

# SHIPPING INDUSTRY FLAG STATE PERFORMANCE TABLE 2016/2017



**INTERNATIONAL CHAMBER OF SHIPPING**

*Representing the Global Shipping Industry*

# SHIPPING INDUSTRY FLAG STATE PERFORMANCE TABLE

THE FOLLOWING TABLE IS PUBLISHED ANNUALLY

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**There is nothing inherently unusual in an international ship registry system in which the owner of a ship may be located in a country other than the state whose flag the ship flies. However, a balance has to be struck between the commercial advantages of selecting a particular flag and the need to discourage the use of flags that do not meet their international obligations.**

**The purpose of this Flag State Performance Table is two-fold:**

- **To encourage shipowners and operators to examine whether a flag state has sufficient substance before using it.**
- **To encourage shipowners and operators to put pressure on their flag administrations to effect any improvements that might be necessary, especially in relation to safety of life at sea, the protection of the marine environment, and the provision of decent working and living conditions for seafarers.**

## **How to use the Table**

This Table summarises factual information in the public domain that might be helpful in assessing the performance of flag states. Sources are shown in the footnotes overleaf.

**Positive performance indicators are shown as green squares on the Table.**

Like all statistics, the Table needs to be used with care. Where a flag state is missing a single positive indicator in itself this does not provide a reliable measurement of performance. For example, a flag state might be unable to ratify a Convention due to conflict with domestic law but might nevertheless implement its main requirements. Equally, a flag state may not be listed on a Port State Control 'white list' because it does not make any port calls in that PSC region.

However, if a large number of positive indicators are shown as being absent, this might suggest that performance is unsatisfactory and that shipping companies should ask further questions of the flag state concerned.

# FLAG STATE PERFORMANCE TABLE

BASED ON THE MOST UP TO DATE DATA AVAILABLE AS OF JANUARY 2017

**GREEN** squares suggest positive performance indicators, with potentially negative performance highlighted by **RED** squares (although individual indicators should be considered within the context of the Table as a whole).

For additional information about the criteria used see the footnotes overleaf.

## PORT STATE CONTROL

A simple means of assessing the effective enforcement of international rules is to examine the collective Port State Control record of ships flying a particular flag.

The three principal Port State Control (PSC) authorities are the countries of the Paris Memorandum of Understanding (MOU), the Tokyo MOU and the United States Coast Guard (USCG). All three authorities target particular flags on the basis of deficiencies and detentions recorded for ships flying that flag. The Table identifies flag states that feature on the Paris and Tokyo MOUs' white lists and that have fully qualified for the USCG's Qualship 21 program, and those which do not appear on their respective black lists/target lists. Ships whose flag states do not appear on PSC 'white lists' tend to be subject to a greater likelihood of inspections.

The Table now also identifies those flags whose ships suffered no detentions within a particular PSC region over the previous three years, but did not meet the relevant minimum requirement of inspections or arrivals to be included in the MOU white lists/ Qualship 21 program. In order to be identified in this way with respect to the Paris and Tokyo MOU white lists, a flag must have undergone at least one inspection in the previous three years. With respect to the Qualship 21 program, a flag must have made at least three distinct arrivals in each of the previous three years. This is in alignment with the way in which the three PSC authorities present this information.

**NB:** Flags which do not qualify for Qualship 21 have not been given red squares, as the list of flag states which qualify varies considerably from year to year and non-inclusion is currently not regarded by ICS as an indicator of potentially negative performance. The full criteria for PSC are explained in the footnotes to the Table.

## RATIFICATION OF MAJOR INTERNATIONAL MARITIME TREATIES

Ratification of international maritime Conventions does not necessarily confirm whether the provisions of these global instruments are being properly enforced. However, a flag state should be able to provide good reason for not having ratified any of the instruments referred to in the Table.

The Table refers to those 'core' Conventions, relevant to flag state responsibilities, which already enjoy widespread ratification and enforcement. The full criteria for the Conventions listed are shown in the footnotes to the Table.

## USE OF RECOGNIZED ORGANIZATIONS COMPLYING WITH A.739

IMO Resolution A.739 requires flag states to establish controls over Recognized Organizations (ROs) conducting survey work on their behalf, and which determine that these bodies have adequate resources for the tasks assigned. The Resolution also requires flag states to submit data to IMO on the ROs authorised to act on their behalf.

The Paris and Tokyo MOUs on Port State Control now submit an annual assessment to IMO entitled 'Performance of Flag Administrations and Recognized Organizations', which includes a list of flag states deemed by these PSC regimes to delegate survey work to underperforming ROs. The Table therefore positively indicates flag states which do not appear on this list and which have also submitted their RO related data to IMO in line with Resolution A.739.

## AGE OF FLEET

A high concentration of older tonnage under a particular flag does not necessarily mean that this tonnage is in any way substandard. However, a flag which has a concentration of younger ships may be more likely to attract quality tonnage than a flag state with a high concentration of older vessels. As a positive indicator, the Table therefore shows the 90% of flags whose ships have the lowest average age, amongst those listed, in terms of ship numbers. **The above notwithstanding, it is strongly emphasised that the position of ICS is that the age of an individual ship is not an indicator of quality, and that the condition of an individual ship is ultimately determined by the standard of its maintenance.**

## REPORTING REQUIREMENTS

There are various reporting requirements concerning the submission of information by flag states to IMO and ILO. Information covering the extent to which flag states actually comply with these reporting requirements is not always available in the public domain.

However, as an indicator, the Table positively identifies flags that are in compliance with ILO reporting obligations, as well as flags confirmed by IMO to have communicated information demonstrating that full and complete effect is given to the relevant provisions of the STCW Convention (as amended in 2010) and included within the latest STCW 'white list', as approved by the IMO Maritime Safety Committee.


## ATTENDANCE AT IMO MEETINGS

Although in itself not an indicator of their safety and environmental record, flag states that attend the major IMO meetings (Maritime Safety Committee, Marine Environment Protection Committee and Legal Committee) are thought more likely to be seriously committed to the implementation and enforcement of IMO rules.

Attendance at these meetings is also important to keep abreast of regulatory developments. The Table identifies flag states that have been represented at all meetings of these three major IMO committees, plus the biennial meeting of the IMO Assembly, during the two years previous to 1 January 2017.





 SQUARES  
 SUGGEST POSITIVE  
 PERFORMANCE  
 INDICATORS

	PORT STATE CONTROL						RATIFICATION OF CONVENTIONS							A739	AGE	REPORTS		IMO
	PARIS MOU WHITE LIST	NOT ON PARIS MOU BLACK LIST	TOKYO MOU WHITE LIST	NOT ON TOKYO MOU BLACK LIST	USCG QUALSHIP 21	NOT ON USCG TARGET LIST (SAFETY)	SOLAS 74 (AND 88 PROTOCOL)	MARPOL INCLUDING ANNEXES I - II	MARPOL ANNEXES III - VI	LL 66 (AND 88 PROTOCOL)	STCW 78	ILO MLC	CLC/FUND 92	RECOGNIZED ORGANIZATIONS	AGE OF FLEET	STCW 95 'WHITE LIST'	COMPLETED ILO REPORTS	IMO MEETINGS ATTENDANCE
ALBANIA	■	■	■	■		■	■	■	■	■	■	■	■	N/S	■	■	■	■
ALGERIA	■	■	■	■		■	■	■	■	■	■	■	■	■	■	■	■	■
ANTIGUA & BARBUDA	■	■	■	■		■	■	■	■	■	■	■	■	■	■	■	■	■
ARGENTINA	■	■	■	■		■	■	■	■	■	■	■	■	N/S	■	■	■	■
AUSTRALIA	■	■	■	■		■	■	■	■	■	■	■	■	■	■	■	■	■
BAHAMAS	■	■	■	■		■	■	■	■	■	■	■	■	■	■	■	■	■
BAHRAIN	■	■	■	■		■	■	■	■	■	■	■	■	■	■	■	■	■
BANGLADESH	■	■	■	■		■	■	■	■	■	■	■	■	■	■	■	■	■
BARBADOS	■	■	■	■		■	■	■	■	■	■	■	■	■	■	■	■	■
BELGIUM	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
BELIZE	■	■	■	■		■	■	■	■	■	■	■	■	■	■	■	■	■
BOLIVIA	■	■	■	■		■	■	■	■	■	■	■	■	■	■	■	■	■
BRAZIL	■	■	■	■		■	■	■	■	■	■	■	■	■	■	■	■	■
BULGARIA	■	■	■	■		■	■	■	■	■	■	■	■	■	■	■	■	■
CAMBODIA	■	■	■	■		■	■	■	■	■	■	■	■	■	■	■	■	■
CANADA	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
CHILE	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
CHINA	■	■	■	■		■	■	■	■	■	■	■	■	■	■	■	■	■
COLOMBIA	■	■	■	■		■	■	■	■	■	■	■	■	■	■	■	■	■
COMOROS	■	■	■	■		■	■	■	■	■	■	■	■	■	■	■	■	■
COOK ISLANDS	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
COSTA RICA	■	■	■	■		■	■	■	■	■	■	■	■	■	■	■	■	■
COTE D'IVOIRE	■	■	■	■		■	■	■	■	■	■	■	■	N/S	■	■	■	■
CROATIA	■	■	■	■		■	■	■	■	■	■	■	■	■	■	■	■	■
CUBA	■	■	■	■		■	■	■	■	■	■	■	■	■	■	■	■	■
CYPRUS	■	■	■	■		■	■	■	■	■	■	■	■	■	■	■	■	■
DEM. PEOPLE'S REP. KOREA	■	■	■	■		■	■	■	■	■	■	■	■	■	■	■	■	■
DEM. REP. OF THE CONGO	■	■	■	■		■	■	■	■	■	■	■	■	N/S	■	■	■	■
DENMARK	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
DOMINICA	■	■	■	■		■	■	■	■	■	■	■	■	■	■	■	■	■
EGYPT	■	■	■	■		■	■	■	■	■	■	■	■	■	■	■	■	■
ESTONIA	■	■	■	■		■	■	■	■	■	■	■	■	■	■	■	■	■
FAROE ISLANDS	■	■	■	■		■	■	■	■	■	■	■	■	■	■	■	■	■
FINLAND	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
FRANCE	■	■	■	■		■	■	■	■	■	■	■	■	■	■	■	■	■
GEORGIA	■	■	■	■		■	■	■	■	■	■	■	■	■	■	■	■	■
GERMANY	■	■	■	■		■	■	■	■	■	■	■	■	■	■	■	■	■
GHANA	■	■	■	■		■	■	■	■	■	■	■	■	N/S	■	■	■	■
GREECE	■	■	■	■		■	■	■	■	■	■	■	■	■	■	■	■	■
HONDURAS	■	■	■	■		■	■	■	■	■	■	■	■	■	■	■	■	■
HONG KONG (CHINA)	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
ICELAND	■	■	■	■		■	■	■	■	■	■	■	■	■	■	■	■	■
INDIA	■	■	■	■		■	■	■	■	■	■	■	■	■	■	■	■	■
INDONESIA	■	■	■	■		■	■	■	■	■	■	■	■	■	■	■	■	■
IRAN	■	■	■	■		■	■	■	■	■	■	■	■	■	■	■	■	■
IRELAND	■	■	■	■		■	■	■	■	■	■	■	■	■	■	■	■	■
ISRAEL	■	■	■	■		■	■	■	■	■	■	■	■	■	■	■	■	■
ITALY	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
JAMAICA	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
JAPAN	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
JORDAN	■	■	■	■		■	■	■	■	■	■	■	■	■	■	■	■	■
KENYA	■	■	■	■		■	■	■	■	■	■	■	■	■	■	■	■	■
KIRIBATI	■	■	■	■		■	■	■	■	■	■	■	■	■	■	■	■	■
KUWAIT	■	■	■	■		■	■	■	■	■	■	■	■	■	■	■	■	■
LATVIA	■	■	■	■		■	■	■	■	■	■	■	■	■	■	■	■	■
LEBANON	■	■	■	■		■	■	■	■	■	■	■	■	■	■	■	■	■
LIBERIA	■	■	■	■		■	■	■	■	■	■	■	■	■	■	■	■	■
LIBYA	■	■	■	■		■	■	■	■	■	■	■	■	■	■	■	■	■
LITHUANIA	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■

 - Indicates where a flag administration suffered no detentions within the particular PSC region, but did not meet the relevant minimum requirement of inspections/arrivals, as set by the PSC authorities, to be included in an MOU white list or the Qualship 21 program. In order to be identified in this way with respect to the Paris and Tokyo MOU white lists, a flag must have undergone at least one inspection in the previous three years. With the respect to the Qualship 21 program, a flag must have made at least three distinct arrivals in each of the previous three years. This is in alignment with the way in which the PSC authorities present this information.

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 SUGGEST POSITIVE  
 PERFORMANCE  
 INDICATORS

	PORT STATE CONTROL					RATIFICATION OF CONVENTIONS							A739	AGE	REPORTS		IMO	
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LUXEMBOURG																		
MALAYSIA																		
MALTA																		
MARSHALL ISLANDS																		
MAURITIUS																		
MEXICO																		
MONGOLIA																		
MOROCCO																		
MYANMAR																		
NETHERLANDS																		
- CURACAO																		
NEW ZEALAND																		
NIGERIA																		
NORWAY																		
PAKISTAN																		
PANAMA																		
PAPUA NEW GUINEA																		
PHILIPPINES																		
POLAND																		
PORTUGAL																		
QATAR																		
REPUBLIC OF KOREA																		
REPUBLIC OF MOLDOVA																		
ROMANIA																		
RUSSIAN FEDERATION																		
ST. KITTS & NEVIS																		
ST. VINCENT & GRENADINES																		
SAO TOME & PRINCIPE																		
SAUDI ARABIA																		
SIERRA LEONE																		
SINGAPORE																		
SOUTH AFRICA																		
SPAIN																		
SRI LANKA																		
SWEDEN																		
SWITZERLAND																		
SYRIAN ARAB REPUBLIC																		
TANZANIA																		
THAILAND																		
TOGO																		
TONGA																		
TRINIDAD & TOBAGO																		
TUNISIA																		
TURKEY																		
TUVALU																		
UKRAINE																		
UNITED ARAB EMIRATES																		
UNITED KINGDOM																		
- BERMUDA																		
- BRITISH VIRGIN ISLANDS																		
- CAYMAN ISLANDS																		
- GIBRALTAR																		
- ISLE OF MAN																		
UNITED STATES OF AMERICA																		
URUGUAY																		
VANUATU																		
VENEZUELA																		
VIET NAM																		

 - Indicates where a dependent territory's entry is based on the ratification, reporting or IMO meeting attendance of the UK 'mainland' flag.  
 - Indicates where a dependent territory's entry is based on the ratification, reporting or IMO meeting attendance of the Netherlands 'mainland' flag.  
 - No data submitted to IMO - can be regarded as negative indicator.  
 - Data not applicable - US not eligible for Qualship 21 or USCG target listing.



## FOOTNOTES

### Port State Control

Sources: Paris MOU Annual Report 2015 (published in June 2016); Tokyo MOU Annual Report 2015 (published in June 2016); USCG Qualship 21 Qualified Flag Administrations 2016 and USCG List of Targeted Flag Administrations 2016 (Safety), as recorded in USCG Port State Control Annual Report 2015.

Paris and Tokyo MOU data relate to their 'white lists' and 'black lists' but not their 'grey lists'. Many flag states which are on neither the MOU 'white list' or 'black list' are included in the 'grey list'.

However, flag states whose ships have been inspected less than 30 times in the last 3 years do not appear in any of the MOU lists. This principle applies in both the Paris MOU and Tokyo MOU regions.

The USCG methodology for evaluating PSC detention ratios (USCG target list and Qualship 21) uses the formula of detentions/distinct vessel arrivals, rather than detentions/inspections as used by the Paris and Tokyo MOUs. In order to be considered for Qualship 21 status, a flag state's ships must have made at least 10 distinct arrivals per calendar year for the previous three years.

The Table also identifies those flags whose ships suffered no detentions within a particular PSC region over the previous three years, but did not meet the relevant minimum requirement of inspections or arrivals to be included in the MOU white lists/Qualship 21 program.

In order to be identified in this way with respect to the Paris and Tokyo MOU white lists, a flag must have undergone at least one inspection in the previous three years. With the respect to the Qualship 21 program, a flag must have made at least three distinct arrivals in each of the previous three years. This is in alignment with the way in which the PSC authorities present this information. Some flag states may therefore not receive a positive indicator despite having experienced zero detentions.

There are various other regional and national PSC regimes worldwide, but in the interests of simplicity this Table only uses data from the three principal regional PSC authorities.

### Ratification of Conventions

Source: IMO report 'Status of Conventions', IMO website ([www.imo.org](http://www.imo.org)), ILO website ([www.ilo.org](http://www.ilo.org)) (all as at 13 December 2016).

The criteria for the Conventions listed in the Table are:

**International Convention for the Safety of Life at Sea, 1974** as amended (SOLAS 74) - includes the 1988 Protocol.

**International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978** as amended (STCW 78) including the 2010 amendments.

**International Convention for the Prevention of Pollution from Ships, 1973** as modified by the Protocol of 1978 (MARPOL 73/78) - the Table includes one column for the ratification of MARPOL and its mandatory Annexes I (oil) and II (bulk chemicals); and a second column for the remaining Annexes III (dangerous packaged goods), IV (sewage), V (garbage) and VI (atmospheric pollution).

**International Convention on Load Lines, 1966** (LL 66) - includes the 1988 Protocol.

**ILO Maritime Labour Convention, 2006** (ILO MLC).

**International Convention on Civil Liability for Oil Pollution Damage, 1992**, and the **International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1992** (CLC/Fund 92) - includes the 1992 Protocols.

### Average Age

Source: IHS Fairplay Sea-web Database.

Second register ships are incorporated under main national register. Includes trading ships over 100 gross tonnage.

### Reports

Sources: Report of the ILO Committee of Experts on the Application of Conventions and Recommendations 2016; MSC.1-Circ.1163-Rev.10.

### IMO Attendance

Source: IMODOCS 'List of Participants' for the following meetings: MEPC 68, 69 and 70; MSC 95, 96 and 97; LEG 102 and 103; Assembly 29.

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The International Chamber of Shipping (ICS) is the principal international trade association for shipowners, concerned with all regulatory, operational, legal and employment affairs issues.

The membership of ICS comprises national shipowners' associations representing all sectors and trades from 36 countries, covering more than 80% of the world merchant fleet.