

Resolution A.1107(29)
Adopted on 2 December 2015 (Agenda item 10)
ENTRY INTO FORCE AND IMPLEMENTATION OF
THE 2012 CAPE TOWN AGREEMENT

ASSEMBLY
29th session
Agenda item 10

A 29/Res.1107
4 December 2015
Original: ENGLISH

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THE ASSEMBLY,

RECALLING Article 15(j) of the Convention on the International Maritime Organization concerning the functions of the Assembly in relation to regulations and guidelines concerning maritime safety,

RECALLING ALSO that the International Conference on the Safety of Fishing Vessels (the International Conference) held in Cape Town, South Africa, adopted, on 11 October 2012, the Cape Town Agreement of 2012 on the Implementation of the Provisions of the Torremolinos Protocol of 1993 relating to the Torremolinos International Convention for the Safety of Fishing Vessels, 1977 ("the Agreement"),

NOTING that the International Conference, by resolution 2 on Avoidance of a situation in which two conflicting treaty regimes are operational, inter alia, was satisfied that States which decided to become Party to an international regime of fishing vessel safety needed only to express their consent to be bound by the Agreement without also taking action in respect of the Torremolinos Protocol of 1993 relating to the Torremolinos International Convention for the Safety of Fishing Vessels, 1977 ("the 1993 Torremolinos Protocol"),

NOTING ALSO that the International Conference, by resolution 1 on Early implementation of the Agreement, inter alia, believed that the Agreement will eliminate difficulties encountered by a number of States with substantial fishing fleets in implementing the 1993 Torremolinos Protocol and will provide international standards for the safety of fishing vessels which can be implemented by all States concerned,

NOTING FURTHER that a number of States have deposited with the Secretary-General instruments of ratification, acceptance, approval or accession in respect of the 1993 Torremolinos Protocol and have implemented national legislation based on this instrument,

BEING AWARE of the existence, in various parts of the world, of regional agreements establishing a regulatory regime for fishing vessels to be applied by coastal States concerned, taking into account the prevailing mode of fishing operations, sheltered nature and climatic conditions in such regions,

BEING CONCERNED at the alarmingly high number of fishermen's lives and of fishing vessels lost every year,

NOTING FURTHER that the International Conference, by resolution 1 on Early implementation of the Agreement, also believed that the entry into force and implementation of the Agreement will make a significant contribution to the safety of ships in general and the safety of fishing vessels in particular,

NOTING WITH CONCERN that an inadequate number of Governments have so far deposited instruments of ratification, acceptance, approval or accession to the Agreement to enable it to enter into force,

HAVING CONSIDERED the recommendation made by the Maritime Safety Committee at its ninety-fifth session,

1 URGES Governments to consider accepting the Agreement at the earliest possible opportunity;

2 INVITES Governments which experience difficulties in the process of becoming Parties to the Agreement to inform the Organization of the circumstances thereof, so that consideration can be given to taking appropriate action in this respect, including providing necessary technical assistance;

3 REQUESTS the Maritime Safety Committee to review the situation concerning entry into force of the Agreement and, in the light of such review, to take action as it deems appropriate;

4 REQUESTS the Secretary-General to take any such additional measures as may be required aimed at assisting Member Governments in the process of becoming Parties to and implementing the Agreement.

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