



MINISTÈRE CHARGÉ DE LA MER ET DE LA PÊCHE

*Liberté
Égalité
Fraternité*

Paris, the 25/11/2024

To Master, M. KACHALIN Aleksei
and ISM Company
Baltnautic Shipmanagement Ltd
J. Janonio g. 20, Klaipėda,
92252 Klaipėdos m. sav.
LITHUANIA

Port State Control Department (STEN3)

Tour Séquoia, 1 place Carpeaux, 92055 La Défense
Email : psc.france@developpement-durable.gouv.fr
Tel : +33 1 40 81 39 87

Copy : Flag State : Saint Kitts & Nevis
Recognized organization(s) : RINA
Classification Society(ies) : RINA
All Paris MoU members
Paris MoU Secretariat

European Commission (EMSA)
Abudja MoU
Mediterranean MoU
Black Sea MoU
Riyadh MoU

TokyoMoU
Caribbean MoU
Indian Ocean MoU
USCG HQ (EU)
Acuerdo de Vina del
Mar

DECISION N° 4232

Subject : REFUSAL OF ACCESS ORDER – MINSTREL – IMO n° 9195561 – Flag Saint Kitts & Nevis

The Minister, in charge of the Sea and fisheries,

Having regard to the Code des transports, in particular 1° of article L. 5241-4-5;

Having regard to Directive 2009/16/EC of 23 april 2009 on port State control;

Having regard to the Décret n° 84-810 du 30 août 1984 modifié, relatif à la sauvegarde de la vie humaine, à la prévention de la pollution, à la sûreté et à la certification sociale des navires, in particular article 41-9 (paragraph 1° of I) and article 41-12;

Having regard to the Décret n°2005-850 du 27 juillet 2005 relatif aux délégations de signature des membres du Gouvernement;

Having regard to the Décision du 23 mai 2024 portant délégation de signature;

Having regard to the Arrêté du 23 novembre 1987 modifié, relatif à la sécurité des navires et à la prévention de la pollution, in particular provisions 150-1.16;

Having regard to the notice of detention of the ship MINSTREL n° IMO 9195561 under the Saint Kitts & Nevis flag dated November 09, 2024;

Having regard to the notice of release of the ship MINSTREL n° IMO 9195561 under the Saint Kitts & Nevis flag, dated November 09, 2024;

Considering that it was noted, during an inspection carried out by duly authorized port state control officers of the Marseilles' ship safety center on November 09, 2024, that the ship MINSTREL IMO n° 9195561 flying the Saint Kitts & Nevis flag presented several deficiencies with regard to the provisions of the International Convention for the Safety of Life at Sea (SOLAS), the International Convention for the Prevention of Pollution from Ships (MARPOL), the International Convention on Load Lines (LL66), the International Convention for the Control and Management of Ships' Ballast Water and Sediments (BWM) and the Maritime Labour Convention, 2006 (MLC, 2006) ;

Considering that the identified deficiencies are clearly hazardous to maritime safety, the port state control officers detained the ship by notice dated November 09, 2024;

Considering that Saint Kitts & Nevis is part of the grey list according to Paris Memorandum of Understanding Flag States' performance list 2023 published on July 01, 2024;

Considering that ship has been detained three (3) times in the last twenty four (24) months on March 07, 2023 in Italy, on July 26, 2023 in Italy and on November 09, 2024 in France ;

Considering that it follows from the foregoing that the ship poses a high risk to maritime safety and the marine environment in accordance with the article L. 5241-4-5 of the code des transports.

DECIDES

Article 1: Access to ports and anchorages throughout the national territory is refused to MINSTREL n° IMO 9195561 for the next 3 months.

Article 2: This decision takes effect after the ship left the port. It does not apply in the event of force majeure as defined in article L. 5334-4 du code des transports.

Article 3: This decision can only be lifted until:

- a formal request must be addressed to the Port State Control Department. The request must be accompanied by a document issued by the flag State's administration confirming that the ship fully complies with all the provisions of the applicable international conventions. This document cannot be issued by the recognized organization acting on behalf of the Flag State. In addition, a document must be issued by the classification society issuing the certificate of classification, if applicable, confirming that the ship complies with its standards;
- following re-inspection of the vessel to the satisfaction of this administration in a port of the national territory or a port in the Paris MoU region, subject to the agreement of the competent authority of the port State. The request of re-inspection must be addressed to the above-mentioned department with a minimum notice period of 14 days.

Article 4 : All costs related to the inspection for lifting the ban have to be borne by the company responsible for the ship.

Article 5 : An action shall be brought by the shipowner, operator or his representative against the refusal of access within fifteen days (15) following notification of that decision to the Minister in charge of the Sea. Any action brought under this refusal of access shall be prior to any other action and does not suspend this decision.

Article 6 : The Minister, in charge of the Sea and fisheries is responsible for the execution of this decision which will be published on the website www.mer.gouv.fr.

The Minister, in charge of the Sea and fisheries and by
delegation ;

Guillaume MAES

Head of Port State Control department