



Press Release

Urgent Government action required to protect the credibility of Dominica's Ship Registry business

The United Workers Party is calling on the Roosevelt Skerit Administration to exercise its lawful authority for Dominica's Ship Registry business and immediately suspend the registration of the Yuk Tung pending investigations into its alleged involvement in busting UN sanctions against North Korea.

Japan filed a report with the UN Security last week indicating that the Dominica registered carrier was spotted in the East China Sea engaged in a transfer of goods with a North Korean Tanker in defiance of UN sanctions.

Instead of taking decisive regulatory action to protect the integrity of the country's ship registry business, the Skerit Administration is playing a petty, partisan and nonsensical blame game against the United Workers Party whose vision initiated the national income earning opportunity in 1999.

There is no relationship between the actions of the UWP in championing the emergence of ship registration to boost national income 19 years ago and the sanctions busting activities of a ship carrier registered to fly the Dominica flag less than one year ago.

But Mr. Skerit, under whose government all vessels flying the Dominica flag were registered, insists on confusing the issue with blatant lies and clumsy misrepresentations.

For clearer public understanding, the facts, NOT the spin, need to be carefully considered.

The ship registry agency agreement with a North American group carries an effective date of October 01, 1999 and was signed by Julius Timothy, Minister of Finance, Industry and Planning for and on behalf of the Government of Dominica on October 18, 1999. The United Workers Party left office at the end of January 2000.

According to Ambrose George, Minister of Finance and Planning, the Dominica Labour Party of 2000 embraced the UWP initiative and ran with it for the good of Dominica:



Press Release

“... The establishment of a Maritime Administration Unit came about as a result of a Cabinet decision that was taken in September 1999. After that decision was taken it was expected that the Maritime Administration Unit would have been established by October 31, 1999 during which time the United Workers Party was in office.

“However, to date we (DLP) have appointed a Maritime Administrator, we (DLP) have also appointed a deputy Maritime Administrator and we (DLP) have on board also an administrative secretary who is assigned to the Unit.

“The Maritime Administration will be responsible for the formulation of policy in relation to all maritime matters and for general oversight. It will be a regulatory authority, which will have monitoring functions for all vessels which fly the Dominica flag.

The Administration’s functions will include vessel registration, vessel safety matters, marine investigations, marine pollution matters, marine registration and documentation among others.

“The proposed mission of the Maritime Administration Unit is “To be a responsible and effective Maritime authority that upholds international maritime obligations at the highest standard possible while steering the maritime sector into one of the single most valuable areas of economic activity for the Commonwealth of Dominica...”

On September 5th, 2000, after 7 months of pursuing the ship registry opportunity exactly as it was set up by the UWP, The DLP Finance and Planning Minister introduced the International Maritime Act, 2000 to Parliament and led the debate.

It was *“An act to provide for the establishment of the Commonwealth of Dominica Maritime Administration for the purpose of operating an International Ship Registry for the Commonwealth of Dominica and the creation of a Dominica Maritime Program for ships on that registry”.*

This is the Act of Parliament which made it possible for the October 1999 agreement to take effect. The vote was unanimous and there was not a single word far less a voice of dissent from the DLP regarding the “exclusive agreement” appointing Dominica



Press Release

Maritime Registry Incorporated to act as government's agent for Dominica's ship registry business.

In winding up the debate, George told Parliament:

"... this project offers Dominica a unique opportunity to make a breakthrough in this fast developing but highly competitive sector of the service industry... to make this breakthrough possible we must emphasize quality, efficiency and high standards.

This would require cost effective and timely marketing and a management staff with sound reputation in the international maritime community. The Dominica Maritime Registry Incorporated DMRI has contracted to provide this to the Dominica Administration. The Maritime Administration Unit and its Agent, DMRI, are committed to the resounding success of this project..."

More than 18 years later, Skerrit who sat in Parliament throughout the introduction, debate and passage of the act and said absolutely nothing about the agreement it facilitated, has now been given a voice by the dishonest, prejudicial hogwash of his hatemongering chief advisor:

"... the government has been excluded in this agreement of any and all matters relating to the registration of ships... this problem resides with the agreement... There is no part for the government really, zero part, it is the company that has to do everything".

Yet, the agreement which Mr. Skerrit now pretends to vehemently despise and under which his associates have set up ship registry offices in more than twenty countries, provides for a government/agency relationship as follows:

2.1 The Government hereby appoints DMRI as its exclusive agent to administer the open/international ship registry and to provide services to vessels and mariners except where otherwise provided in this agreement.

2.2 The Government hereby appoints and designated DMRI as its agent for the purpose of aiding it in the effective administration of the maritime program consistent with the Laws of the Commonwealth of Dominica.



Press Release

2.3 The Government except as otherwise stated herein, hereby appoints the Agent to act as its agent for the purpose of aiding it in administering such rules and regulations as shall be made and promulgated by government.

3.1 The Government shall establish a Maritime Administration and a body of Marine and environmental laws and regulations necessary to give effect to the Law of the Sea Convention, the IMO Treaty and other international maritime treaties entered into by the Government.

20. (a) The government may terminate this agreement if the agent fails to comply with any material provision of this agreement, or breach any representations made in this agreement.

Mr. Skerrit, who, (along with his Attorney General), remains adamant about Parliamentary approval to legitimize bribery and treating in general elections says he “cannot believe that any Attorney General would have gone to a law school and... would allow this (ship registry agency) agreement to pass him... far more the Parliament of the country”.

The law as spelt out in the International Maritime Act, 2000, is clear on the fundamental responsibilities of government for the fundamentals of Dominica’s ship registry business.

59. (1) From the time of issuance of a Certificate of Registry and until its expiration, termination, revocation or cancellation, whichever first occurs, the vessel shall be granted and shall enjoy the right to fly the Flag of Dominica exclusively...

(2) At all times during the period that a vessel has the right to fly the Flag of Dominica, the vessel shall be subject to the exclusive jurisdiction and control of Dominica as the Flag State, in accordance with the applicable International Conventions and Agreements and with the provisions of this Act and any Regulations or Rules made thereunder.



Press Release

208. (1) There is hereby established a Commonwealth of Dominica Maritime Corporate Registry for the registration of foreign maritime entities as defined under this Chapter.

These and other provisions of Dominica's 2000 maritime law which was amended in 2002, are in keeping with Dominica's obligations under international law and agreements like the 1982 United Nations Convention on the Laws of the Sea:

Article 91 - Nationality of ships:

1. Every State shall fix the conditions for the grant of its nationality to ships, for the registration of ships in its territory, and for the right to fly its flag. Ships have the nationality of the State whose flag they are entitled to fly. There must exist a genuine link between the State and the ship.

2. Every State shall issue to ships to which it has granted the right to fly its flag documents to that effect.

Article 94 - Duties of the flag State:

1. Every State shall effectively exercise its jurisdiction and control in administrative, technical and social matters over ships flying its flag.

2. In particular every State shall: (a) maintain a register of ships containing the names and particulars of ships flying its flag, except those which are excluded from generally accepted international regulations on account of their small size; and (b) assume jurisdiction under its internal law over each ship flying its flag and its master, officers and crew in respect of administrative, technical and social matters concerning the ship.

In the circumstances, Mr. Skerrit cannot successfully pretend to be ignorant of the well-established, internationally recognized responsibilities of his Government to take decisive regulatory action against vessels flying the Dominica flag alleged to be involved in crimes against humanity.

Neither can he successfully confuse the issue by criticizing an agreement (totally unrelated to the crime of busting UN sanctions) which his government gave the stamp



Press Release

of parliamentary approval and used to build its ship registry business for 18 straight years.

Only truthful representations and honest, forthright action from the head of government in this matter will protect the credibility of Dominica as a responsible participant in global maritime affairs.

And that is exactly what we demand in the public interest.

LENNOX LINTON

Political Leader