

SUB-COMMITTEE ON IMPLEMENTATION  
OF IMO INSTRUMENTS  
8th session  
Agenda item 17

III 8/17/2  
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## ANY OTHER BUSINESS

### Comments on document III 8/17/1 related to the development of guidance to assist competent authorities in the implementation of the 2012 Cape Town Agreement

Submitted by Iceland, Peru, Spain and PEW

#### SUMMARY

*Executive summary:* This document provides comments on document III 8/17/1 on the development of guidance to assist competent authorities in the implementation of the 2012 Cape Town Agreement. The document provides information on an unofficial Spanish translation of a part of the annex to document III 8/17/1, prepared by The Pew Charitable Trusts. The co-sponsors feel that this document could be useful for Spanish-speaking Member States in their implementation and ratification of the Agreement.

*Strategic direction, if applicable:* 1

*Output:* Not applicable

*Action to be taken:* Paragraph 8

*Related documents:* III 8/17/1; MSC 104/15/27, MSC 104/18 (paragraph 15.10); MSC 105/20 (paragraph 18.46.4); resolution A.1161(32) and Circular Letter No.4551

#### Introduction

1 This document is submitted in accordance with the provisions of paragraph 6.12.5 of MSC-MEPC.1/Circ.5/Rev.2. It provides comments on document III 8/17/1 on the development of guidance to assist competent authorities in the implementation of the 2012 Cape Town Agreement (hereinafter referred to as the Agreement).

#### Background

2 The Ministerial Conference on Fishing Vessel Safety and Illegal, Unreported and Unregulated (IUU) Fishing, held in Torremolinos, Spain, from 21 to 23 October 2019, expressed its conviction that "the continuing and alarmingly high number of fishing vessel personnel fatalities and of fishing vessels reported lost every year could be reduced by global, uniform and effective implementation of the Agreement." Therefore, through the Torremolinos

Declaration<sup>1</sup> concluding the Ministerial Conference, more than 50 States have communicated their determination to take action in order to achieve the entry-into-force criteria of the Agreement by the target date of 11 October 2022,<sup>2</sup> the tenth anniversary of its adoption.

3 The fourth session of the Joint FAO/ILO/IMO Ad Hoc Working Group on Illegal, Unreported and Unregulated (IUU) Fishing and Related Matters (JWG 4), which was held immediately after the above-mentioned Ministerial Conference, recommended that IMO consider developing guidance to assist competent authorities in the implementation of the Agreement, through the most appropriate process. The process of developing guidance should allow for further discussion on its content and scope and be informed by FAO, ILO, other relevant organizations and stakeholders.

4 Document MSC 104/15/27 proposes a new output for the III Sub-Committee to develop guidance to assist competent authorities in the implementation of the Agreement. Owing to time constraints, the Committee was not able to consider some of the proposals for new outputs submitted to the 104th session, including document MSC 104/15/27 (see also document MSC 104/WP.2) and agreed to postpone their consideration to MSC 105 as reflected in paragraph 15.10 of document MSC 104/18.

5 Again, also owing to time constraints at MSC 105, the Committee postponed the consideration of document MSC 104/15/27 to MSC 106 (MSC 105/20, paragraph 18.46.4).

#### **A new document providing assistance to competent authorities in the implementation of the Agreement**

6 The co-sponsors of this document believe that States that are planning to deposit an instrument of ratification, acceptance, approval or accession by the above-mentioned target date of 11 October 2022, would benefit from a set of guidance, as recommended by JWG 4, even though such guidance is still at a draft stage.

7 In order to make the draft guidance, which has been made available in English through document III 8/17/1, more widely available, The Pew Charitable Trusts is preparing a Spanish translation of the part of the annex to document III 8/17/1 that applies to existing vessels. It is expected that this document will be ready by mid-June 2022, after which it will be posted on the website of the group of interested parties in developing the draft guidance, under "Development of Implementation Guidelines (versions/dates)":

<https://www.icetra.is/maritime/international-maritime-organization-imo/cta>

#### **Action requested of the Sub-Committee**

8 The Sub-Committee is invited to consider the information provided and take action, as appropriate.

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<sup>1</sup> Torremolinos Declaration on 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.

<sup>2</sup> Upon completion of relevant review at national level.