



MINISTRY OF FOREIGN AFFAIRS, FOREIGN TRADE AND IMMIGRATION

Our Reference: CON/1/2021 (1)

13th December 2021.

Mr. Eddie Webster
Clerk
National Assembly of Belize
Independence Hill
Belmopan

Dear Sir,

Please find below the answer to the question posed by the Hon. Osmany Salas.

QUESTION

"Is there an existing deadline for Belize to follow up on its important commitment made by signing the Torremolinos Declaration? Are there any existing obstacles towards ratification of the Cape Town Agreement (CTA) and, if so, can Parliament help to overcome such obstacles?"

ANSWER

Attached please find a Memorandum from the Registrar of Merchant Shipping which should be read as the full answer to the question posed.

Yours truly,


Hon. Eamon Courtenay

Cc Hon. Carolyn Trench-Sandiford, President
Hon. Osmany Salas

Enc.



GOVERNMENT OF BELIZE

Ministry of Finance

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Registrar of Merchant Shipping

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To: Hon. Minister of State for Finance

Re: Response to Question put to the Minister on the status of Belize's Ratification of the Cape Town Agreement

The purpose of this note is to apprise the Minister of the status of Belize's ratification of the Cape Town Agreement enabling the Minister to respond to the question put to him in the Honourable Senate.

BACKGROUND

The Torremolinos International Convention for the Safety of Fishing Vessels 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 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, the International Maritime Organisation (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 2012 Cape Town Agreement (CTA) on the Implementation of the Provisions of the 1993 Protocol relating to the Torremolinos International Convention for the Safety of Fishing Vessels, 1977.

The CTA outlines fishing vessel standards and includes other regulations designed to positively impact the working conditions, welfare and well-being of fishers and assist in combating Illegal, Unreported and Unregulated (IUU) fishing. The Agreement will enter into force 12 months after its ratification by 22 States with a combined 3,600 eligible fishing vessels. Taking this step will bring fishing vessel operators into the same compliance as other maritime vessels and end practices that place crews at risk. Until the CTA enters into force, there are no mandatory global safety regulations for fishing vessels.

CURRENT SITUATION

In October 2019, Belize signed the Torremolinos Declaration together with 50 IMO Member States at a Ministerial Conference held in Torremolinos, Spain. The declaration pledged the States' commitment to promote the ratification of the CTA for its entry into force by 2022. To date, 16 IMO member states have ratified the convention with a total of 1,433 qualifying fishing vessels.

As the CTA creates obligations on the tri-partite elements of Belize as a flag State jurisdiction, the International Merchant Marine Registry (IMMARBE) has engaged the Belize Port Authority, which exercises Port State authority, and the Belize Coast Guard, which exercises Coastal State authority, to discuss the implementation of the CTA, so that upon ratification, Belize will be positioned to implement commitments under the CTA.

As well, IMMARBE has consulted the IMO and established that Belize's ratification of the CTA will not have any direct impact on Belize's high seas fishing fleet since Belize has established regulations (S.I. 133 of 1995) in place consistent with the 1993 Torremolinos Convention, which establishes higher standards than the Cape Town Agreement, and therefore fully implemented through Belize's domestic regulations.

Along with demonstrating Belize's commitment made through the signing of the Torremolinos Declaration in 2019, numerous other benefits would accrue to Belize as a flag, coastal and port state. These include, inter alia, higher safety standards for fishing vessels operating in Belize's coastal waters, minimum safety standards for a huge proportion of the global fishing fleet, potentially saving the lives of thousands of fishers operating on the high seas, and the ability to better protect productive fish stocks in Belize's waters. Most importantly, however, the CTA has a "no more favourable treatment" clause. This means that all vessels entering a port of a State that is a party to the Agreement would be subject to the same inspection standards—even if their flag State has not ratified or acceded to it. This allows States to control all vessels entering their ports, raising global safety standards.

It is also important to note that Belize would also be able to access technical assistance via the IMO once it begins implementation of commitments under the CTA.

NEXT STEPS

Given this, IMMARBE intends to seek Cabinet's approval for ratification of the Cape Town Agreement. The necessary Cabinet Paper will be brought forward early in the New Year.



CLAUDE B.F. HAYLOCK (Mr.)
Director General & Registrar of Merchant Shipping
International Financial Services Commission

Thursday, 9th December 2021

cc. Financial Secretary