management, and recycling.**
 - c. **promote investment, mobilize resources and facilitate knowledge exchange to enhance the recyclability and recycling rates of end-of-life and recovered fishing gear.**

[Relevant initiatives and organizations]

3. **Parties [shall][are encouraged to] promote [synergy and complementarity with relevant initiatives and organizations[, and regional and international authorities] in their respective actions towards [safe disposal of][the prevention of plastic pollution from] [fishing gear][cooperation, coordination, and exchange of information, including the sharing of best practices, as appropriate, on enhancing the environmentally sound collection, [safe] disposal, and recycling of fishing [and aquaculture] gear, including with relevant initiatives and organizations].**

[Means and measures of implementation]

4. **The measures taken to implement the provisions of this article shall be reflected in the national plan communicated pursuant to [Part IV.1 on national plans].**
5. **There shall be an assessment of the need as well as mobilization of financial resources and technology transfer for each country in order to meet the commitments under this provision.**

[Additional elements in other provision]

[Furthermore remediation of abandoned, lost and discarded fishing gear is important to protect the marine environment, the provision [in Part II.11] on existing plastic pollution, including in the

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marine environment, should provide the obligation on parties to take measures to remediate Abandoned, Lost and Discarded Fishing Gear, in an environmentally sound manner and in accordance with scientific and evidence-based social, economic and environmental impact assessments, using the best available techniques and environmental practices to avoid exacerbating environmental harm.]