

February 15, 2001

## **FLEET SAFETY LETTER 01051.FVS**

### **RE: VANUATU FLAGGED FISHING VESSELS -- RESPONSIBILITIES, SEAWORTHINESS AND COMPLIANCE WITH INTERNATIONAL AND OTHER AGREEMENTS**

This letter is addressed to owners and operators of Vanuatu flagged fishing vessels and is being copied to the owners and operators of fishing vessels whose Vanuatu registration is temporarily suspended while bareboat chartered into, and registered by, another country.

Over the years we have distributed a number of Fleet Safety Letters to fishing vessels discussing losses of other vessels, safety and stability, incidents in the global fishing fleet, the requirements of conventions, and other matters of interest to the fishing community. This letter recaps and expands on significant sections of those letters and provides information on other areas of concern or interest.

#### **International, Multilateral or Bilateral Fishing Agreements**

Fleet Safety Letter 97031.FVS dated September 15, 1997, discussed, inter alia, the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), and the Northwest Atlantic Fisheries Organization (NAFO), and made reference to other fishing treaties, fishing conventions, and the operation of fishing vessels in the waters of other nations.

We are pleased to report that Vanuatu is a member of the UN's Food and Agricultural Organization; a member of the Inter-American Tropical Tuna Commission responsible for the Eastern Tropical Pacific; and has, or will soon have, made application to join the International Commission for the Conservation of Atlantic Tunas (ICCAT). Compliance with the requirements of these organizations, including the need to abide by the FAO Code of Conduct for Responsible Fisheries, the FAO Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas, the UN Convention on Straddling Fish Stocks, the Agreement on the International Dolphin Conservation Program, the FAO sponsored International Plan of Action to Prevent, Deter, and Eliminate Illegal, Unreported and Unregulated Fishing, and various United Nations Assembly resolutions on fishing activities, is mandatory for all Vanuatu flagged fishing vessels.

Additionally, Vanuatu recognizes and respects all regional or sub-regional fisheries' bodies, including, but not necessarily limited to, the following, and mandates that vessels flying the Vanuatu flag fully comply with their operational guidelines, regulations or bylaws, including the need to record, maintain and provide catch statistics to the appropriate authorities, whenever operating within the regions or sub-regions:

The Asia-Pacific Fishery Commission (AFPIC)  
The Fishery Committee for the Eastern Central Atlantic (CECAF)  
The General Fisheries Council for the Mediterranean (GFCM)

The Indian Ocean Tuna Commission (IOTC)  
The North American Salmon Conservation Organization (NASCO)  
The North-East Atlantic Fisheries Commission (NEAFC)  
The North Pacific Anadomous Fish Commission (NPAFC)  
The Southeast Asian Fisheries Development Centre (SEAFDEC)  
The Western Central Atlantic Fisheries Commission (WECAFC)  
The Commission for the Conservation of Southern Pacific Bluefin Tuna (CCSBT)

The right of a Vanuatu flagged fishing vessel to fish in the EEZs of other nations, whether granted by license, statute, regulation or other local provision, carries with it the obligation to comply fully with that nation's fisheries' and customs' or other laws.

Failure to comply with any of the above requirements will necessitate the immediate suspension or deletion of any non-compliant vessel, and may include the imposition of large fines, the suspension or revocation of seafarer licenses or documents, or the refusal to cancel a vessel's registration.

The Vanuatu Fisheries Department and the Vanuatu Maritime Authority will, from time to time, enact such directives, regulations, policies, or procedures to ensure compliance, which will include vessel location monitoring and reporting (transponders), catch statistics recording and reporting requirements, accountability, sanitary and fisheries' inspections, etc. They can be reached at: Fisheries Department, Private Mail Bag 045, Port Vila, Vanuatu, telephone +678 23119 / 23621, fax 23641; Vanuatu Maritime Authority, P.O. Box 320, Port Vila, Vanuatu, telephone +678 23128 / 23768, fax 22949, e-mail vma@vanuatu.com.vu.

### **Other International Requirements**

Vanuatu flagged fishing vessels must also comply with the applicable provisions of the following Conventions, amongst other Conventions:

#### **SOLAS**

Chapter V applies, with some exceptions to "all" vessels, including fishing vessels.

#### **MARPOL (See Fleet Safety Letter 99045.FVS)**

The provisions of MARPOL apply to all vessels. Vessels (non-tankers) of 400 gt and above must have an International Oil Pollution Prevention Certificate (IOPP); must maintain an Oil Record Book; must maintain a Garbage Record Book; and must have an approved Shipboard Oil Pollution Emergency Plan. Future requirements will require compliance with air quality regulations.

#### **Collision Prevention Regulations, 1972**

All vessels must comply.

#### **ITC 69 Tonnage Convention**

All vessels 24 meters and over must have an ITC Tonnage Certificate.

### **Vanuatu Maritime Act and Regulations**

All fishing vessels flying the Vanuatu flag must comply fully with the Maritime Act and Regulations. Some areas of particular import are the sections on licensing and manning, reporting, compliance with international conventions, casualty reporting and inspections, amongst others.

## **Torremolinos Convention, 1993 Protocol, and The Convention on the Standards of Training, Certification and Watchkeeping (Fishing Vessels)**

Although neither of the above are yet in force we recommend early compliance.

### **International Safety Management Code**

This code does not currently apply to fishing vessels but we recommend that fishing vessel owners voluntarily implement a safety management system aboard their vessels.

### **Fishing Vessel Seaworthiness**

Fleet Safety Letter 97030.FVS dated August 1, 1997, discussed fishing vessel seaworthiness and, in particular, called attention to the loss of two fishing vessels. Since then another fishing vessel has gone down. No lives were lost in any of the three cases.

These casualties remind us that fishing vessels are registered under the Vanuatu flag with the understanding that they must remain safe and seaworthy, and must be able to document this at least on an annual basis. Inspections conducted by this Administration, by local authorities, by independent surveyors approved by Vanuatu, or by the vessel's classification society are some of the acceptable ways to document safety and seaworthiness.

At times local regulations require annual safety surveys or inspections to be conducted by the local authorities: Suriname is one such place. A copy of the inspection certificate or report issued by the local authorities may be acceptable proof of seaworthiness provided construction, firefighting, lifesaving, navigational and radio-telecommunications equipment are covered.

In the absence of an approved Vanuatu safety inspector, owners may arrange to have an independent surveyor carry out the annual safety inspection. Maritime Bulletin # 103 will assist the surveyor: the report submitted must include a full set of photographs. An annual inspection conducted by the vessel's classification society, with copies of the report and photos being sent to this office, may also be acceptable.

Once the annual reports of inspection are received, we will issue or re-validate a vessel's Certificate of Inspection or Certificate of Seaworthiness, on request.

### **North Pacific Fishing Vessel Owners Association (NPFVOA)**

We are pleased to announce that Vanuatu Maritime Services Limited has become an associate member of the NPFVOA and has been granted permission to copy and distribute their regular "Vessel Safety Program" Newsletters. Look for these in future mailings.

This organization, like VMSL, is dedicated to education and training in marine safety, not only for fishing vessels, but also for the expanded maritime industry. Their latest educational program includes a five day STCW Basic Safety Training course with at least one open enrollment class a month for the rest of 2001.

Because we believe so strongly in the NPFVOA's goals and objectives, current or prospective Vanuatu flag vessel owners, who are members of NPFVOA, and wish to register vessels under the Vanuatu flag, ***are eligible for a reduction in initial registration fees*** for their vessels when they mention this Fleet Safety Letter.

NPFVOA can be reached at telephone 206-285-3383, fax 206-286-9332, e-mail [info@npfvoa.org](mailto:info@npfvoa.org) or on the worldwide web at [www.npfvoa.org](http://www.npfvoa.org).

## **AMVER**

We strongly recommend that all fishing vessels participate in AMVER or other reporting schemes. Prospective owners with participating vessels ***are eligible for a small reduction in initial registration fees***.

## **SATELLITE EPIRBs**

All Vanuatu flagged vessels above 300 gt must have satellite EPIRBs registered with Vanuatu Maritime Services Limited and we strongly recommend that all fishing vessels have satellite EPIRBs.

## **MINIMUM SAFE MANNING**

Each Vanuatu flagged fishing vessel must have a minimum safe manning certificate issued by this office. The manning assigned to the vessel must meet or exceed the manning scale in that certificate.

## **CLOSING**

In closing, this office remains committed to the safety and quality of the vessels flying the Vanuatu flag, and the credibility of the Vanuatu flag itself. We know that you as a responsible fishing vessel owner subscribe to those same commitments.

This Fleet Safety Letter supersedes and cancels Fleet Safety Letters 97030.FVS and 97031.FVS.

Best Regards,

Donald J. Sheetz  
Executive Vice President

**Website: [www.vanuatuships.com](http://www.vanuatuships.com)**

**E-mail address is [vmsnyc@attglobal.net](mailto:vmsnyc@attglobal.net).**

