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The plastics treaty's critical role in tackling fishing gear

Policy briefing for the Intergovernmental Negotiation Committee for UNEA 5/14

May 2023

Background

'Ghost gear' is fishing gear which has been abandoned, lost or otherwise discarded at sea and is widely regarded as one of the most harmful forms of plastic marine debris.

Estimates indicate as much as 5.7 per cent of all fishing nets, 8.6 per cent of all traps and 29 per cent of all lines are lost annually.¹ Regional differences also exist, with fishing gear comprising an estimated 27 per cent of beach litter in Europe, 46 per cent of the floating debris in the Great Pacific Garbage Patch² and, in a study in the North Pacific Ocean, nearly 90 per cent of marine debris intercepted by longline fisheries was ghost gear.³

Abandoned, lost and otherwise discarded fishing gear (ALDFG) is an ever-growing problem, impacting marine resources, wildlife and habitats.⁴ When fishing gear is lost, it continues to catch both target and non-target species – also known as 'ghost-fishing' – entangling and killing threatened and protected marine animals and commercially important fish species.⁵ Lost gear also damages coral reefs and the seabed, while surface ALDFG presents a significant safety hazard for shipping and maritime activities, such as propeller entanglement.

Once washed ashore, ALDFG blights beaches with plastic litter. Its disintegration further contributes to microplastics in the marine environment and on beaches.⁶ The impacts of microplastics on cetaceans (whales,

dolphins and porpoises) and other marine species can include inflammation, cellular tissue damage and altered molecular pathways. Furthermore, ingestion of microplastics has the potential to increase the bioavailability of toxic substances, which is likely to impact all parts of the marine food chain.⁷

The causes of ALDFG are multiple and include enforcement pressure leading illegal fishers to abandon their gear to avoid capture, operational pressure leading to gear conflict and accidental losses, weather events increasing the likelihood of loss or discarding for safety reasons and spatial and temporal pressures on fishing areas from both legal and illegal fishing activity. Indirect causes, such as expensive, inaccessible or non-existent disposal facilities at or around ports, also increase gear dumping and mismanagement.⁸

Beyond fishing gear such as nets, lines and traps, different gear types and their plastic components are known to cause specific and complex environmental and governance challenges for Regional Fisheries Management Organisations (RFMOs) and enforcement agencies. For example, between 2016-20, 96,599 drifting Fish Aggregating Devices (FADs) were deployed in the Western Central Pacific Ocean. Investigation of FAD fates showed 44.1 per cent of FAD buoys (with transmitters) were abandoned, 9.6 per cent were retrieved; 6.6 per cent were beached; 18.4 per cent were sunk, appropriated or had a malfunctioning buoy; and 21.3 per cent were deactivated by the fishing company and left drifting and unmonitored at sea.⁹

As global fishing efforts intensify and seafood remains a vital source of protein for communities around the world, the risks posed by ALDFG for food security, biodiversity and marine and coastal environments warrants further consideration.

Towards a comprehensive legal approach for fishing gear

Following the adoption of the resolution End Plastic Pollution: Towards an International Legally Binding Instrument at the 5th Session of the United Nations Environment Assembly in 2022 (UNEA-5),⁵ countries have a chance to work together to address the root causes of plastic pollution.

Ghost gear is a major contributor to marine plastic pollution and needs a bespoke and tailored approach within the ongoing negotiations for the new global plastics treaty, yet discussions to date have not allowed for a robust exchange on what potential control measures and obligations related to sea-based sources of plastic pollution, such as fishing gear, might look like and how the new governance framework will approach them.

While recent attempts have been made through existing intergovernmental fora, RFMOs and Regional Fisheries Bodies (RFBs) to address elements of the fishing gear pollution issue, including the adoption of the Food and Agricultural Organisation (FAO) Voluntary Guidelines on the Marking of Fishing Gear (VGMFG) and provisions within the International Maritime Organisation (IMO) Action Plan to Address Marine Plastic Litter from Ships, no single instrument or body has adopted a comprehensive strategy which provides for interventions across the full fishing gear lifecycle and has the capability to address the magnitude of the problem.

In recent years, there have also been attempts to promote solutions such as bio-based or biodegradable fishing gear,¹¹ but in the absence of global standards and comprehensive research on impacts and effectiveness, progress on circular design and alternative materials is fragmented at best.

UNEA Resolution 5/14 makes specific reference to the need for the new instrument to address plastic pollution, including in the marine environment.¹² This includes the development of provisions to promote national and international cooperative measures to reduce plastic pollution in the marine environment and encourage action by all stakeholders, including the private sector, with consideration of traditional, indigenous and local knowledge.¹³

This decision provides the perfect launchpad for exploring a new comprehensive and effective governance framework for fishing gear, implemented as part of a multi-stakeholder action agenda.

INC-2 'options paper' and submissions on fishing gear

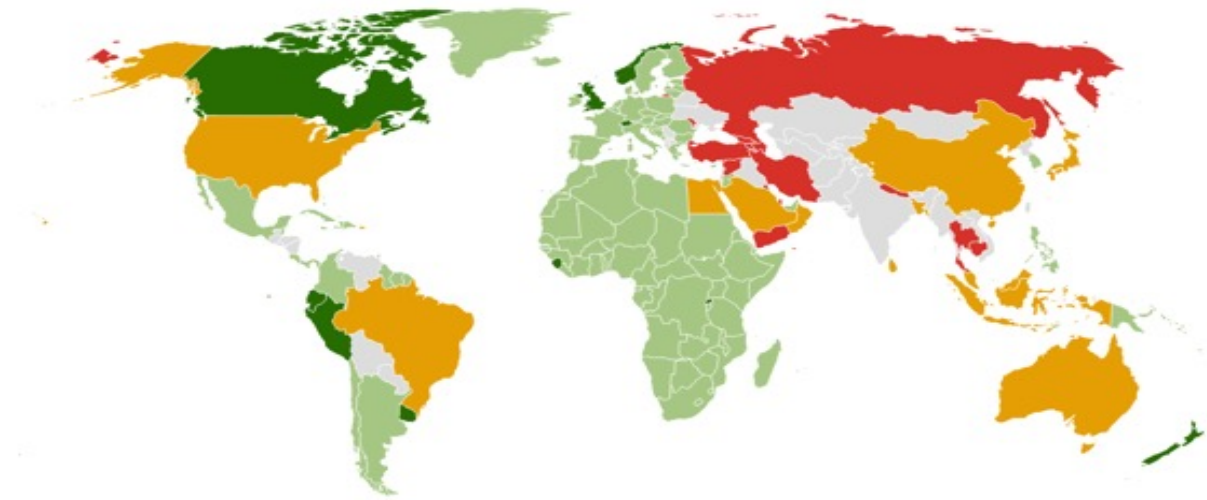
Following the first session of the Intergovernmental Negotiation Committee (INC-1), the UNEP Secretariat prepared [UNEP/PP/INC.2/4](#) – also known as 'the options paper' – outlining the views expressed by Member States during INC-1 and subsequent written submissions on potential options for elements of the new instrument.

In total, 62 governments, including groups of governments (such as the Africa Group, the Alliance of Small Island States, the European Union, the Group of Latin America and Caribbean Countries and the High Ambition Coalition,) and 176 stakeholder submissions were made. Within the context of potential measures, actions and approaches, there was limited input among submissions by governments on fishing gear. Among those submissions mentioning fishing gear,¹⁴ the recovery of ALDFG and remediation of legacy pollution, Extended Producer Responsibility (EPR) schemes for fishing gear, as well as the development of guidance, were emphasised. However, there was a tendency to rely on existing frameworks and initiatives such as those from FAO and IMO. There was nevertheless strong support for a 'sectoral approach' (including fishing gear) to dealing with plastic pollution, for example in the Africa Group's submission.

The map shows an indication of support for measures on fishing gear and sea-based sources of plastic pollution, based on the submissions.

Support a Provision on Fishing Gear/ Sea-Based Sources

■ Highest ambition
 ■ Explicitly calls for
 ■ Unclear
 ■ Does not call for



*This map does not reflect a political or legal position on borders

Map: Created by Environmental Investigation Agency and the Center for International Environmental law. Source: UNEP. Pre-session submissions. Created with Datawrapper

In the options paper, the references to fishing gear from member states have been captured under possible core obligation nine, “eliminating the release and emission of plastics to water, soil and air” (page 10), specifically the provision on fishing gear which suggests Parties could “Take effective measures to prevent and reduce loss of fishing gear containing plastic and leverage existing efforts, including those of the Food and Agriculture Organisation of the United Nations, and the International Maritime Organisation.” [18 (d)].

Further reference has also been made under possible core obligation 10 “addressing existing plastic pollution” (page 11) with regard to “measures to remediate plastic pollution, including in the marine environment and areas beyond national jurisdiction, taking into account the new draft agreement under the United Nations Convention on the Law of the Sea (UNCLOS) on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction”(BBNJ) [19(a)(i)] and to “[e]liminate ghost gear pollution in the environment ... in collaboration with the FAO and IMO” [19(b)(i)].

While these inclusions provide scope for further deliberations on approaches for fishing gear within the new instrument and promote coordination with existing instruments, the focus is solely on the elimination of releases into the environment. It fails to capture the need for an holistic framework that deals with all stages of the fishing gear lifecycle, including design, use, trade and end-of-life treatment.

It is worth noting that within the VGMFG, for example, there are provisions related to trade and market-based measures to promote traceability of fishing gear across the supply chain and the promotion of gear-marking in seafood certification schemes. But while the guidelines are voluntary and the options paper focuses more on downstream aspects, it is unclear whether sufficient scope is provided to effectively build on this framework within the treaty.

How the new agreement can fill current legal gaps – a dedicated programme of work on fishing gear

The current regulatory framework is fragmented and inadequate to address ghost gear. As a result, the new international agreement should create a global framework that can facilitate common challenges, promote shared objectives and operationalise key recommendations for effective governance.

The best way to achieve this is to set out a dedicated programme of work to develop a comprehensive global strategy on fishing gear. A dedicated programme will allow coordination and expansion of existing initiatives while promoting integration with adopted guidance and supporting policy development and implementation at the national level. The programme should include:

- a) an article on fishing gear** setting out, as a core obligation, the reduction of ALDFG. Provisions would include implementing product design criteria, legal and sustainable usage, mandatory reporting and environmentally sound and safe retrieval of lost gear and adequate end-of-life treatment to facilitate collection, ease of disassembly, recycling and safe disposal
- b) a mechanism to develop a comprehensive strategy**, in cooperation and coordination with other UN agencies including, but not limited to, IMO and FAO, RFMOs, national fisheries authorities and other relevant agreements or organisations
- c) specific provisions**, which could take the form of control measures or guidelines adopted by the Conference of the Parties on port reception facilities, EPR, environmentally sound waste management, licensing schemes, reporting, fishing gear design, environmentally sound and safe retrieval and fiscal incentives. These guidelines could take into account and potentially improve upon existing guidelines. Another provision, for example, could be to operationalise guidelines on licensing schemes. Licences should include fishing gear restrictions on different types of gear deemed particularly vulnerable to becoming ghost gear and require gear marking, gear design standards, reporting of lost gear and retrieval. Licences should include penalties for violations and could provide information on fiscal incentives such as buyback or deposit-refund schemes that incentivise fishing vessels to return derelict gear and retrieve lost gear
- d) initiating a multi-stakeholder action agenda**, including non-governmental stakeholders across the value chain, including fishing gear producers, fishing and seafood companies, port authorities, local municipalities, recyclers, certification bodies and regional fishery bodies, among others. This should assure a clear and comprehensive strategy over the entire lifecycle of fishing gear, provide stakeholder engagement through participation and designated responsibility, mobilise resources and enhance capacity building, and exchange of information and expertise. All of this can provide institutional support for the treaty and streamline tackling ALDFG.

Conclusion

Ghost gear is a complex issue and will require a package of policies coordinated globally and implemented nationally, regionally or internationally, covering the full lifecycle of plastic fishing gear and involving multiple stakeholders, in order to be effective.

While some initiatives arguably fall under the competencies of existing instruments and sectoral bodies, significant shortcomings exist in the current governance framework. The new global agreement on plastic pollution should serve as the umbrella framework for the adoption and implementation of a comprehensive global fishing gear strategy, or 'sectoral approach', to dealing with plastic pollution in fisheries and the harms caused by the plastic materials themselves. This should be in full recognition that, on topics where there exists a potential overlap of competencies with existing instruments, joint working groups would be established to clarify respective roles, share knowledge, data and best practices, build capacity and align activities and funding.

However, the new global plastics treaty provides a fresh opportunity to deal with assumptions about existing activities and their effectiveness and to create a clear path for an ambitious action on this pervasive and problematic source of pollution.

Why it's needed	Existing measures
Recommendation 1. Design – develop and implement sustainability criteria for the design of fishing gear	
<p>Current lack of voluntary or binding guidance or criteria at any level</p> <ul style="list-style-type: none"> Effective measures upstream will support all downstream measures. For example, promoting circular design for fishing gear to prioritise design to reduce the likelihood of it being lost, for reuse, repair and non-toxic recyclability (including ease of disassembly) and reducing environmental impacts once lost (e.g. biodegradable components to reduce ghost fishing once lost, elimination of toxic chemicals used in fishing gear materials and coatings, improving design to reduce microplastic releases, use of material and devices that are non-entangling in nature) Clear criteria could then inform trade measures, such as restricting trade between parties based on compliance with sustainability criteria and exploration of trade measures related to subsidies to the fishing industry deploying unsustainable or toxic fishing gear. 	<p>Gear Design</p> <ul style="list-style-type: none"> Following the adoption of the European Single-Use Plastics Directive (EU 2019/904) a request was made to CEN – the European Committee for Standardisation – to develop a circular design standard for fishing and aquaculture gear (CEN/TC466), due to be finalised by 2024. This is the only known provision being developed, but could likely set a precedent for global sustainability criteria given the extensive input of stakeholders throughout the fishing gear value chain to date.
Recommendation 2. Use – establish and strengthen compliance with globally agreed conservation measures	
<p>Fragmented approach globally to conservation measures related to preventing and mitigating ALDFG</p> <p>A comprehensive framework for the management of fishing gear would include measures for:</p> <ul style="list-style-type: none"> promoting spatial and temporal fisheries management measures to reduce gear conflict initiating early warning systems for adverse weather to reduce likelihood of accidental loss strengthening environmental control measures through inclusion of terms and design criteria in fishing licenses and the development of related guidelines promoting the marking of fishing gear in line with guidance within the VGMFG controls and monitoring on amount and type of gear deployed and retrieved cooperation with approaches for tackling illegal, unreported and unregulated (IUU) fishing to combine resources and competency, including through gear marking and licensing measures monitoring, maintenance and retrieval by the fisheries concerned establishing mechanisms for reporting and retrieval. 	<p>Conservation</p> <ul style="list-style-type: none"> UNCLOS Part XII is dedicated to protecting and preserving the marine environment. While Article 192 creates a general obligation for States to take the necessary measure to ensure that activities in their jurisdiction or under their control do not harm the marine environment, this can be extended to using and disposing of fishing gear. Some RFMOs have conservation measures related to reporting and retrieval, inter alia, SIOFA, NEAFC, NAFO and ICCAT. The BBNJ Treaty aims to ensure the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (ABNJ). The treaty does not specifically address fishing gear; however, its preamble recognises the harm of plastic pollution on ocean ecosystems. Further, it calls for environmental impact assessments (EIAs) for activities in ABNJ, including fishing activities. EIAs can help assess and mitigate the potential environmental impacts of fishing gear, including its interaction with non-target species and habitats. It also promotes area-based management tools, including using Marine Protected Areas (MPAs) to protect vulnerable ecosystems. MPAs can regulate and restrict fishing activities, which will have the effect of reducing fishing gear-related and retrieval-related harm. The treaty also provides a framework for international cooperation and measures to develop conservation and sustainable use in ABNJ.

Marking

- There are various references to gear marking in international fora e.g. in the UN Fish Stocks Agreement Art 18.3(d), the VGMFG, the Honolulu Strategy and in draft amendments to MARPOL Annex V. At the regional level RFMOs such as SEAFO, SPRFMO, NEAFC and CCAMLR require the marking of fishing gear, including FADs, to varying levels. FADs are covered more comprehensively, including FAD management plans, under ICCAT and WCPFC, and via marking under IOTC.
- The European Commission provides the most detailed regulations regarding the marking of fishing gear. EU Regulation No 404/2011 contains separate requirements for the marking and identification of FADs, beams and passive fishing gear, with detailed rules for the marking of labels, buoys, end marker buoys and intermediary buoys.¹⁵ These requirements apply to all EU vessels fishing within and beyond areas of national jurisdiction.
- The VGMFG provide clear but voluntary guidance on how to approach marking as part of an holistic framework, including reporting and retrieval, thus its implementation is patchy.

Licenses

- Coastal States hold sovereign rights over living and non-living resources in their Exclusive Economic Zone and must promote conservation and sustainable management of those fisheries. All other States must comply with those measures, which by example in UNCLOS Article 62(4)(1), may include "licensing of fishermen, fishing vessels and equipment, including payment of fees and other forms of remuneration which, in the case of developing coastal States, may consist of adequate compensation in the field of financing, equipment and technology relating to the fishing industry. Further, fishing licenses can regulate "the types, sizes and amount of gear" to be used. However, UNCLOS does not provide further guidance on licensing schemes, resulting in a patchwork of national and regional licensing requirements and procedures.
- A number of RFMOs currently implement licensing schemes for sustainable fisheries management that include fishing gear conditions or restriction including, inter alia, the CCAMLR, GFCM, IATTC, ICCAT, IOTC, NAFO, SIAFO and WCPFC.

	<ul style="list-style-type: none"> The EU Common Fisheries Policy gives member states overarching regulations and measures on licensing that each member state must implement and enforce under their domestic legislation. Member states must implement registration or licensing schemes to ensure compliance with catch quotas. <p>Other measures are covered mostly within voluntary guidance, e.g., the Global Ghost Gear Initiative, at the national or regional level, or (rarely) within sourcing policies of seafood and fishing companies. None of the existing measures view the 'use' phase holistically nor provide effective comprehensive guidance on management of gear to prevent, mitigate and report losses.</p>
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Recommendation 3: Use – eliminate discharge, dumping, loss and abandonment

<p>Current regulations form a patchwork of obligations and enforcement and compliance is weak, leading to both deliberate and accidental dumping.</p> <ul style="list-style-type: none"> There is also a lack of legal clarity on certain definitions critical to implementation; a perfect example is 'reasonable precautions to prevent loss'. Regulation 3.2 of MARPOL Annex V prohibits the "discharge into the sea of all plastics, including but not limited to synthetic ropes (and) synthetic fishing nets" subject to an exception in Regulation 7.3 of MARPOL Annex V for the "accidental loss of fishing gear from a ship provided that all reasonable precautions have been taken to prevent such loss." Nowhere in MARPOL Annex V or elsewhere are the reasonable precautions to be taken outlined, creating an exception that swallows the prohibition and ensuring uneven application across jurisdictions. 	<ul style="list-style-type: none"> Binding obligations related to the dumping of fishing gear are broadly covered by MARPOL Annex V, UNCLOS (Article 194) and the London Convention and the London Protocol. Exceptions are provided for dumping or discharge for the protection of fishing gear for the protection of the marine environment or for safety or ship or crew. Voluntary efforts are captured within the FAO Code of Conduct for Responsible Fisheries (Art. 8(4.6)) with a recommendation to Parties to minimise catch by derelict fishing gear (aka ghost fishing).
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Recommendation 4: Waste management – improve environmentally sound disposal and retrieval

Lack of globally coordinated approach, infrastructure or guidance for environmentally sound disposal and retrieval

- A key driver for ALDFG is the lack of affordable, accessible or adequate port reception facilities, thus leading to abandonment, open burning or otherwise dumping on land of end-of-life fishing gear in areas where no options are available. In many ports around the world, the facilities to responsibly dispose of old fishing gear simply do not exist and fishermen are discouraged from retrieval of derelict gear left by other vessels due to port fees. With FADs this is further compounded by the fuel costs and time required for retrieval.
 - EPR schemes for fishing gear, similar to that being explored under the EU Single Use Plastics Directive, would serve to promote retrieval and sound disposal, as well as encourage eco-design. Moreover, requirements on producers to cover the costs of separate collection, transport and recycling can overcome hurdles to end-of-life treatment, supported by upstream obligations on fishing-gear design for reuse and recyclability.
 - Where ALDFG poses a demonstrated systemic threat in the marine environment, prior mandatory environmental impact assessments (EIAs) and safety assessments, using best available techniques and environmental practices to avoid removal of biomass or cause or exacerbate harm to the environment, are crucial prior to removal activities. Ideally, the continuous monitoring of the removal impacts, including cumulative impacts, need to be ensured.
- MARPOL Annex V (Reg 8) requires each Party to ensure the provision of 'adequate' facilities at port and requests notification when facilities are alleged to be inadequate. However, these provisions lack specificity to define adequacy in the necessary detail. In particular, Annex V contains no obligations or guidance on the elements and design of effective cost frameworks at ports despite their critical role in promoting responsible on-board behaviour and removing incentives to dump gear. For example, cost frameworks that allow ships to deliver all their garbage at port up to their maximum dedicated storage capacity for a fixed fee based on ship type – often referred to as a 100 per cent indirect fee – eliminates incentives for these ships to illegally dump their garbage. The GloLitter Partnerships project between FAO and IMO has published guidance on [port management plans and feasibility studies for plastic waste collection in ports](#).
 - Voluntary schemes for collecting and recycling fishing gear do exist but are extremely limited in availability and issues with long-distance transport, the presence of toxic chemicals in plastic fishing gear and contamination with biological matter make the recycling of fishing gear both costly and complex. Solutions at the design stage, alongside adequate port facilities and prohibitions on dumping and burning, and investment in collection and treatment infrastructure would be necessary for this to be viable. Here FAO and IMO (under GloLitter Partnerships) can provide valuable knowledge exchange on existing efforts.

Recommendation 5: Compliance – strengthen reporting and inspection

Currently reporting only implemented in a limited number of jurisdictions, with low compliance and enforcement rates.

- Real-time mandatory lost gear reporting is needed to track rates of loss, identify high risk locations and gear types and promote retrieval, particularly in sensitive marine habitats or areas of high importance for food security, where it is safe to do so.
- Current inspection measures and record booking keeping obligations do not currently capture inventories for fishing gear (including FADs), nor provide clear obligations with regards to minimising ALDFG in garbage management plans.
- There is a clear need for capacity-building, education and awareness raising to promote compliance with existing regulations, both among fisheries and also along the seafood supply chain.

Reporting and inspection

- The Agreement on Port State Measures (PSMA) aims to prevent, deter and eliminate IUU fishing through the implementation of effective measures. Port States must, to the greatest extent possible, request information, conduct inspections in ports, report results on certain minimum inspection standards to relevant parties and notify relevant parties when there are clear grounds for believing a vessel has engaged in IUU fishing. Inspections are limited to IUU fishing and not necessarily reducing ADLFG from IUU fishing. However, by improving vessel inspections, more information sharing and enhanced capacity, the PSMA could be utilised in solving the ALDFG issue.
- • MARPOL Annex V requires reporting the loss or discharge of fishing gear that poses a significant threat to the marine environment or navigation. The IMO is amending Annex V to include all losses of fishing gear; however, compliance, enforcement and reporting systems still need to be resolved. Flag States are responsible for conducting inspections of their vessels; thus, guidance on port reception facilities, extended producer or user responsibility and other incentives could promote cooperation between the two instruments. Further, sharing information on ALDFG with all stakeholders can promote enforcement and remediation efforts.

Gear marking

- The VGMFG recommends that enforcement of a system of marking should be part of fisheries monitoring, control and surveillance arrangements and that such arrangements should provide for the application of appropriate penalties or sanctions for non-compliance. The VGMFG states that unmarked or insufficiently marked fishing gear that cannot be linked to its ownership or permission to fish in a specific area, may indicate IUU fishing operations. While voluntary, uptake of these recommendations is unclear.
- Some RFMOs have certain gear marking requirements and non-compliance can result; for example, in losing fishing privileges or licenses. However, this is dependent on each individual organisation and therefore global penalties for using unmarked gear or deliberately discarding or abandoning fishing gear could strengthen coordination and cooperation on preventing ALDFG and IUU fishing.

References

1. Richardson, K., Hardesty, B. D., Vince, J., & Wilcox, C. (2022). Global estimates of fishing gear lost to the ocean each year. *Science Advances*, 8(41). Available [here](#). Richardson, K., Hardesty, B. D., & Wilcox, C. (2019). Estimates of fishing gear loss rates at a global scale: A literature review and meta-analysis. *Fish and Fisheries*, 20(6), 1218–1231. Available [here](#).
2. European Commission (2018). New Proposal will Tackle Marine Litter and "Ghost Fishing" Available [here](#). Lebreton, L. et al. (2018). Evidence that the Great Pacific Garbage Patch Is Rapidly Accumulating Plastic (*Sci Rep* 8, 4666). Available [here](#).
3. Uhrin, A.V. et al (2020). Relative Abundance of Derelict Fishing Gear in the Hawaii-based Pelagic Longline Fishery Grounds as Estimated from Fishery Observer Data (*Sci Rep* 10, 7767). Available [here](#).
4. GESAMP (2020). Sea-Based Sources of Marine Litter – A Review of Current Knowledge and Assessment Data Gaps (Second Interim Report of GESAMP Working Group 43). Available [here](#).
5. Convention on Biological Diversity (2016). Marine Debris: Understanding, Preventing and Mitigating Significant Adverse Impacts on Marine and Coastal Biodiversity (Report of the Subsidiary Body on Scientific, Technical and Technological Advice, UNEP/CBD/SBSTTA/20/INF/9). Available [here](#). Greenpeace (2006). Plastic Debris in the World's Oceans. Available [here](#).
6. Potential microplastic release from beached fishing gear in Great Britain's region of highest fishing litter density. Available [here](#).
7. Mattsson, K., Johnson, E. V., Malmendal, A., Linse, S., Hansson, L.-A., & Cedervall, T. (2017). Brain damage and behavioural disorders in fish induced by plastic nanoparticles delivered through the food chain. *Sci. Rep.* 7:11452. doi: 10.1038/s41598-017-10813-0 (more references available).
8. Macfadyen, G. et al (2009). Abandoned, Lost or Otherwise Discarded Fishing Gear (FAO Fisheries and Aquaculture Technical Paper No. 523, UNEP Regional Seas Reports and Studies No.185). Available [here](#).
9. Report on analyses of the 2016/2021 PNA FAD tracking programme. Available [here](#).
10. United Nations Environment Assembly (2022). Resolution 5/14 – End Plastic Pollution: Towards an International Legally Binding Instrument. UNEP/EA.5/Res.14 [hereinafter UNEA Resolution 5/14]. Available [here](#).
11. Phys Org (2021) "Bio-based and biodegradable nets could be the solution to 'ghost nets' jeopardizing sea life." Available [here](#).
12. UNEA Resolution 5/14, at Operative Paragraph 3 (chapeau). Available [here](#).
13. Ibid. at Operative Paragraphs 3(c) and (l).
14. See for example, Canada, Kenya, Norway, Philippines, UK, Switzerland or AOSIS. Available [here](#).
15. Commission Implementing Regulation (EU) No 404/2011 of 8 April 2011 laying down detailed rules for the implementation of Council Regulation (EC) No 1224/2009 establishing a Community control system for ensuring compliance with the rules of the Common Fisheries Policy OJ L 112, 30.4.2011, p. 1–153 (entered into force 8 April 2011) "Commission Implementing Regulation (EU) No 404/2011", Section 2, Marking and identification of fishing gear and crafts. Available [here](#).



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