

# St. Kitts and Nevis International Ship Registry

*Flying the Flag of the  
Federation Worldwide*



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## Circular Letter to Maritime Registrars, Ship Owners and Ship Operators

Maritime Circular No. MC/80/18

DATE: 4 May 2018

### **CAPE TOWN AGREEMENT OF 2012 ON THE IMPLEMENTATION OF THE PROVISIONS OF THE 1993 PROTOCOL RELATING TO THE TORREMOLINOS INTERNATIONAL CONVENTION FOR THE SAFETY OF FISHING VESSELS, 1977**

This Maritime Circular serves to inform that on 1<sup>st</sup> December 2017 the accession by St. Kitts and Nevis of *the Cape Town Agreement of 2012 on the Implementation of the Provisions of the 1993 Protocol Relating to the Torremolinos International Convention for the Safety of Fishing Vessels, 1977* was effected by deposit of an instrument.

The 1977 Convention was the first-ever international convention on the safety of fishing vessels, recognising the great differences in design and operation between these vessels and other types of ships. While other vessels load cargo in port, fishing vessels sail empty and load their cargo at sea. The Convention included safety requirements for the construction and equipment of new, decked, seagoing fishing vessels of 24 metres in length and over, including those vessels also processing their catch.

In the 1980s, it became clear that *the 1977 Torremolinos Convention* was unlikely to enter into force, largely for technical reasons. So, *the 1993 Torremolinos Protocol* was adopted in April 1993, to update, amend and absorb the parent Convention. In the 2000s, IMO began reviewing the options available to tackle the lack of sufficient ratifications to bring this treaty into force. In 2012, a new agreement was adopted.

The condition for entry into force of *the Cape Town Agreement of 2012* has not yet been fulfilled. The Agreement will enter into force 12 months after the date on which not less than 22 States the aggregate number of whose fishing vessels of 24 m in length and over operating on the high seas is not less than 3,600 have expressed their consent to be bound by it. To date, nine countries have ratified the agreement: Congo, Denmark, France, Germany, Iceland, Netherlands, Norway, South Africa, and St. Kitts and Nevis<sup>1</sup>.

The International Maritime Organization is pushing for ratification of *the Cape Town Agreement of 2012* known also as a fishing vessel safety treaty, as its ratification will enhance safety at sea and help fight against illegal fishing. This Agreement, once fully ratified and implemented, will be an international binding agreement which will facilitate better control of fishing vessel safety by flag, port and coastal states. It will bring into force mandatory international requirements for a fishing vessel construction, stability and seaworthiness, life-saving appliances, communication equipment, fire protection, etc. It will contribute to the fight against illegal, unreported, and unregulated (IUU) fishing. The Agreement will also help in achieving other goals such as those related to life under the water, marine pollution prevention, the management of waste discharges and abandoned, lost or otherwise discharged fishing gear from fishing vessels, which impact upon migratory species.

<sup>1</sup> International Maritime Organization, *Status of Conventions*, 2018 <http://www.imo.org/en/About/Conventions/StatusOfConventions/Pages/Default.aspx> [accessed 2 May 2018]

The commercial fishing sector, especially those vessels that operate illegally, often generates dangerous environmental and substandard working conditions. Implementing policies to identify and track vessels and protect crew safety would minimize the gap that some operators use to exploit the oceans and the people who depend upon them. The entry into force of an international binding treaty such as *the Cape Town Agreement of 2012* will give States a powerful tool to ensure that fishing vessels flying their flags are held accountable for the safety of their crews; that catch landings are conducted safely and legally; and that their obligations as responsible flag States are fulfilled.

This Administration will inform about additional details on implementation of *the Cape Town Agreement of 2012* upon its entry into force as per above mentioned condition.

If you have any questions on this matter, please do not hesitate to contact us.

Yours truly,

A handwritten signature in black ink, appearing to read "Nigel E. Smith". The signature is fluid and cursive, with a long horizontal stroke at the end.

Nigel E. Smith  
*International Registrar of Shipping and Seamen*

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OF THE TORREMOLINOS PROTOCOL OF 1993 RELATING TO THE TORREMOLINOS  
INTERNATIONAL CONVENTION FOR THE SAFETY OF FISHING VESSELS, 1977**

**Accession by Saint Kitts and Nevis**

The Secretary-General of the International Maritime Organization has the honour to refer to the Cape Town Agreement of 2012 on the Implementation of the Provisions of the Torremolinos Protocol of 1993 relating to the Torremolinos International Convention for the Safety of Fishing Vessels, 1977, and to state that accession by Saint Kitts and Nevis was effected by deposit of an instrument on 1 December 2017.

The condition for entry into force of this Agreement has not yet been fulfilled. Article 4(1) of the Agreement provides as follows:

- "1 This Agreement shall enter into force 12 months after the date on which not less than 22 States the aggregate number of whose fishing vessels of 24 m in length and over operating on the high seas is not less than 3,600 have expressed their consent to be bound by it."

There are, at present, eight Contracting States to the Agreement with an aggregate number of 884 fishing vessels of 24 m in length and over operating on the high seas.