



Key Issues

Flag State Performance

Following the entry into force of amendments to the relevant IMO Conventions, the IMO Member State Audit Scheme has become mandatory. This is a significant development that should make a further contribution to improving maritime safety and the prevention of pollution.

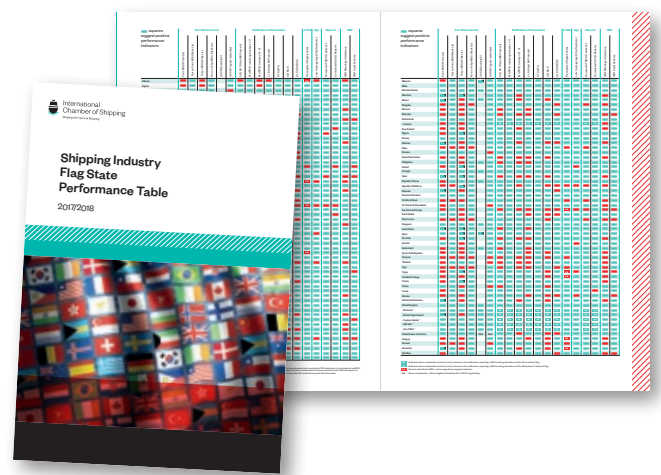
A balance has to be struck between the commercial advantages of shipowners selecting a particular flag and the need to discourage the use of any ship register that does not meet its international obligations. While it is shipping companies that have primary responsibility for the safe operation of their ships, it is flag states that must implement and enforce the rules.

ICS is therefore a strong supporter of the IMO Member State Audit Scheme and greatly welcomes the evolution of the voluntary audits of maritime administrations into a mandatory programme (although it will still take some time before all the world's maritime administrations have passed through the IMO audits).

In the interests of transparency, and notwithstanding sensitivities about matters of sovereignty, ICS believes that the results of all IMO audits should eventually be published. In the meantime, ICS has welcomed the development of a new module within the IMO Global Integrated Shipping Information System (GISIS) through which governments have the option to make their reports available to the public. ICS has also welcomed the practice of some regional Port State Control (PSC) authorities to request information from flag states as to whether they have been through an IMO audit and including this in their criteria for targeting inspections.

In March 2018, and as a complement to the IMO Scheme, ICS published its latest Shipping Industry Flag State Performance Table, which can be downloaded free of charge via the ICS website. The table is intended as a tool to help ship operators engage in discussion with their flag administrations about areas of performance where improvement might still be necessary.

For the first time, the ICS Table includes information about the extent to which flag states have been through IMO audits,



while continuing to assess performance using criteria such as Port State Control records, the ratification of IMO and ILO Conventions, and participation at IMO meetings.

This year's ICS Table continues to highlight the sound performance of all of the world's major flag administrations, regardless of whether they are open registers or so called 'traditional' maritime flags. But in response to feedback from IMO Member States, the Table includes refinements in order to make it as objective and useful as possible. This includes the way in which the performance of Recognized Organizations conducting surveys is now recorded.

Flag states which do not qualify for the United States 'Qualship 21' programme have again not been given negative performance indicators in the latest ICS Table. Because the list of flag states qualifying for Qualship 21 now varies considerably from year to year, non-inclusion is therefore no longer viewed as being a sound indicator of negative performance. However, flag states that continue to qualify for the U.S. programme are still given a positive performance indicator.

One development that ICS is monitoring carefully is the decision by the Paris MOU on Port State Control, and other PSC authorities around the world, to consider moving away from the current system of publishing 'white', 'black' and 'grey' lists indicating flag state performance for PSC targeting purposes. Encouragingly, the rationale for this change is that the decreasing number of ships that are subject to detention makes the use of such lists inappropriate (while also being unfair to smaller flag states whose ships may have a low number of port calls in a particular region). But it will be important for PSC authorities to continue to publish data that will make it possible to hold flag states accountable for their level of performance.

