

Ireland must ratify the Cape Town Agreement and other international regulation to protect its citizens

Michael Kingston

Ireland must ratify the Cape Town Agreement for fishing boat safety in international waters and protect its rescue services from unnecessary and sometimes dangerously hazardous long-distance call outs.

Ratification will also help the world reduce illegal, unreported and unregulated fishing by establishing internationally-binding safety standards for fishing vessels. Further delay is unacceptable.

The agreement is an amended version of the 1993 Torremolinos Protocol, which in turn is an amendment of the 1977 Torremolinos International Convention for the Safety of Fishing Vessels

Almost seven years after its adoption, the Agreement has still not entered into force, despite repeated pleas by the International Maritime Organisation's Maritime Safety Committee, Council and Assembly, and the sustained efforts of the IMO Secretariat to increase awareness of its positive impact and explain its provisions.

At present, only 11 States with approximately 1,413 fishing vessels have consented to be bound by the Agreement, against its entry-into-force conditions

of 22 States with a minimum of 3,600 fishing vessels of 24 metres in length and above operating on the high seas.

Ireland signed the 2012 Agreement in Cape Town but has still not ratified the Convention. Ratification would:

- protect Ireland's rescue services from being called out unnecessarily
- save thousands of lives in the fishing industry worldwide
- help create internationally-binding safety standards applicable to foreign registered fishing vessels, giving 'Port State Control' ability to binding States to check fishing vessels for IUU activity
- help reduce the abundance of slavery on fishing vessels
- help reduce plastic wastefrom fishing vessels ending up in Irish waters, through implementation of the safety measures. Plastic waste from fishing vessels accounts for up to 15% of total plastics in our oceans
- help protect Ireland's fishing sector by implementing IUU measures and avoid European and other markets from being flooded with illegally caught fish, which is widespread and a multibillion-dollar industry. During October 21-23 in

Torremolinos, an important ministerial conference is taking place, aimed at getting the Convention over the line once and for all.

The conference is being organised by the IMO in conjunction with Pew Charitable Trusts, the Government of Spain (as host nation) and the Food and Agriculture Organisation (FAO).

I am on the organising committee, and the IMO secretary has invited Ireland's Minister for Transport, Tourism and Sport, Shane Ross, to attend. Ireland's Minister for Agriculture, Food and Fisheries, Michael Creed is also invited.

I write this article as I attend IMO Maritime Safety Committee Meeting 101 as an advisor in the Government of Iceland Delegation. Iceland's Statement at MSC 101 was simple, responsible, and to the point:

'Iceland fully supports the Torremolinos Conference in October and encourages all States to do so, and to ratify the Cape Town Agreement. Iceland thanks IMO, Spain, FAO and PEW for their efforts.'

'We have a responsibility to protect our rescue services from being called out unnecessarily, hundreds of miles, to vessels that are sub-standard, because we have not exercised our influence and international responsibility, as well as an



Iceland Delegation to IMO Maritime Safety Committee 101, Michael Kingston, Advisor, Hjalti Hreinsson, Advisor, Sverrir Konráðsson, Head of Delegation

obligation to try and reduce the alarming number of fishing vessel deaths each year around the world. And, as the Secretary General so well pointed out yesterday, we must reduce marine litter from fishing vessels.'

Iceland has consistently ratified the Conventions since the original Torremolinos Convention in 1977.

It seems to me there is a complete failure to understand the importance of maritime safety regulation in Ireland.

In addition to failing to ratify the Cape Town

Agreement, Ireland has not ratified several other conventions, and many SOLAS amendments. We haven't even implemented SOLAS provisions for specialist ships carrying dangerous cargo, or fire-fighting provisions on International passenger ships, which could be catastrophic for our environment.

In response to my article: *Inshore Ireland* (Summer 2017) 'Safety will not stand still for Ireland' in which I raised all these issues, the Department of Transport, Tourism and Sport

indicated that the matter was 'being reviewed'.

This serious blockage in the system needs to be addressed urgently through a root and branch review, given that ratification of the regulation which would protect lives, and achieve the enormously important aims of the International Community, is clearly not being prioritised

Failure to ratify has had fatal consequences, and this delay is simply not acceptable.

New marine plan will eliminate foreshore and planning duplication

Gillian Mills

An inter-departmental draft statement on a marine policy for Ireland is a 'true recognition of the importance of a fully-integrated marine planning system'.

The statement, which was launched at the 'Our Ocean Wealth Summit' 2019, invites public consultation by August 9.

Damien English, Minister for State for Housing and Urban Development, said government's vision was for an integrated, holistic system "with clear, forward planning, development management and enforcement elements".

This, he said, "would promote and sustain ocean health and support sustainable (recreational) enjoyment, management and use of Ireland's marine resource".

The Marine Planning Policy Statement describes the existing components of Ireland's marine planning system and outlines a vision for development.

It set out the overarching policies and principles that government expects the relevant marine planning bodies and public bodies to observe, in terms of public engagement, transparency, governance, environmental assessment, climate action, social and economic benefit.

HIGH-LEVEL PRIORITIES

The MPPS also outlines 'high-level priorities' to enhance the entire planning process to achieve a system that it 'more integrated, fully plan-led, clearly structured and user-friendly for all users.

Ireland's obligation to achieve or maintain 'good environmental status' and its obligations under environmental law 'can be supported through a well-functioning marine planning system'.

The *National Marine Planning Framework* 'will be essential to effecting the transition, along with a *Marine Planning and Development Bill*, due to publish shortly'.

The Bill gives power to the Minister for Housing, Planning and Local Government to introduce

statutory marine planning guidelines, parallel to statutory planning guidelines under Section 28 of the *Planning and Development Act 2000*.

It will improve the statutory basis for forward planning and introduce a single State consent system for the maritime area for certain project types.

The Bill also eliminates duplication in the management process (including environmental assessment) for projects currently assessed under foreshore and planning regimes including offshore renewable energy development.

DEVELOPMENT FRAMEWORK

Tánaiste and Minister for Foreign Affairs and Trade Simon Coveney said the plan and the Bill will provide "the comprehensive and efficient framework for offshore development identified by 'Harnessing our Ocean Wealth' that he launched in 2012.

That report identified the need for an overarching national marine spatial plan underpinned by an efficient

planning and licensing framework.

Eogan Murphy, Minister for Housing, Planning and Local Government said the statement reflected "the holistic approach to terrestrial and marine planning" led by his department.

This policy framework, along with the two Bills, "will ensure the proper integration of environmental, economic and social considerations in marine decision-making processes that serve all interests fairly".

Marine Minister Michael Creed said the new system "will support the maintenance and sustainable development" of the seafood industry "particularly in recognition of our strong fishing heritage and its contribution to sustainable coastal and island communities".

Climate Action Minister, Richard Bruton, said the new plan will enable Ireland meet its renewable energy targets "and make Ireland more climate resilient, assisting the transition to a low carbon economy".



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