The 2012 Cape Town Agreement (hereinafter the Agreement), adopted by a Diplomatic Conference, under the auspices of the International Maritime Organization (IMO), provides standards on the
design, construction and equipment of fishing vessels and includes regulations designed to protect the safety of crews and observers, and provide a level playing field for the industry.

Seafood is a highly-sought after and nutritious meal for millions of people across the world - and an essential food protein in many developing countries. Fishing is one of the most dangerous professions in the world. It is estimated that thousands of fishers lose their lives every year. It is commonly estimated that approximately 80 lives are lost per 100,000 fishers on average. IMO has been working for many years, alongside other stakeholders, to enhance fishing vessel safety - and save lives at sea. This work also contributes to the battle against Illegal, Unreported and Unregulated (IUU) fishing. However, the key IMO treaty covering fishing vessel safety is not yet in force. The lack of an international mandatory regime makes it harder for effective control and monitoring of fishing vessels.

The Agreement is an internationally-binding instrument which will provide that regime. It includes mandatory international requirements for stability and associated seaworthiness, machinery and electrical installations, life-saving appliances, communications equipment and fire safety, as well as fishing vessel construction.

**What is the main purpose of the Agreement?**

The Agreement is aimed at facilitating better control of fishing vessel safety by flag, port and coastal States. It is also expected to contribute to the fight against IUU fishing.

The Agreement sets minimum requirements on the design, construction, equipment, and inspection of fishing vessels of 24 meters in length and over or equivalent in gross tons.* Its entry into force would empower port States to carry out safety inspections. The 2007 ILO Work in Fishing Convention (C188), the 2009 FAO Port State Measures Agreement (PSMA) and the 2012 Cape Town Agreement include provisions related to port State inspections, and their consistent application would provide an opportunity for harmonized inspections in order to ensure that ports represent an effective front in combating IUU fishing, while contributing to improved safety and health in the fisheries sector and labour conditions on board fishing vessels.

The total number of fishing vessels in the world is estimated at around 4.6 million. Most of these are small vessels. Some 64,000 fishing vessels of 24 metres in length and over operate in marine waters.

Entry into force of the Agreement will require fishing vessel owners/operators to comply with internationally binding regulations as other ships conducting commercial activities and prevent practices that place crews' lives at risk. With that, mandatory global safety regulations for fishing vessels would be brought into force.
* See tonnage equivalents in the Agreement (Chapter 1, Regulation 1, Provision 2,9).

**When will Agreement enter into force?**

The treaty will enter into force 12 months after at least 22 States, with an aggregate 3,600 fishing vessels of 24 m in length and over operating on the high seas have expressed their consent to be bound by it.

As of today, the following 14 Member States have ratified the Agreement. IMO's comprehensive efforts to bring the Agreement into force is ongoing, in cooperation with other international agencies, Member States and non-governmental organizations.

- Belgium
- Cook Islands
- Congo
- Denmark
- Finland
- France
- Germany
- Iceland
- Netherlands
What are the existing measures in force addressing fishing activities?


2. **The Food and Agriculture Organization of the United Nations (FAO) Agreement on Port State Measures to Prevent, Deter, and Eliminate Illegal, Unreported, and Unregulated Fishing, or the PSMA** in order to ensure that catch is legal (entered into force in 2016);

3. **ILO Work in Fishing Convention (C188)** to improve the working conditions for crews (entered into force in 2017);

The Agreement will be the fourth pillar to complete the full spectrum of measures in order to ensure the safety of fishers and the fishing boats when it enters into force.

Are there any other international organizations dealing with fisheries?

IMO works closely with its sister UN organizations, the International Labour Organization (ILO) and the Food and Agriculture Organization (FAO), in particular with a view to supporting the entry into force of the Agreement as well as the implementation of MARPOL Annex V on regulations to prevent
pollution by garbage from ships, in particular, abandoned, lost or otherwise discarded fishing gear (ALDFG).

The work being done to promote the ratification and implementation of the Agreement on the safety of fishing vessels and other activities to improve safety and sustainability in the fishing sector and fight IUU fishing is also being supported by international governmental and non-governmental organizations.

These include: the North East Atlantic Fisheries Commission (NEAFC), the Organisation for Economic Co-operation and Development (OECD), the Institute of Marine Engineering, Science and Technology (IMarEST), the International Transport Workers Federation (ITF), the Pew Charitable Trusts, the World Animal Protection and the World Wide Fund for Nature (WWF).

How has the Agreement come about?

The Agreement is a result of ongoing development of the regulations which can be implemented easily. In 1977, IMO adopted the Torremolinos International Convention for the Safety of Fishing Vessels, which was later modified by the 1993 Torremolinos Protocol. As both of these treaties had failed to come into force, IMO later adopted the Agreement, to bring into effect the provisions of the earlier treaties. Therefore, the Agreement has been evolving since 1977 to facilitate its implementation and finally bring internationally agreed regulations into force, as follows:


When the Agreement enters into force, it will replace the other two instruments, i.e. 1977 Torremolinos Convention and 1993 Protocol.

What about the training of fishers?
There is a mandatory treaty for training, certification and watchkeeping of fishers in force since 2012, the International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel (STCW-F), 1995. This treaty is intended to promote the safety of life at sea and the protection of the marine environment, taking into account the unique nature of the fishing industry and the fishing working environment.

The 1995 STCW-F Convention is currently being comprehensively reviewed by IMO’s Sub-Committee on Human Element, Training and Watchkeeping, in order to align the standards of the Convention with the current state of the fishing industry, and to make available an effective instrument, which will contribute to addressing the significant challenges of this sector.

Is there a link between safe fishing and the UN Sustainable Development Goals (SDG)?
Yes. Ensuring safe and sustainable fishing is clearly linked with the achievement of the targets of UN SDG 14 on the oceans.

There are also clear links with other UN SDGs, including those relating to poverty, hunger, education and training, infrastructure and partnerships.

Download the fact sheet on the Cape Town Agreement and the SDGs.

Seafood is a highly-sought after and nutritious meal for millions of people across the world - and an essential food protein in many developing countries.

Technical briefing
**General**

International treaties such as the International Convention for the Safety of Life at Sea (SOLAS) have been in force for any decades for commercial shipping, including cargo and passenger ships. SOLAS includes a number of regulations which are applicable to all ships, such as its SOLAS chapter V, on safety of navigation. However, fishing vessels are exempted from most of the SOLAS regulations, such as construction, life-saving appliances and fire protection.

Unlike other merchant ships, which load cargo in a port and then carry it to unload at another port, fishing vessels set out to sea unladen, catch fish and sail back to port with their catch of fish. Some larger trawlers and factory ships freeze, process and tin fish, out at sea. IMO has been working to address fishing vessel safety for many decades and the Agreement is the final product of this strenuous work.

**Provisions**

The Agreement states that a vessel’s lifesaving appliances, radio installations, structure, machinery, and equipment shall be inspected before it is put into service and at intervals not exceeding five years. Details of the surveys will be made available in an International Fishing Vessel Safety Certificate. If a vessel has been exempted, its operator shall obtain an exemption certificate and make it available on board for examination at all times. Certificates can be examined and accepted by any party to the Agreement.

Chapters II through X of the Agreement give detailed design, construction, and equipment requirements for fishing vessels under three categories based on a vessel’s size: 24-45 meters, 45-60 meters, and more than 60 meters. The requirements are aimed at ensuring that vessels remain watertight, weathertight, strong, and stable, even under adverse conditions such as ice and extreme weather. Mandatory provisions are provided to ensure that spaces are safe for the crew; life-saving appliances and fire-fighting equipment are sufficient and in good working condition, together with emergency procedures identified.

Vessels shall have regular emergency drills that include all crew and observers on board, if any. In addition, vessels shall be fitted with radiocommunications equipment capable of transmitting and receiving search and rescue information, distress signals, and all other relevant communications. Vessels also shall be able to safely navigate.

**Which vessels are covered?**
The Agreement applies to vessels of 24 m or equivalent in gross tons. Some provisions apply to new ships but some others apply to existing ships. It provides flexibility for the implementation of some provisions within a certain time frame for those States that had difficulties in complying with the requirements of the 1977 Torremolinos Convention and the 1993 Torremolinos Protocol. Therefore, the States can ratify the Agreement first and implement certain provisions on a gradual basis (in phases) later on. The ratifying States are free to exempt a fishing boat if considered unreasonable or when a ship is operating within the exclusive economic zone only.

The Agreement addresses fishing vessel construction, stability and associated seaworthiness, electrical installations and machinery, communications equipment, fire protection and life-saving appliances.

What about the vessels not covered by the Agreement?
IMO, in collaboration with the FAO and ILO, has developed several non-mandatory instruments related to the safety of these smaller vessels, which governments and other relevant stakeholders may refer to for guidance.

These are:


Safety Recommendations for Decked Fishing Vessels of Less than 12 metres in Length and Undecked Fishing Vessels (FAO/ILO/IMO)

General overview of the safety regulations in the Agreement
1. The fishing vessels are surveyed on a regular basis by the flag State authorities. Port State authorities will also have an opportunity to survey fishing vessels that are flying foreign flags calling at their ports.

2. Life-saving appliances, radio installations, structure, machinery and equipment shall be inspected before it is put into service and at intervals not exceeding five years.

3. Details of the surveys shall be made available in an International Fishing Vessel Safety Certificate.

4. If a vessel has been exempted, its operator shall complete an exemption certificate and make it available on board for examination at all times. Certificates can be examined and accepted by any party to the Agreement.

5. Vessels shall remain watertight, weathertight, strong, and stable, even under adverse conditions, such as ice and extreme weather.

6. Life-saving appliances shall be available and sufficient at all times, and adequate emergency procedures shall be in place.
7. Vessels shall have regular drills that include all crew and observers.

8. Vessels shall be fitted with radio-communications equipment, capable of transmitting and receiving search and rescue information, distress signals, and all other relevant communications.

9. Vessels also shall be able to safely navigate and signal.

Are there any flexibility or exemptions provided for the ratifying Member States?

The Agreement provides various flexibility and exemptions with regard to its application, such as the gross tonnage/length equivalent, progressive implementation and exemptions, with a view to facilitating its wider ratification and implementation.

Tonnage/length equivalent

The Administration has flexibility to decide to use the following gross tonnage in place of length (L) as the basis for measurement for all chapters: 300 GT equivalent to 24 m; 950 GT equivalent to 45
m; 2,000 GT equivalent to 60 m; and 3,000 GT equivalent to 75 m. Any Party implementing these equivalents shall communicate to the Organization the reasons for that decision.

**Progressive implementation**

Many of the technical requirements apply only to new vessels, but some apply to all vessels. States that are party to the Agreement have up to 10 years to put radiocommunications provisions in place (Chapter IX), and up to five years to implement provisions regarding lifesaving appliances (Chapter VII), emergency procedures (Chapter VIII), and navigational equipment (Chapter X). This gives States a significant period of time to prepare before regulations are met (See the progressive implementation chart by the Pew Charitable Trust).

**Exemptions**

A party to the Agreement may exempt a vessel if it considers the requirement unreasonable, or if the vessel is only operating within its exclusive economic zone.

![Guidance on Phased Implementation of CTA Provisions](image)

**How to ratify**

**Why should we ratify the Agreement?**
Entering into force of the Agreement could help countries to improve the overall level of safety within the fisheries industry, together with improving environmental protection, combat illegal fishing, reduce modern slavery on board fishing vessels. If a vessel is fishing illegally, it is likely to be committing other violations, including those relating to safety.

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. The Agreement offers an opportunity for port State inspections, and consistent application of its provisions would ensure that ports represent an effective front in combating IUU fishing, while contributing to improved safety and health in the fisheries sector and labour conditions on board fishing vessels.

In conclusion:

1. The ratifying States will have a robust tool to ensure that vessels flying their flags are held responsible for the safety of the vessels and their crew.
2. Fishing operations are conducted safely and legally.
3. Vessel owners and operators would be obliged to enhance the safety level of the vessels and their crew.
4. The States would ensure safe working conditions of their nationals working on foreign flag vessels.
5. Exploitation of both the oceans and the people will be significantly reduced and protection, conservation and management of oceans and fisheries will be achieved.
6. Marine environment will be better protected.
7. Through inspections by the port state control regime, the vessels will be kept seaworthy at all times in order to continue their commercial activities.

How can we ratify?
As with other international treaty instruments, the Agreement needs to be ratified and implemented. Different countries have different processes for doing this. They may need to look at existing regulations for fishing vessels, if any, and see whether they need to be adapted or updated.

IMO can assist with technical and legal training and support, through its technical cooperation programme. The Implementation Guidelines on Part B of the Code, the Voluntary Guidelines and the Safety Recommendations could be useful for States implementing the provisions of the Agreement, although the main purpose of these Guidelines is to assist competent authorities in the implementation of voluntary instruments. Member State delegations to IMO should inform the IMO Secretariat of their State’s intention to ratify, and request technical and legal assistance, as appropriate.

Ratification, acceptance, approval or accession shall be effected by the deposit of an instrument to that effect with the Secretary-General. In addition to depositing an instrument, the ratifying States will need to provide the number of fishing vessels flagged to their State. IMO provides guidelines on how to calculate this number. If this figure is unknown, FAO can provide it, if the State is a party to the FAO Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas. If neither of these options are available, this figure will be obtained from databases of regional fisheries bodies or other international maritime databases.

To further encourage the ratification of the Agreement, the IMO Assembly, at its twenty-ninth session, adopted resolution A.1107(29) to urge Governments to consider accepting the Agreement at the earliest possible opportunity; and - invite Governments experiencing difficulties to becoming Parties to the Agreement to inform IMO so that consideration can be given to taking appropriate action in this respect, including providing necessary technical assistance.
Member States may indicate their determination to ratify the Agreement by the target date of 11 October 2022 (tenth anniversary of the adoption of the Agreement) by signing the Torremolinos Declaration, which is open for further signatures until 21 October 2020. Member States considering signing the Declaration should contact the IMO Secretariat.

IUU fishing
Illegal, unreported and unregulated (IUU) fishing refers to fishing which is carried out without proper authorization. This can undermine national, regional and global efforts to conserve and manage fish stocks. IUU fishing affects about 20 per cent of the global fish yields and IUU fishing costs the industry about $US23 billion a year in lost incomes.

Lack of governance at sea, inadequate law enforcement, and insufficient transparency and accountability throughout seafood supply chains contribute to IUU fishing and associated labour and human rights abuses. Fishing vessels used in IUU fishing may have been authorized to fly a specific flag, but may be evading proper flag State control. Supervision and control of these vessels may be lacking. There may also be incidents of fishing vessels with fraudulent certificates. Port and coastal State control may not be sufficient to monitor and control these vessels.

Vessels being used for IUU fishing are likely to lack basic safety equipment and pose a risk to fishers – who may be poorly paid or even enslaved.

According to FAO, illegal, unreported and unregulated (IUU) fishing is a broad term, which includes:

- Fishing and fishing-related activities conducted in contravention of national, regional and international laws.
- Non-reporting, misreporting or under-reporting of information on fishing operations and their catches.
- Fishing by “Stateless” vessels.
- Fishing in convention areas of Regional Fisheries Management Organizations (RFMOs) by non-party vessels.
- Fishing activities which are not regulated by States and cannot be easily monitored and accounted for. (See FAO report on IUU fishing.)

Although the Agreement does not have any specific provisions on IUU fishing, port State inspections will allow for monitoring IUU fishing activities through the coherent implementation of the measures in 2007 ILO Work in Fishing Convention (C188), the 2009 FAO Port State Measures Agreement (PSMA).

**Responsibilities among the stakeholders in tackling IUU fishing**
Identifying and tracking fishing vessels and being able to establish their ownership is an important part of ongoing work to tackle IUU fishing. In 2017, the IMO Assembly agreed to extend the IMO Ship Identification Number Scheme to more vessels, on a voluntary basis, to support ship safety and pollution prevention by being able to more easily identify vessels.

The number scheme applies to ships over 100 gross tonnage and is mandatory for passenger ships of 100 gross tonnage and upwards and all cargo ships of 300 gross tonnage and upwards. In 2013, the IMO Assembly agreed to the voluntary extension of the scheme to fishing vessels over 100 gross tonnage. In 2017, the IMO Assembly agreed to further extend voluntary application to fishing vessels of steel and non-steel hull construction; passenger ships of less than 100 gross tonnage, high-speed passenger craft and mobile drilling units, engaged on international voyages; and to all motorized inboard fishing vessels of less than 100 gross tonnage down to a size limit of 12 metres in length overall authorized to operate outside waters under national jurisdiction of the flag State.

The IMO Secretariat continues to participate in the working group of the FAO’s Global Record of Fishing Vessels, Refrigerated Transport Vessels and Supply Vessel. This is a phased and collaborative global initiative to make available, in a rapid way, certified data from State authorities about vessels and vessel-related activities.

IMO works with IHS Maritime & Trade for the allocation of the IMO Ship Identification Number.
Environment

There is a link between safety, marine pollution protection (i.e. fishing gear as marine debris) and IUU fishing. Abandoned, lost or otherwise discarded fishing gear can become a navigational hazard, as well as being a source of marine litter. The discharge of fishing gear into the sea is prohibited under MARPOL Annex V, regulations for the prevention of pollution by garbage from ships. Effective marking of fishing gear is seen as a critical tool in addressing the problem. This would also help better implementation of the Annex V regulations.

FAO and IMO are co-leading on sources of marine litter in the Global Partnership for Marine Litter (GMPL).

FAO has agreed FAO Voluntary Guidelines on the Marking of Fishing Gear. Read more here.

IMO's Marine Environment Protection Committee is currently looking into how to further address the issue of marine plastic litter from shipping in the context of 2030 Sustainable Development Goal 14 (SDG 14).

Information

The 2012 Cape Town Agreement: Ensuring Safe Seas and Combatting Illegal Fishing

https://sway.office.com/pGZcItkSuHNxDzy5#content=EwybimWN5SpP99
Publications available for purchase

2012 Cape Town Agreement publication (IMO)

International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel (STCW-F), 1995 (IMO)


Code of Safety for Fishermen and Fishing Vessels, 2005 Parts A and B (FAO/ILO/IMO)


Publications available for downloading

The consolidated text of the 2012 Cape Town Agreement
Safety Recommendations for Decked Fishing Vessels of Less than 12 metres in Length and Undecked Fishing Vessels (FAO/ILO/IMO)

The state of world fisheries and agriculture, 2020 (FAO)

Global atlas of AIS-based fishing activity, 2019 (FAO)

IUU fishing report (FAO)

The Cape Town Agreement explained (Pew Charitable Trusts)

Safety matters: How stopping illegal fishing can save lives (Pew Charitable Trusts)

Insight report on safety in the fishing industry (Lloyd's Register Foundation)

Videos


Cape Town Agreement Explained (Pew Charitable Trusts)

Related links

More information on the Agreement (IMO)

FAO Fisheries

ILO Fisheries

Pew Charitable Trusts
1 - The safety of fishers and fishing vessels forms an integral part of IMO’s mandate; however, the fishing industry, from a global perspective, does not have an acceptable safety record and, while there may be a number of factors that have contributed to this, there can be no doubt that the lack of an effective internationally binding regulatory regime has played a significant part in the status quo. The Cape Town Agreement of 2012 was a renewed commitment for the provisions of the 1993 Torremolinos Protocol to come into force and is expected to play an important part in improving safety standards and reducing the loss of life in the fisheries sector.


The Convention presents comprehensive regulations governing the training and certification of fishing vessel personnel.
The first international maritime training guide for fishermen, the Document for Guidance on Fishermen’s Training and Certification, was prepared by a joint FAO/ILO/IMO working group and published by IMO in 1985. The Document for Guidance took account of the conventions and recommendations adopted by ILO and IMO and the wide practical experience of FAO in the field of fishermen’s training; it covered training and certification of small-scale and industrial fishermen. In 1995 a joint working group, in cooperation with FAO and ILO, reviewed the Document for Guidance with particular reference to relevant resolutions of the 1995 International Conference on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel (STCW-F). The outcome was a revised document entitled Document for Guidance on Training and Certification of Fishing Vessel Personnel.
4 - The revised Code was approved by the Maritime Safety Committee (MSC) at its seventy-ninth session in 2004, by the FAO Committee on Fisheries at its twenty-sixth session in 2005 and by the Governing Body of International Labour Organization (ILO) at its 293rd Session in 2005. It is divided into two parts (sold separately):

Part A – Safety and Health Practices for Skippers and Crews, 2005 The revised version of part A of the Code is directed primarily towards Competent Authorities, training institutions, fishing vessel owners, representative organizations of the crew, and non-governmental organizations having a recognized role in crew members’ safety and health and training.
5 - Part B – Safety and Health Requirements for the Construction and Equipment of Fishing Vessels, 2005 The revised version of part B of the Code is directed primarily towards shipbuilders and owners, containing requirements for the construction and equipment of fishing vessels.
The purpose of the Voluntary Guidelines is to provide an updated, general guidance on safe practices for the design, construction and equipment of smaller fishing vessels.

Events

International events
IMO has been organizing with international partners conferences and seminars to promote the Agreement. This is a list of the events recently took place:
Some 120 States, 70 ministerial-level representatives, 30 international organizations and 500 delegates attended the Torremolinos Ministerial Conference on Fishing Vessel Safety and Illegal, Unreported and Unregulated (IUU) Fishing (21-23 October), in one of the largest fishing vessel conferences held in the history of the International Maritime Organization (IMO), co-hosted by IMO and the Government of Spain, with the kind support of the Food and Agriculture Organization of the United Nations (FAO) and The Pew Charitable Trusts.

During the conference (21-23 October), nearly 50 States signed the Torremolinos Declaration, publicly indicating their determination to ratify the Agreement by the target date of 11 October 2022 (tenth anniversary of the adoption of the Agreement). As well as taking action to ensure entry into force, States signing the Torremolinos Declaration, pledged to promote the Agreement, recognizing that the ultimate effectiveness of the instrument depends upon the widespread support of States, in their capacities as flag States, port States and coastal States. The Declaration is open for further signatures until 21 October 2020. Member States considering signing the Declaration should contact the IMO Secretariat.

National and regional seminars
IMO also organizes national and regional training workshops within its Integrated Technical Co-operation Programme (ITCP) to help members of the Administration in charge of fisheries to ratify, implement and monitor the provisions of the Agreement. Most recent activities are as follows:

.1 Agadir, Morocco, April 2014 (3 participating countries);
.2 Lima, Peru, June 2014 (12 participating countries);
.3 Belize City, Belize, October 2014 (13 participating countries);
.4 Bali, Indonesia, April 2015 (11 participating countries);
.5 San Jose, Costa Rica, April 2015 (6 participating countries);
.6 Abidjan, Côte d'Ivoire, December 2016 (12 participating countries);
.7 Rarotonga, Cook Islands, September 2017 (10 participating countries);
.8 Cape Town, South Africa, October 2017 (10 participating countries);
.9 St. Petersburg, Russian Federation, September 2018 (International Conference);
.10 Manila, Philippines, October 2018 (National seminar);
.11 Bali, Indonesia, October 2018 (National seminar);
.12 Accra, Ghana, July 2019 (Regional seminar);
.13 Torremolinos, Spain, 21 to 23 October 2019 (Ministerial Conference);
.14 Praia, Cabo Verde, 21 November 2019 (PGA's 41st Annual Forum); and
You can contact IMO to enquire about the Agreement, as well as request technical and legal assistance.

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