

SHIPPING INDUSTRY FLAG STATE PERFORMANCE TABLE 2011



INTERNATIONAL CHAMBER OF SHIPPING (ICS)
INTERNATIONAL SHIPPING FEDERATION (ISF)

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THE FOLLOWING TABLE, WHICH IS PUBLISHED ANNUALLY, SHOULD BE READ IN CONJUNCTION WITH THE 'SHIPPING INDUSTRY GUIDELINES ON FLAG STATE PERFORMANCE'

www.ics-shipping.org/flag-performance.htm

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 overleaf.

Positive performance indicators are shown as blank spaces 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 not appear on a Port State Control white list because the low number of port calls by their ships in the region concerned makes it ineligible to qualify. Similarly, a flag state might be unable to ratify a Convention due to conflict with domestic law but might nevertheless implement its main requirements.

But 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 MOST UP TO DATE DATA AVAILABLE AS OF END JUNE 2011

Blank spaces suggest positive performance indicators, however, individual indicators should be considered within the context of the Table as a whole.

For additional information about criteria used see 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. 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 USCG's Qualship 21 program, and those which do not appear on their respective black lists. Ships whose flag states do not appear on these PSC white lists tend to be subject to a greater likelihood of inspections.

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 on the back page.

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. There are no published data for determining whether each of the various ROs conducting survey work on behalf of flag states complies with IMO Resolution A.739. For the purpose of this Table, however, it is assumed that members of the International Association of Classification Societies (IACS) comply.

Nevertheless, there are several other organisations that are not members of IACS that also fully meet the standards required by IMO, and the fact that a flag administration might recognise a non-IACS member does not mean that the flag is in anyway deficient. However, if a flag state recognises large numbers of organisations that are not IACS members, there might be reason to doubt whether all of the bodies conducting surveys on behalf of the flag state actually comply with IMO requirements.

The Table therefore indicates flags that recognise no more than six ROs that are not members of IACS (and which have submitted their RO data to IMO in line with A.739).

AGE OF FLEET

A flag which has a concentration of younger ships is 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 75% of flags whose ships have the lowest average age, amongst those listed, in terms of ship numbers. That said, it must be emphasised that the age of a ship is not an indicator of quality and the condition of a ship is ultimately determined by the standard of its maintenance.

REPORTING REQUIREMENTS

To encourage implementation of international instruments, there are various reporting requirements, both mandatory and recommendatory, concerning the submission of information by flag states to bodies such as IMO and ILO. Information covering the extent to which flags have complied with certain reporting requirements is not always available in the public domain. However, as an indicator, the Table shows flags that have submitted compliance and practice reports required by ILO.

The Table normally records flags that have submitted adequate reports of independent evaluations to IMO confirming continuing compliance with the STCW Convention. However, because additional reports required by the 2010 amendments to STCW do not need to be submitted until 2013, this year's Table simply records whether a flag has submitted sufficient information to appear on the original STCW 'white list' as required by STCW 95.

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 June 2011.

BLANK SPACES
SUGGEST POSITIVE
PERFORMANCE
INDICATORS

	PORT STATE CONTROL						RATIFICATION OF CONVENTIONS							A739	AGE	REPORTS	IMO	
	PARIS MOU WHITE LIST	PARIS MOU BLACK LIST	TOKYO MOU WHITE LIST	TOKYO MOU BLACK LIST	USCG QUALSHIP 21	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 147/MLC	CLC/FUND 92	RECOGNIZED ORGANIZATIONS	LOW AGE (SHIP NUMBERS)	STCW 95 'WHITE LIST'	COMPLETED FULL ILO REPORTS	IMO MEETINGS ATTENDANCE
ALBANIA	●	●	●		●		●		●					N/S	●	●		●
ALGERIA	●		●		●				●									
ANTIGUA & BARBUDA					●	●												
ARGENTINA	●		●		●				●		●			N/S	●			
AUSTRALIA	●		●		●						●							
BAHAMAS					●				●									
BAHRAIN	●		●		●		●		●		●			N/S				●
BANGLADESH	●		●	●	●						●	●			●			●
BARBADOS			●															●
BELGIUM			●		●	●												
BELIZE	●		●	●	●	●							●					
BERMUDA *					●													
BOLIVIA	●	●	●		●	●	●		●		●	●			●	●		●
BRAZIL	●		●		●					●		●						
BULGARIA	●		●		●										●			
CAMBODIA	●	●	●	●	●				●		●		●					●
CANADA	●		●												●			
CAYMAN ISLANDS *																		
CHILE	●		●		●						●	●						
CHINA					●						●	●						
COLOMBIA	●		●		●		●		●		●							●
COSTA RICA	●		●		●		●	●	●	●		●		N/S	●	●		●
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	●		●		●				●		●			N/S				●
FINLAND			●		●										●			
FRANCE																		
GEORGIA	●	●	●	●	●				●		●		●		●			●
GERMANY																		
GHANA	●		●		●		●		●					N/S	●			
GIBRALTAR *			●		●	●												
GREECE																		
HONDURAS	●		●		●	●			●		●	●	●	●	●			●
HONG KONG (CHINA)											●							
ICELAND	●		●		●				●					N/S	●			●
INDIA			●		●	●			●									
INDONESIA	●		●	●	●		●		●		●	●						
IRAN	●		●		●						●							
IRELAND			●		●													●
ISLE OF MAN *																		
ISRAEL	●		●		●		●		●									●
ITALY			●		●	●												
JAMAICA	●		●		●						●							
JAPAN																		
JORDAN	●		●		●				●			●						●
KENYA	●		●		●		●		●		●			N/S				

N/S – No data submitted to IMO - can be regarded as negative indicator

* – UK dependent territories - entries for ratification of conventions, STCW 'white list' and IMO meetings attendance as UK

BLANK SPACES
SUGGEST POSITIVE
PERFORMANCE
INDICATORS

	PORT STATE CONTROL					RATIFICATION OF CONVENTIONS							A739	AGE	REPORTS		IMO	
	PARIS MOU WHITE LIST	PARIS MOU BLACK LIST	TOKYO MOU WHITE LIST	TOKYO MOU BLACK LIST	USCG QUALSHIP 21	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 147/MLC	CLC/FUND 92	RECOGNIZED ORGANIZATIONS	LOW AGE (SHIP NUMBERS)	STCW 95 'WHITE LIST'	COMPLETED FULL ILO REPORTS	IMO MEETINGS ATTENDANCE
KUWAIT	●				●		●			●		●						●
LATVIA	●		●		●										●			
LEBANON	●	●	●		●		●	●					●		●			●
LIBERIA																		
LIBYAN ARAB JAMAHIRIYA	●	●	●		●			●				●	●					
LITHUANIA			●		●	●												●
LUXEMBOURG			●		●													
MALAYSIA	●		●				●		●		●							
MALTA			●		●	●												
MARSHALL ISLANDS																		
MAURITIUS	●		●		●			●				●						●
MEXICO	●		●		●	●		●				●						
MONGOLIA	●		●	●	●							●	●	●	●			●
MOROCCO	●		●		●		●		●									
MYANMAR	●		●		●		●	●	●			●	●	N/S	●			●
NETHERLANDS					●													
NEW ZEALAND	●		●		●			●				●						
NIGERIA	●		●		●		●	●	●			●			●			
NORWAY																		
PAKISTAN	●		●		●			●				●	●					●
PANAMA					●	●							●					
PAPUA NEW GUINEA	●		●	●	●		●	●	●			●						●
PHILIPPINES					●		●		●			●			●			
POLAND			●		●										●			
PORTUGAL			●		●													
REPUBLIC OF KOREA					●	●						●						
ROMANIA	●		●		●							●						
RUSSIAN FEDERATION																		
ST. KITTS & NEVIS	●	●	●	●	●	●						●			●	●		●
ST. VINCENT & GRENADINES	●	●	●		●	●												
SAO TOME & PRINCIPE	●		●		●		●		●			●	N/S	●	●			●
SAUDI ARABIA	●		●		●		●		●			●	●					
SIERRA LEONE	●	●	●	●	●	●						●			●	●		●
SINGAPORE					●													
SOUTH AFRICA	●		●		●		●	●	●			●						
SPAIN			●		●													
SRI LANKA	●		●		●		●	●	●			●						●
SWEDEN															●			
SWITZERLAND	●		●				●	●	●									
SYRIAN ARAB REPUBLIC	●	●	●		●				●			●						
THAILAND	●		●	●			●	●	●			●						
TONGA	●		●		●			●				●	N/S	●				●
TRINIDAD & TOBAGO	●		●		●		●	●	●									●
TUNISIA	●		●		●			●				●						●
TURKEY			●	●	●	●		●				●						
TUVALU	●		●	●	●							●						
UKRAINE	●	●	●		●				●			●			●			
UNITED KINGDOM																		
UNITED STATES OF AMERICA	●				N/A	N/A		●				●						
URUGUAY	●		●		●			●	●				N/S	●				●
VANUATU	●																	
VENEZUELA			●		●	●		●				●			●			
VIET NAM	●		●	●	●			●				●						●

N/S – No data submitted to IMO - can be regarded as negative indicator

N/A – Data not applicable - US not eligible for Qualship 21 or USCG target listing

FOOTNOTES

Port State Control

Source: Paris MOU Annual Report 2010, Tokyo MOU Annual Report 2010, USCG Port State Control Annual Report 2010 (including Qualship 21 Qualifying Registries for 2011).

Paris and Tokyo MOU data relate to their 'black lists' but not their 'grey lists'. The USCG methodology for evaluating PSC detention ratios (USCG target list and Qualship 21) uses the detention ratio formula of detentions/distinct vessel arrivals, rather than detentions/inspections as used by the Paris and Tokyo MOUs.

There are various other regional and national PSC regimes worldwide, but in the interests of simplicity the performance Table only uses data from the three principal regional PSC authorities. Some flags may not be included on regional PSC 'white lists' (or 'black lists' too) because the low number of port calls by their ships makes them ineligible to qualify. The fact remains, however, that ships flying such flags will be more likely to be subject to inspection than ships on PSC 'white lists'.

Non-Ratification of Conventions

Source: IMO report 'Status of Conventions – full list' (end June 2011), IMO website (www.imo.org); ILOLEX listings (ratifications of Conventions), ILO website (www.ilo.org)

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 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) which from January 2013 will also cover CO₂ reduction.

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

International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 as amended (STCW 78) which will include the 2010 amendments from January 2012

International Labour Organization Merchant Shipping (Minimum Standards) Convention, 1976 (ILO 147) - excludes the 1996 Protocol; or the **ILO Maritime Labour Convention** (MLC 2006) which will supersede ILO 147 when it enters into force, probably in 2013

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 Ship Database (3rd quarter 2011)

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

Reports

Source: Report of the ILO Committee of Experts on the Application of Conventions and Recommendations 2011; ILOLEX database, www.ilo.org; various IMO MSC circulars

IMO Attendance

Source: IMO Meeting Reports

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