

5th February 2019, Malmo – Ratification of Cape Town Agreement for fishing boat safety
Arctic Council’s Protection of the Arctic Marine Environment Working Group meeting – Plenary
Session after lunch

Presentation by Sverrir Konráðsson – Iceland Transport Authority – Maritime Safety Division- to support the implementation of the Cape Town Agreement for Fishing boat safety.

Followed by an intervention by Norway’s Head of Delegation- supporting Iceland’s plea to ratify the Cape Town Agreement.

Followed by comments from Michael Kingston,

“Michael Kingston, our Resident Expert – the floor is yours”. [Renee Sauvé, Fisheries Canada – Chair of PAME]

“Thank you, Madame Chair, for giving me the floor.

I would like to thank Iceland for this hugely important presentation and Norway for their comments and I would like to echo an important matter that I raised yesterday in the Shipping Expert Group meeting.

As part of my broader regulatory work, I have been asked by the International Maritime Organisation Secretariat to help them with the ratification of the Cape Town Agreement, which they have identified as a top priority.

They are aware that I am here this week – working with you as a Special Advisor on the Arctic Shipping Best Practice Information Forum for the Implementation of the Polar Code. They have asked me to bring to your attention an important Conference they are organising in Torremolinos, Spain, on 21st – 24th October 2019, and they invite the [Arctic States](#) and all [Observing Members States](#) to support this Conference and IMO priority.

We have just seen clearly from Iceland’s presentation the importance of implementing the Cape Town Agreement. It is quite straight forward – it saves lives. Iceland have gone from a position of a lot of death to no death in 2017 and 2018 in the fishing and pleasure sector. – 2 years in a row - That is extraordinary and they have told us that it is down to the implementation of the Cape Town Agreement, and importantly a co-ordinated approach to safety of life at sea and in their rescue services. Norway have just echoed what Iceland have had to say. Norway have highlighted the importance of a legal framework to make this happen, and that it cannot happen without that framework- a co-ordinated global one.

I cannot understand why States will not act. It is not just a legal obligation of Governments, but one of the highest moral importance to society in each State and global society, not to just our seafarers and holiday boat users but our rescue services, a point often lost in this thought process.

There is a school of thought that for those States here present who are either part of the European Union or the EEA that it is sufficient to do nothing regarding the Cape Town Agreement because its provisions for the most part have been implemented into their legislation via European Regulation (Directive 97/70/EC)

That is not good enough and misses a crucial point, one which I have forcefully pointed out to my own Government in Ireland just a few weeks ago in Bantry, Co Cork, where I am from, one which many Governments seem to fail to understand, and it is our duty to highlight it:

It is not just about what happens in our jurisdiction. It is about controlling and influencing what happens outside our jurisdiction, so that our failure to act does not come back and haunt us on our own door step. Ireland's rescue services could be called to the edge of our Exclusive Economic Zone, effectively out to our continental shelf, the edge of a vast territory 10 times the size of Ireland's land Mass, in a storm or hurricane force winds out into the West of Ireland, to deal with an incident on a vessel in respect of which we have not exercised our influence as a Nation to ensure that the vessel in question is complying with the standards that have been suggested, but that we have not implemented because the convention is gathering dust?

In 2016 that is what happened and we lost the crew of one of our Coastguard Helicopters, Rescue 116, 4 precious citizens of our nation. An investigation is being carried out and it is imperative to ascertain as to whether the incident should have merited such a rescue had the Cape Town Agreement been brought into effect.

So, it is not just about what happens in our jurisdiction. It is about what how we influence what happens outside our jurisdiction so that it does not come back and haunt us on our own doorstep.

The Irish Coastguard and Irish Rescue Services have enough pressure to deal with without it being unnecessarily multiplied. That is the same for so many other European Countries, and North American, in fact all countries here present, whose rescue services have to travel hundreds of miles outside their jurisdiction to deal with foreign flagged vessels. Relying on the European Directive for European and EEA countries is not good enough. This Convention needs to be ratified.

It is about saving lives, which we have just clearly seen from Iceland's presentation, echoed by Norway, not just in domestic jurisdiction but in the rest of the world.

As I have said to Ireland, I urge you to support the IMO in its push to get this over the line.

The Agenda for the Torremolinos Conference in October is currently being finalised. It is not available yet but we agreed in the Shipping Expert Group yesterday that it will be posted on the PAME Website when available. In the meantime, please speak to me and I will liaise with the IMO Secretariat if you would like to be involved.

Thank you for your attention and for allowing me to make this intervention Madame Chair. I know how responsible the people are in this room, from our other work together, and I know States here present and observing members will not be found wanting in upholding our legal and moral global obligations, clearly set out today. Doing nothing is not an option. Too many precious lives are being unnecessarily lost. We must work together and ratify outstanding regulation and that way we will always make a Difference"

Michael Kingston

*Arctic Council's Protection of the Arctic Marine Environment Working Group meeting
Malmo, Sweden.*

05th February 2019