

SHIPPING INDUSTRY FLAG STATE PERFORMANCE TABLE 2015/2016



INTERNATIONAL CHAMBER OF SHIPPING
Representing the Global Shipping Industry



SHIPPING INDUSTRY FLAG STATE PERFORMANCE TABLE

THE FOLLOWING TABLE IS PUBLISHED ANNUALLY

www.ics-shipping.org/docs/flag-state-performance-table

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 THE START OF DECEMBER 2015

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 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 three PSC authorities present this information.

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. 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 any way 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 positively 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 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

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 also records flags that have submitted adequate reports of independent evaluations to IMO confirming continuing compliance with the STCW Convention. IMO is not expected to publish data about the submission of reports demonstrating compliance with STCW 2010 until at least 2016. This year's Table therefore 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 7 December 2015.

 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														N/S				
BANGLADESH																		
BARBADOS																		
BELGIUM																		
BELIZE																		
BERMUDA							UK	UK	UK	UK	UK	UK	UK			UK	UK	UK
BOLIVIA																		
BRAZIL																		
BRITISH VIRGIN ISLANDS							UK	UK	UK	UK	UK		UK			UK	UK	UK
BULGARIA																		
CAMBODIA																		
CANADA																		
CAYMAN ISLANDS							UK	UK	UK	UK	UK	UK	UK			UK	UK	UK
CHILE																		
CHINA																		
COLOMBIA																		
COMOROS																		
COOK ISLANDS																		
COSTA RICA																		
COTE D'IVOIRE														N/S				
CROATIA																		
CUBA																		
CURACAO							NL	NL	NL	NL	NL	NL	NL			NL	NL	NL
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				
GIBRALTAR							UK	UK	UK	UK	UK	UK	UK			UK	UK	UK
GREECE																		
HONDURAS																		
HONG KONG (CHINA)																		
ICELAND																		
INDIA																		
INDONESIA																		
IRAN																		
IRELAND																		
ISLE OF MAN							UK	UK	UK	UK	UK	UK	UK			UK	UK	UK
ISRAEL																		
ITALY																		
JAMAICA																		
JAPAN																		
JORDAN																		
KENYA																		

 – 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.

* – Indicates that if China's ratification of the ILO MLC is extended to Hong Kong before 12 November 2016, the Convention will also enter into force in Hong Kong on that date.

 SQUARES
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	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
KIRIBATI																		
KUWAIT																		
LATVIA																		
LEBANON																		
LIBERIA																		
LIBYA																		
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																		
QATAR																		
REPUBLIC OF KOREA																		
REPUBLIC OF MOLDOVA																		
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																		
TANZANIA																		
THAILAND																		
TOGO																		
TONGA														N/S				
TRINIDAD & TOBAGO																		
TUNISIA																		
TURKEY																		
TUVALU																		
UKRAINE																		
UNITED ARAB EMIRATES																		
UNITED KINGDOM																		
UNITED STATES OF AMERICA					N/A	N/A												
URUGUAY														N/S				
VANUATU																		
VENEZUELA														N/S				
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 2014 (published in June 2015); Tokyo MOU Annual Report 2014 (published in June 2015); USCG Qualship 21 Preliminarily Qualified Flag Administrations 2015 and USCG List of Targeted Flag Administrations 2015 (Safety), as recorded in USCG Port State Control Annual Report 2014.

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), ILO website (www.ilo.org) (all as at 1 December 2015).

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 gt.

Reports

Sources: Report of the ILO Committee of Experts on the Application of Conventions and Recommendations 2015;

MSC.1/Circ.1163/Rev.9.

IMO Attendance

Source: IMODOCS 'List of Participants' for the following meetings: MEPC 66, 67 and 68; MSC 93, 94 and 95; LEG 101 and 102; Assembly 29.

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The International Chamber of Shipping (ICS) is the principal international trade association for the 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 37 countries, covering more than 80% of the world merchant fleet.