

International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel (1995) of the International Maritime Organisation (IMO): signing and/or ratification by Member States

2013/0285(NLE) - 18/05/2015 - Final act

PURPOSE: to authorise Member States to sign and/or ratify, in the interest of the European Union, the International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel, 1995, of the International Maritime Organisation (IMO).

LEGISLATIVE ACT: Council Decision (EU) 2015/799 authorising Member States to become party, in the interest of the European Union, to the International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel, of the International Maritime Organization.

BACKGROUND: the International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel (the STCW Convention) of the International Maritime Organization (IMO) was adopted on 7 July 1995 at the International Conference convened by the IMO in London. 74 participating governments included those of 22 of the present EU Member States.

It entered into force on 29 September 2012.

The Convention represents a significant contribution to the fishing sector at international level by promoting the safety of life and property at sea, thereby also contributing to the protection of the marine environment. It is therefore desirable that its provisions be implemented as soon as possible.

Fishing at sea is one of the most hazardous professions, therefore **appropriate training and qualifications** are an essential means by which to cut the number of accidents.

Member States should make every effort to avoid friction between international and Union law, including any possible negative impact on the conclusion and the implementation of the Agreements, when applying the Convention. Furthermore, relevant third countries should be encouraged to become parties to the Convention.

CONTENT: under this Decision, Member States are hereby authorised to become party to the International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel, of the International Maritime Organization, adopted on 7 July 1995, in respect of those parts falling under the competence of the Union.

The authorisation to the Member States shall be granted on condition that they formulate a reservation when depositing their instrument of ratification to the effect that **European Union law shall continue to be applied in their mutual relations**.

Those Member States that have already ratified the Convention, shall submit a statement to the Secretary-General of IMO whereby they state that Union law relating to recognition of professional qualifications applies in relations between Member States.

Report on the implementation: Member States which have fishing vessels flying their flag, ports receiving seagoing fishing vessels which fall within the scope of the Convention, or training institutions for fishing vessel personnel, and which have not yet become party to the Convention, shall endeavour to take the necessary steps to deposit their instrument of accession to the Convention with the Secretary-General of the IMO within a reasonable time and, if possible, **by 23 May 2017**.

Until all Member States which have fishing vessels flying their flag, ports receiving seagoing fishing vessels which fall within the scope of the Convention, or training institutions for fishing vessel personnel have become party to the Convention, each Member State party to the Convention should apply the flexibility provided by the Convention to ensure legal compatibility with Union law, notably the provisions of Chapter I, Regulation 10 of the Annex to the Convention on equivalents, to align the application of the Convention with Directive 2005/36/EC

The Commission shall present a report to the Council reviewing the progress of accession by 23 May 2018

ENTRY INTO FORCE: 18.05.2015.