



Date: 11th July 2022

Circular no.: 0059C/TG/07/22

**To:** Ship owners/ Ship-operators & Ship-managers / Masters/ CSOs / Recognized Organizations/  
Recognized Security Organizations/ Deputy Registrars/ P&I Clubs accepted by Togo Administration.

**Subject:** Nairobi International Convention on the Removal of Wrecks

**References:**

- a) Nairobi International Convention on the Removal of Wrecks, 2007
- b) IMO Circular No.3464, 2 July 2014
- c) IMO NWRC.1/Cirv.57, 17 May 2022

**SCOPE:**

This Circular is aimed at providing all interested parties with the necessary information on the Nairobi International Convention on the Removal of Wrecks, 2007 in view of the recent accession of Togo to the Convention.

Nairobi International Convention on the Removal of Wrecks, 2007 ("the Convention") entered into force on 14 April 2015.

The Togolese Republic acceded the Convention by the deposit of an instrument to IMO on 17 May 2022. In accordance with article 18(2) of the Convention it will enter into force for Togo on 17 August 2022.

The Convention provides the legal basis for States to remove, or have removed, shipwrecks that may have the potential to affect adversely the safety of lives, goods, and property at sea, as well as the marine environment. The Convention provides a strict liability, compensation and compulsory insurance regime for States affected by a maritime casualty. It makes the registered owner of a ship liable for locating, marking, and removing a wreck deemed to be a hazard in a State's Convention area.

The Convention requires the registered owner to take out insurance or provide other financial security to cover the costs of wreck removal. It will also provide States with a right of direct action against insurers.

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## GENERAL:

The Convention provides a set of uniform international rules aimed at ensuring the prompt and effective removal of wrecks located beyond the territorial sea. The treaty also covers any prevention, mitigation or elimination of hazards created by any object lost at sea from a ship (e.g., lost containers). There is an optional provision in article 3(2) for a State Party to include the territorial sea within the scope of the Convention. So far, several states (Antigua & Barbuda, Bulgaria, Denmark, Liberia, Malta, Marshall Islands, and the United Kingdom) and after the effective date of application Togo extended the scope of the Convention to its territorial sea (12 nm).

In States which do not exercise this option, the Convention will apply in the exclusive economic zone but not the territorial sea. States may not avail themselves of the right of direct action conferred under the Convention to "wreck" incidents that occur in the territorial sea unless the scope of the Convention has been extended.

### Insurance requirements

Registered owners of ships of 300 gross tonnage and over registered in Togo or entering or leaving a port in the territory of a state party, will need insurance cover arrangements that meet the requirements of the Convention, and from 17 August 2022 a certificate from Togo Administration attesting that such insurance is in force. Such certificate must be always carried on board.

Certificates of insurance or other financial security in respect of liability for removal of wrecks are issued by Togo's Administration after a letter of application signed by the appropriate person or representative is submitted to: ([stcw@togoregistrar.com](mailto:stcw@togoregistrar.com)), ([stcw2@togoregistrar.com](mailto:stcw2@togoregistrar.com))

### State certificates

All ships of 300GT and greater, meaning a seagoing vessel of any type whatsoever, and include hydrofoil boats, private and commercial yachts, barges, tugs, air-cushion vehicles, submersibles, floating craft and floating platforms, except when such platforms are on location engaged in the exploration, exploitation or production of seabed mineral resources, should apply for the issuance of a Certificate of Insurance in respect of liability for the removal of wrecks (CIOFS).

Paragraph (2) of Article 12 of the Convention requires an Appropriate Authority of the State of the ship's registry to issue a certificate to each merchant ship of 300 gross tons and above, attesting that insurance or other financial security is in force and is in accordance with the provisions of the Convention.



Vessels registered in a State which is not party to the Convention, but which perform voyages to countries that are Parties should also obtain a certificate from a State Party.  
The period of validity of the wreck removal liability certificate is in principle the same as that of the insurance in place or other financial security provided; it does however not exceed one year.  
The Wreck Removal Liability Certificate is issued for a maximum period of one year.  
To be noted that all existing insurance certificates for Togo flagged vessels issued by third-party authorities remain valid until their expiry date.


### Blue Cards

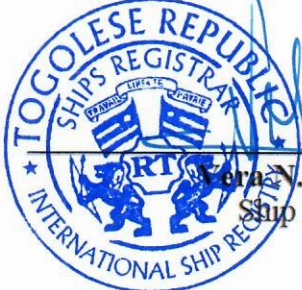
Blue Cards are issued in respect of the Convention. States have been informed that there is a growing practice amongst Clubs in the International Group to issue Blue Cards in electronic format. Electronic Blue Cards can be forwarded in electronic format to the relevant authority of the State issuing the State certificate. It should be noted that IMO Circular Letter 3464 encourages States Parties to “accept Blue Cards issued by a member of the International Group of P&I Association (P&I Clubs) when it is possible to verify the Blue Card from the P&I Club’s website”.

As well as the members of the International Group of P&I Clubs, a number of other P&I Clubs have been assessed and approved by Togo Administration as suitable for the provision of insurance in respect of liability for removal of wrecks and the issue of “Blue Cards” as evidence of that insurance.


The current list of non-International Group P&I Clubs is at Annex 1 to this Circular 


For the International Ship Registry of Togo

  
**Yera N. Medawar**  
Ship Registrar



For the Togolese Maritime Authority

  
**M. G. NAMA K. Mawailboyodou**  
Technical Advisor to the Minister



### Enclosed:

- Annex 1- List of Approved by TOGO Administration P&I Insurers for issuance of Wreck Removal Convention Blue Cards.
- Annex 2- Nairobi International Convention on The Removal Of Wrecks, 2007 (EN & FR)