

RESPONSE TO PARLIAMENTARIANS FOR GLOBAL ACTION

Ratification of the Cape Town Agreement

A follow up to the Torremolinos Declaration of 2019

Response submission on behalf of the Minister for Fisheries

Honourable Semi Koroilavesau

1. What steps has Fiji taken towards the ratification of the IMO's Cape Town Agreement?

Underpinning how the Cape Town Agreement works parallel to the Port State Measure Agreement, Fiji have taken steps to ensure the safety of crews on board fishing vessels using a number of critical measures.

This includes, ratifying the Port State Measures Agreement in 2019, and implementing national measures to ensure that we are on track to meet needed standards. To understand how Fiji implements this, it is important to note that Fiji operates a domestic fleet which is Fiji owned which allows Fiji to have legislative control of vessel operating within its waters and flying its flag.

In any Agreement, Fiji has always worked towards implementation at a national level first before ratification. This is done to achieve a swift transfer between ratification and implementation given the social, economic and political implications that needs to be considered prior to ratification.

To highlight the progress of this work and to meet the Cape Town Agreement on vessel construction, stability, machinery, fire safety, crew protection, lifesaving gears, emergency procedures, radio communications and navigational equipment, Fiji through its Maritime Safety authority has set standards for all vessels inclusive of fishing vessels. To guarantee that these important tools are of a high maintenance standards, there is a mandatory annual safety check on all vessels flying Fiji's flag to ensure the safe protection of crew on board these vessels. This is in addition to mandatory inspection of all vessels during its departure and upon arrival.

Additionally, to ensure that all crew members are well looked after on board Fiji fishing vessels, inspections is conducted through joint boarding and inspection which includes the Immigration Department, Health and Quarantine Officials, Ministry of Fisheries and vessel agents. While these boarding and inspections help address the issue of IUU

fishing, fisheries crime and other illegal activities, it also seeks to address the rights of crew members in relation to the prescribed standard of at sea working conditions.

Moreover, to aid implementation of the Cape Town Agreement, Fiji is fortunate to be governed by the Western and Central Pacific Fisheries Conventions regional standards which practices “Harmonised Minimum terms and Conditions” for all fishing vessels. These conditions are legally binding and centers on issues surrounding IUU, the need for vessel operators and flag state to be accountable and observer placement to name a few. Under the observer placement conditions, observers are required to record any issues surrounding crew mistreatment. This includes poor working conditions, accommodation and meals. These have been common practice and have been used as basis for Fiji to improved crewing standards within our domestic fleets.

Furthermore, in addressing policy needs, Fiji Fisheries has incorporated the Cape Town Agreement in the drafting work that is currently been undertaken for the Offshore Tuna Management and Development Plan 2021 – 2026. This is a progress towards full implementation of the Agreement as it provides emphasis on implementation.

Additionally, since 2015 to aid monitoring of standards on vessels, we are happy to report that Fiji has used electronic monitoring systems placed on vessels to record fishing operations. This video footage is also used to assess and review how crew on board vessels are treated parallel to agreed working conditions.

On the other hand, to be up to par with key elements of the Cape Town Agreement, Fiji also conducts mandatory training for crew members within Maritime institutions to certify that crew are trained to standards that would ensure their safety. Additionally within the 2019-2020 calendar periods, as a national response to needed training, Fiji has developed training modules that meets the CTA and this is inclusive of STCW-F (1995). This standardised training is important as it addresses the fishing aspects of life at sea.

In summary of Fiji’s progress to ratification of the Cape Town Agreement, we are confident to report that there has been great progress carried out to ensure partial implementation at National Level is carried out prior to ratification. This is due to Fiji’s in-country needs which reflect our national, regional and internal priorities in making certain that we continue to meet global needs and changes.

2. Are there any obstacles to the timely ratification of the Cape Town Agreement?

Currently, the global pandemic has proven to be the main obstacle staggering the progress of ratification. Restrictions to movement and gathering have hindered progress

as needed stakeholder consultation has been kept on hold. Additionally, this disruption is in lieu of the work needed in assessment of legal and policy needs and emerging issues from internal and external stakeholders.

3. What is your country's timeline towards ratification of the Cape Town Agreement?

The ratification timeline is still by October 2022; however this is being assessed against the limitations posed by the current global pandemic.