31 July 2025

Plastic fishing and aquaculture gear in the Global Plastics Treaty

A distinct and harmful source of plastic pollution requiring dedicated language in the ILBI

Given the mandate of UNEA Resolution 5/14 to end plastic pollution, including in the marine environment, the Global Plastics Treaty must include legally binding obligations on each Party to prevent, mitigate and remediate the impacts and occurrence of plastic abandoned, lost or otherwise discarded fishing and aquaculture gear (ALDFG) across its full lifecycle. ALDFG is the most harmful form of marine plastic pollution[1], posing a transboundary threat to biodiversity, fisheries sustainability, global food security, and the lives and livelihoods of those that depend on fishing and aquaculture.

Addressing a unique legal gap in marine pollution

Throughout the plastics treaty negotiations, there has been consistent strong support[2] for addressing plastic fishing and aquaculture gear as a discrete and significant source of plastic pollution given its pervasive impact on the marine environment when lost, abandoned or otherwise discarded and its contribution to the proliferation of secondary microplastics. The Chair's text (1 December 2024) includes references to ALDFG in Article 7 (Releases and Leakages) and Article 8 (Plastic Waste Management).

Whilst a standalone article dedicated to plastic fishing and aquaculture gear would have offered clarity, its explicit inclusion in Article 7, if appropriately strengthened, can provide a sufficient and effective legal basis. To ensure coherence across the instrument, plastic fishing and aquaculture gear should also be understood and treated as a plastic commodity under *all* relevant provisions of the international legally binding instrument (ILBI). As such, we urge Member States to propose clarifying language where necessary to ensure consistency of interpretation and implementation across the treaty.

In order to be effective and to close existing governance gaps, provisions should be:

- **mandatory**
- **sector-specific, and;**
- **applicable across the full lifecycle of plastic fishing and aquaculture gear**

The ILBI must include clear measures which can lay the legal foundation for future measures that cover the full lifecycle for plastic fishing and aquaculture gear, including gear design standards and criteria, gear marking, lost gear reporting, end-of-life gear management, environmentally sound disposal, and the safe and effective collection and retrieval of ALDFG from the environment. These measures should be part of an integrated, lifecycle-based approach within a single legal instrument. The ILBI must also enable the coordination of a global strategy to drive preventative actions whilst maintaining complementarity with existing MEAs.

[1] Wilcox, C., Mallos, N.J., Leonard, G.H., Rodriguez, A. & Hardesty, B.D. 2016. Using expert elicitation to estimate the impacts of plastic pollution on marine wildlife. Marine Policy, 65: 107–114

[2] EIA, SPREP, OceanCare, University of Wollongong (2023) *Untangled: the Plastic Treaty's Critical Role in Tackling Fishing Gear* Available here (in ENG, ESP, FRA) - analysis of INC-2 options paper submissions referencing fishing gear

It is imperative that the treaty addresses the full lifecycle of plastic fishing and aquaculture gear, focusing primarily on the prevention of losses, leakages and releases. A treaty limited to managing releases and waste alone will fail to deliver on the outcomes that are urgently required. Given the direct and crucial implications ALDFG has for global food security, fisheries sustainability, biodiversity preservation, coastal economies, and human health and livelihoods, it is critical that the Global Plastics Treaty allows for obligations across the full lifecycle of plastic fishing and aquaculture gear - from design to end-of-life management. These obligations must also support a just transition by integrating the needs, capacities and knowledge of small-scale fishers and artisanal fishers throughout the implementation process and enabling their meaningful participation.

As ALDFG involves cross-border drifting, and is not an issue confined to one jurisdiction, provisions on fishing and aquaculture gear are essential to establish specific, enforceable international obligations, including in areas beyond national jurisdiction. Moreover, the current regulatory framework is fragmented and inadequate to address ghost gear across its full lifecycle.[3] It demonstrates the need for differentiated, targeted responses to a particularly complex source of plastic pollution. The ILBI presents a critical opportunity to establish a new global framework that can facilitate common challenges, promote shared objectives and operationalise guidance.

[3] EIA, SPREP, OceanCare, University of Wollongong (2023) Untangled: the Plastic Treaty's Critical Role in Tackling Fishing Gear Available here (in ENG, ESP, FRA)

Chair's Text - Existing draft (1 December 2024)

- New text is indicated in **bold red** font and deletions are indicated in ~~**bold strikethrough**~~.
- The rationale for our proposed text is provided in the table below the text proposal.

Article 7: Releases and Leakages

1. Each Party shall take **effective** measures **across the full lifecycle of plastics** to prevent, **assess,** reduce, and, where possible, eliminate~~:~~

~~(a)~~ releases and leakages of plastic~~s~~ **pollution**, including microplastics, into the environment and from all sources**, including but not limited to:**~~;~~

(b) releases and leakages of plastic **feedstocks across the entire supply chain, including** pellets, flakes, **fibres** and powders to the environment ~~**and aquatic systems, taking into account other relevant international instruments**~~; **and**

(c) plastic pollution from fishing **and aquaculture gear and** activities including, but not limited to abandoned, lost, or otherwise discarded fishing gear, ~~**in the marine environment, taking into account other relevant multilateral agreements on this subject as well as the needs of artisanal and small-scale fishers**~~ **considering a just, fair, and equitable transition to support countries and communities at all levels, including artisanal, small-scale, and traditional fishers, and fishing communities, and implemented in a manner that allows meaningful access and participation of fishers and fish workers in small-scale fisheries, artisanal fisheries and aquaculture**.

1bis: In implementing paragraph 1, each Party shall take into account other relevant international agreements, rules, standards and guidelines.

2. Parties **shall**~~**should**~~ cooperate**, as appropriate, to research** ~~**in researching**~~ leakages and releases of plastics**, including microplastics,** into the environment, including available, **ecologically sensitive** ~~**affordable**~~ and accessible **techniques** ~~**technologies**~~ and measures for preventing releases and leakages into the environment.

3. In implementing paragraphs 1 and 2, each Party shall ~~**promote**~~ **take measures to ensure** the use of best available ~~**and affordable**~~ **techniques** ~~**technologies**~~ and environmental practices on preventing releases and leakages of plastics into the environment.

4. The Conference of the Parties **shall, at its first session,** ~~**may**~~ adopt ~~guidance~~ **guidelines** to support implementation of this article **and shall review and update such guidelines, as appropriate. The guidelines should support parties in the identification of sources of releases and leakages, and the implementation of measures to address these sources across their full lifecycle, and could be developed on a sectoral basis and through programmes of work**.

~~**5. In implementation of this article, Parties may take into account national circumstances and capabilities**~~**.**

Feedback on Article 7 of Chair's Text (1 December 2025) and accompanying recommendations

Chairs text (1 Dec)	**Recommendation**	**Rationale**
Each Party shall take measures to prevent reduce, and, where possible, eliminate	Update to: shall take **effective** measures **across the full lifecycle of plastics** to prevent, **assess,** reduce, and, where possible, eliminate	Requires a reference to a lifecycle approach. Imperative that, as a minimum, the text sets the pathway for global design criteria to be established to ensure safety and prevent fishing and aquaculture gear from being lost. This could be solved by including the marking and reporting of lost gear for future mapping and retrieval. The full lifecycle of plastic fishing and aquaculture gear includes production, design, deployment, loss prevention, gear marking, lost gear reporting, ecologically safe retrieval and disposal, to comprehensively address the risks associated with ghost gear pollution. This text should be complementary to any design criteria and source-based performance requirements established through Article 5: Plastic Product Design.
releases and leakages of plastics, including microplastics, into the environment and from all sources	Update to: releases and leakages of plastic **pollution**, including microplastics, into the environment and from all sources**, including but not limited to:**	While the current text provides a well-intentioned scope, 'plastic pollution' is the requisite language - it is clearer, more targeted and legally appropriate term for the scope of this obligation. Further, the provision would be strengthened by specifying "including but not limited to:" (a) feedstocks... and (b) plastic pollution from fishing and aquaculture gear and activities. These are among the most well-documented and readily identifiable sources of marine plastic pollution, with significant evidence of environmental harm and a clear need for targeted control measures. Using the phrase "including but not limited to" preserves the breadth of the obligation while ensuring that known high-risk sources are explicitly captured. This approach improves clarity, supports prioritisation in implementation, and provides guidance for Parties developing national measures. It also allows the treaty to remain adaptable by encompassing emerging or less well-recognised sources over time, consistent with a precautionary and lifecycle-based approach.
Plastic pollution from fishing…	Support use of 'plastic pollution from'…	This wording avoids the need to define 'plastic fishing and aquaculture gear' and possible threshold questions if gear is of mixed material.

Chairs text (1 Dec)	Recommendation	Rationale
fishing activities	Update to: plastic pollution from fishing **and aquaculture gear and activities**	The term "activities" alone is vague and risks being interpreted narrowly, for example, as only referring to the act of fishing or harvesting. Including "gear" makes it explicit that the physical equipment used in fishing and aquaculture (e.g. nets, lines, traps, cages, and related materials) is a central source of plastic pollution and must be subject to control measures. Inclusion of both gear and activities also helps avoid legal loopholes. For example, it could be argued that "activities" means the gear itself - *the source of pollution* - particularly before it enters the water, is outside the scope of the obligation. Including "gear" closes this gap and prevents potential regulatory evasion. The text should explicitly include aquaculture gear, which is a significant and growing source of marine plastic pollution. Many aquaculture systems rely on semi-permanent or floating plastic structures that are vulnerable to damage, abandonment, or loss, particularly during storms or poor maintenance. Without explicit reference, these sources may fall outside regulatory scope.
in the marine environment	Remove	Putting a spatial component breaks down the comprehensive protection by excluding areas that aren't explicitly listed. Fishing gear also pollutes other aquatic systems, like freshwater and estuarine, as well as terrestrial environments when, for example, it is illegally/unsoundly managed. Deletion aligns with best text practice and avoids interpretive gaps.
as well as the needs of artisanal and small-scale fishers	Update to: considering a just, fair, and equitable transition to support countries and communities at all levels, including artisanal, small-scale, and traditional fishers, and fishing communities, and implemented in a manner that allows meaningful access and participation of fishers and fish workers in small-scale fisheries, artisanal fisheries and aquaculture.	Support existing text, as a sector-based approach is required. However, the recommended updates to the text better reflect transition needs. Fishers and fish workers often lack the institutional power or resources to engage in technical policy processes. It is important to guarantee meaningful access and participation.

Chairs text (1 Dec)	Recommendation	Rationale
best available and affordable technologies	Update to: best available techniques	The term “best available techniques and environmental practices” (BAT/BEP) is well-established across multiple multilateral environmental agreements, including Regional Fisheries Management Organisations, OSPAR and the Stockholm and Minamata Conventions. It provides a tested and widely accepted framework that supports Parties in identifying effective measures based on performance, efficacy, and environmental soundness, rather than cost alone. The term techniques is broader and more inclusive than technologies. It encompasses methods, processes, operational practices, and skills, enabling Parties to adopt a wider range of interventions to reduce plastic pollution, many of which may be low-cost or non-technological in nature. In contrast, a focus solely on technologies risks narrowing responses to hardware-based solutions, which are not always effective or appropriate. For example, certain booms or artificial barriers intended to prevent plastic leakage into aquatic environments have been shown to interfere with natural processes, such as the flow of organic matter critical to nutrient cycling. Finally, affordability is inherently subjective and highly variable across countries and sectors, which could lead to inconsistent application. Further technologies alone excludes behavioural, managerial and systemic approaches that are essential to pollution prevention.
in researching	Update to: to research	This update requires parties to undertake the research. An obligation to cooperate ‘in researching’ is not an obligation to undertake the research. It only requires that any research be done cooperatively.
promote the use of	Update to: take measures to ensure the use of	This closes the loophole of inaction. The recommended wording makes it an active responsibility, stronger commitment and is outcome-focused.

Chairs text (1 Dec)	Recommendation	Rationale
The Conference of the Parties may adopt guidance to support implementation of this article	Update to: The Conference of the Parties **shall, at its first session,** adopt **guidelines** to support implementation of this article **and shall review and update such guidelines, as appropriate. The guidelines should support parties in the identification of sources of releases and leakages, and the implementation of measures to address these sources across their full lifecycle, and could be developed on a sectoral basis and through programmes of work.**	Adopting 'guidelines' enhances the treaty's legal clarity and operational coherence by providing formally agreed parameters for implementation. Unlike informal guidance, guidelines are typically adopted through intergovernmental processes and reflect consensus-based best practices, thereby carrying greater normative authority. This facilitates consistent interpretation and application across Parties and supports effective compliance monitoring and review. The use of guidelines is consistent with established practice under other multilateral environmental agreements, including the Basel Convention, where technical guidelines assist Parties in fulfilling binding obligations in a harmonised and enforceable manner. Sectoral approaches through programmes of work allow for a structured and iterative approach to developing and updating guidelines, enabling the treaty to respond to evolving scientific knowledge, technological advancements and emerging sources of pollution. This approach ensures that implementation remains dynamic, targeted and responsive to the needs and capacities of Parties over time.
national circumstances and capabilities	Remove	While it is important to accommodate the different national circumstances and capacities of each Party, that flexibility is already embedded in the provision through its nationally determined nature. As such, the additional reference to 'national circumstances and capabilities' is redundant and risks being used as a scapegoat to justify inaction or weaken ambition. Retaining the overarching legal obligation through a bottom-up approach maintains the intended flexibility while preserving the integrity and clarity of the obligation. No international governance framework exists for ALDFG that covers the full lifecycle of plastic fishing and aquaculture gear. Can be used to justify weak commitments or slow progress. As fishing gear is a transboundary issue, global action to reduce ALDFG gear is required.
Note: Paragraph (b) of the Chair's text is intended to address plastic pellet spills and does not directly affect the governance of fishing gear. However, the following text recommendations propose strengthened text that is consistent with recommendations from civil society and the Scientists' Coalition for an Effective Plastics Treaty.		

Chairs text (1 Dec)	Recommendation	Rationale
releases and leakages of plastic pellets, flakes, and powders to the environment and aquatic systems, taking into account other relevant international instruments;	Update to: releases and leakages of plastic **feedstocks across the entire supply chain, including** pellets, flakes, **fibres** and powders to the environment; and	Referring to 'plastic feedstocks across the entire supply chain' ensures comprehensive coverage of all stages where pollution occurs: production, conversion, transport, handling, storage, cleaning and recycling. Releases can happen at any point in this chain, often outside the scope of waste regulation or end-of-life controls. While plastic pellet spills are the most well-documented, with hundreds of thousands of nurdles entering the environment every second due to mishandling, other forms such as flakes, fibres and powders also pose serious risks if lost. Addressing feedstock loss across the full supply chain is therefore essential to close regulatory gaps, prevent upstream pollution and ensure the treaty remains both comprehensive and adaptable. This broader scope reflects the diversity of materials involved in plastic production and enables effective, forward-looking regulatory responses as industry practices evolve.

Key contacts at INC-5.2 (name, organisation, email, contact number)

- Hannah Pragnell-Raasch, Global Ghost Gear Initiative - Ocean Conservancy, hannah@ghostgear.org (+61452193687)
- Fabienne McLellan, OceanCare, fmclellan@oceancare.org, (+41794567707)
- David Derrick, Center for Biological Diversity (+15138860044)
- Cip Hamilton, Australian Marine Conservation Society (+61422194110)
- Amy Youngman, Environmental Investigation Agency, amyyoungman@eia-international.org (WhatsApp +19493511980)

Background

ALDFG is fishing gear (including aquaculture gear) that is no longer under the operator's control, or has been abandoned, lost or discarded intentionally or unintentionally. It is also known as 'ghost gear'. Gear can become lost or abandoned in the environment due to a number of reasons, including gear snagging on rocks or coral, being accidentally cut loose by other aquatic traffic, or being swept away and lost during storms and extreme weather events. Gear can also be intentionally discarded where no disposal facilities exist, or by fishers hiding evidence of illegal, unregulated and unreported fishing (IUU).

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

Ghost gear is harmful to sea Country and Indigenous Peoples

In northeast Arnhem Land, along the coastline of northern Australia, ghost gear is a growing issue impacting both the marine environment and the cultural heritage of Indigenous Peoples.

Ghost gear from both domestic and international fishing operations sweeps into northeast Arnhem Land, harming marine life integral to the ecosystem and local Yolŋu culture. Sacred species such as turtles, dugongs, and fish are particularly vulnerable to entanglement in these abandoned nets and fishing lines. This has a cascading impact, damaging not only the biodiversity of these waters but also the traditional practices and food sources of the local communities.

Across four years, Indigenous Rangers removed 860 ghost nets and 181,623 kilograms of marine debris from the shorelines of northern Australia.[4]

ALDFG is costly to fishers

Two per cent of all fishing gear used worldwide ends up polluting the oceans.[5] Annually, this equates to 2,963 km^2 of gillnets, 75,049 km^2 of purse seine nets, 218 km^2 of trawl nets, 739,583 km of longline mainlines, and more than 25 million pots and traps being lost in the ocean.

Every item of fishing gear lost is a cost to fishers. A recent study on the West Coast Rock Lobster Managed Fishery in Australia estimated 10.8% of gear lost annually.[6] A crab fishery in British Columbia, Canada, spends US$500,000 each year replacing lost fishing gear.

Costs of ALDFG extend to the loss of potential catch. Around 90% of species caught in ghost gear have commercial value – posing a significant loss of resources and harming the viability of fishing stocks. A recent study found that removing derelict crab pots in one bay yielded an additional US$20 million in harvest for local fishers in six years. If extended to a global level, the study showed that removing just 10% of ghost gear could increase landings by close to 300,000 tonnes.[7]

---

[4] 2024 GGGI Annual Report https://www.ghostgear.org/news/gggi-2024-annual-report

[5] Kelsey Richardson et al. (2022) *Global estimates of fishing gear lost to the ocean each year*. Sci. Adv. **8**. https://www.science.org/doi/10.1126/sciadv.abq0135

[6] Bornt, K., et al. (2023). Plastic gear loss estimates from a major Australian pot fishery. *ICES Journal of Marine Science*, *80*(1), 158–172. https://doi.org/10.1093/icesjms/fsac222

[7] Wong, J. (2022). *The hidden cost of ghost gear lost by fishing and aquaculture*. Global Seafood Alliance. https://www.globalseafood.org/advocate/the-hidden-cost-of-ghost-gear-lost-by-fishing-and-aquaculture/

Photos by Sea Shepherd Australia | Dhimurru Aboriginal Corporation

In just two weeks, Dhimurru Rangers and volunteers collected 6.5 tonnes of pollution across 8 kilometres (1 kilogram of pollution per metre) from the coastline of Arnhem Land, Australia.
96% of the pollution was plastic.