



IMO

E

SUB-COMMITTEE ON STABILITY AND
LOAD LINES AND ON FISHING VESSELS
SAFETY
51st session
Agenda item 5

SLF 51/5/3
9 May 2008
Original: ENGLISH

SAFETY OF SMALL FISHING VESSELS

Development of guidelines to assist Competent Authorities in the implementation of Part B of the Fishing Vessel Safety Code, the Voluntary Guidelines and the Safety recommendations

Submitted by FAO

SUMMARY

<i>Executive summary:</i>	This document provides some ideas relating to the development of new guidelines to assist Competent Authorities in the implementation of Part B of the Fishing Vessels Safety Code, the Voluntary Guidelines and the Safety recommendations
<i>Strategic direction:</i>	5.2
<i>High-level action:</i>	5.2.1
<i>Planned output:</i>	5.2.1.2
<i>Action to be taken:</i>	Paragraph 12
<i>Related document:</i>	MSC 83/28 (paragraphs 11.12 and 25.53)

Introduction

1 The Maritime Safety Committee, at its eighty-third session, agreed to expand the SLF Sub-Committee's existing work programme item on "Safety of small fishing vessels" to enable it to develop practical guidelines to assist Competent Authorities which elect to introduce provisions of Part B of the Fishing Vessels Safety Code, the Voluntary Guidelines and the Safety recommendations into their domestic legislation and/or code of safe practice, or other measures in consultation with all stakeholders in the industry.

Background

2 The need to address the design and safety of fishing vessels was recognized by FAO in the early 1950s following calls for improvements by naval architects, marine engineers and fishermen at a time of relatively rapid expansion and development in the fisheries sector.

For reasons of economy, this document is printed in a limited number. Delegates are kindly asked to bring their copies to meetings and not to request additional copies.

Even then it was recognized that much more effort had gone into the design of the larger fishing vessels, with much less effort having gone into the improvement of smaller fishing vessels. Consequently, FAO responded through the organization of international conferences on fishing vessels design, operations and safety.

3 In later years, the FAO put the theory and experience gained into practice through the design of numerous types of fishing vessels (mostly small fishing vessels) and the production of supporting literature for use in developing countries as well as the training of boatbuilders and fishermen. In addition, FAO assisted individual States with the promulgation or amendment of existing legislation in relation to safety standards of design, construction and equipment, particularly where a fisheries administration was the delegated competent authority for such matters.

4 In instances where a maritime administration had full responsibility for all fishing vessels of any size, or where the responsibility for fishing vessels below a certain tonnage or length lay with a fisheries administration, it was necessary to try to ensure the necessary co-operation between administrations. Indeed, this was not always successful and remains a common problem in spite of calls within ILO, IMO and FAO for greater co-operation.

5 In the late 1960s, FAO co-operated with ILO and IMO (then IMCO) in the development of the Code of Safety for Fishermen and Fishing Vessels and later the Torremolinos International Convention for the Safety of Fishing Vessels and the Voluntary Guidelines for the Design, Construction and Equipment of Small Fishing Vessels. Although the Code and the Voluntary Guidelines did serve a purpose, both fell short on the extent of detail needed to form the basis for the preparation of comprehensive guidelines for their implementation. Nevertheless, in its work on fishing vessel safety in developing countries, FAO drew heavily on the above-mentioned documents, classification society rules and national regulations for smaller fishing vessels that had gained acceptance elsewhere.

Present situation

6 Fishing vessels today incorporate high levels of technology in order to survive in a highly competitive industry and this is not limited to the large vessel sector since even the dugout canoe may be fitted with acoustic and positioning instrumentation. Notwithstanding the technological advances and better training regimes, the annual rate of fatalities in the sector does not decrease. Thus the industry demands a more secure safety environment.

7 This need has been endorsed by the Committee on Fisheries of FAO. At its 27th session in March 2007, which was addressed by the Secretary-General of IMO, a large number of Members expressed concern about the safety at sea for fishing vessels, especially small-scale fishing vessels. FAO was urged to continue collaboration with other relevant UN agencies and it was suggested that FAO should develop guidelines on best practices for safety at sea and that the Committee should consider developing an International Plan of Action (IPOA) on the subject. FAO will later in 2008 convene an Expert Consultation in this regard, to which ILO and IMO will be invited to participate.

8 Furthermore, with the availability of the revision of the Code of Safety for Fishermen and Fishing Vessels and the Voluntary Guidelines, it is considered that these documents and their annexes together with the Safety recommendations for decked fishing vessels of less than 12 metres in length and undecked fishing vessels, which are currently being developed, provide a much better basis than hitherto for the development of practical guidelines to flag States wishing to promulgate or amend national safety legislation related to the design,

construction, equipment and operation of fishing vessels. Such guidelines, if developed, could relate to approximately 1.3 million decked fishing vessels and 2.7 million undecked vessels. In addition, it may also be noted that valuable inputs may be drawn from the new ILO Work in Fishing Convention, the Document for Guidance on Training and Certification of Fishing Vessel Personnel and of course the STCW-F Convention.

Proposal

9 The foregoing strongly suggests the need for guidelines to assist Competent Authorities in the implementation of Part B of the Fishing Vessels Safety Code, the Voluntary Guidelines and the Safety recommendations. The purpose of such guidelines would be to provide useful practical information to Competent Authorities, in particular of developing countries, on the implications of implementing the requirements of these documents. FAO proposes that such guidelines may address, but need not be limited to:

- .1 legal implications;
- .2 administrative requirements;
- .3 capacity-building;
- .4 enforcement of regulations;
- .5 operational safety; and
- .6 the need for a common understanding of the technical provisions of the pertinent instruments.

The annex to this document contains examples of possible subjects for inclusion under the above headings.

Proposed time frame for the finalization of the new guidelines

11 FAO proposes the following time frame for the finalization of the new guidelines:

- SLF 51 in July 2008: An intersessional correspondence group to be established to develop draft texts for the guidelines.
- SLF 52 in 2010: SLF submits final text to MSC for approval.

Action requested of the Sub-Committee

12 The Sub-Committee is invited to consider this document and to take action as appropriate.

ANNEX

EXAMPLES OF POSSIBLE SUBJECTS FOR INCLUSION IN THE PROPOSED GUIDELINES

1 Legal implications:

- Review of existing national safety legislation under maritime shipping and fisheries Acts to determine responsibilities related to the design, construction, equipment, operation, manning, and inspection of fishing vessels;
- Drafting of amendments to primary Acts, regulations and technical schedules as the case may be;
- Review of existing national requirements and arrangements for the register of fishing vessels and the allocation of a licence to fish.
- Accreditation of private sector support (i.e. boat builders);
- Review of the provisions of SOLAS and Annex V of MARPOL as they relate to fishing vessels;
- Review of the provisions of the ILO Work in Fishing Convention;
- Unified interpretation of formulae for vessel dimensions and tonnage measurements.

2 Administrative requirements:

- Assessment of national needs (including external assistance);
- Determination of linkages between Ministries (including Coast Guard);
- Institution building;
- Assessment of importation requirements for specialized safety equipment plus the availability of equipment and service centres.

3 Capacity-building:

- Manpower development programmes;
- Training and accreditation of fishing vessel surveyors/inspectors;
- Training and certification of fishers;
- Training within the shipbuilding/boat building sector.

4 Enforcement of regulations:

- Provision of administrative and inspections services related to the design, construction, equipment and operational safety of fishing vessels;
- Code for the conduct of inspectors of fishing vessels;
- Litigation.

5 Operational safety:

- Equipment and training (Part A of the Code of Safety);
- Onboard vessel safety management;
- Manning.

6 Common understanding of the technical provisions of the pertinent instruments:

- To the satisfaction of the Competent Authority;
 - Acceptable alternatives (i.e. life-saving appliances for small vessels);
 - Non-mechanized vessels;
 - Radio communications – small vessels.
-