FIRST JOINT MINISTERIAL CONFERENCE OF
THE PARIS AND TOKYO MEMORANDA OF UNDERSTANDING
ON PORT STATE CONTROL

“TIGHTENING THE NET”
INTER-REGIONAL ACTION TO ELIMINATE
SUB-STANDARD SHIPPING

VANCOUVER, BRITISH COLUMBIA
CANADA

MARCH 24-25, 1998

REPORT OF THE CONFERENCE
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**ON PORT STATE CONTROL**

Vancouver, British Columbia
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Opening Address by the Chairman of the Conference

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OPENING ADDRESS BY THE CHAIRMAN OF THE CONFERENCE

“Tightening the Net”
Inter-regional Action to Eliminate Sub-standard Shipping
Honourable ministers and delegates, ladies and gentlemen, welcome to the First Joint Ministerial Conference of the Paris and Tokyo Memoranda of Understanding on Port State Control.

Canada is proud to be acting as host for this conference, and I am personally pleased to be acting as chairperson. During the conference, I will be acting in a dual capacity - first as conference chairperson and second as a Canadian delegate. As chairperson, it is with great pleasure that I declare the conference officially open.

Also with me today, as part of the Canadian delegation, are Margaret Bloodworth, Deputy Minister of Transport Canada; Ron Jackson, Assistant Deputy Minister of Safety and Security; and Captain Barry McKay, Director of Project Planning, Marine Safety. Their presence here today reflects the importance that Transport Canada attaches to port State control - any decisions taken during the conference will be implemented by Canada at the highest levels.

As chairperson, I would also like to extend a welcome to members of the press who will be with us for the presentations today and tomorrow, as well as at tomorrow’s press conference.
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ADDRESSES BY HEADS OF DELEGATION
Address by Mr. Patrick Quirk, 
representing the Minister for Workplace Relations & Small Business of Australia on 
the occasion of the First Joint Ministerial Conference 
of the Paris & Tokyo Memoranda of Understanding on Port State Control 
Vancouver, British Columbia, Canada, March 24-25, 1998

Mr. Chairman,

As an island nation whose trade is dependent on a safe, reliable and viable maritime transport system the Australian Government welcomes the opportunity to participate in this Ministerial Conference. I would like to thank all officers and officials associated with the organization and particularly the Canadian Government for their role in hosting and facilitating this historic gathering.

Australia has a proud record of achievement in the application of maritime safety and environmental protection standards through port State control. Whilst inspections have been conducted since the mid 1980s the 1992 Ships of Shame Report was the catalyst for a substantial enhancement of the ship inspection program. This Parliamentary report, which has the support of all political parties, continues as one of the principal studies into the causes of unsafe shipping and its recommendations still remain as a proven strategy in addressing the problems caused by these vessels.

Australia's commitment to ship safety stems from our reliance on shipping. As one of the worlds largest producers of coal, iron ore and grain our export industries depend on reliable shipping services. The loss of a number of bulk carriers in the Indian Ocean in the early 1990s after loading at Australian ports dramatically emphasized our need for reliable and safe shipping as well as highlighting our existing responsibilities as a port State.

In addition our concerns are also based on the sensitivity of Australia's marine environment. With over 30,000 km of coastline, having the Great Barrier Reef as a living natural asset and given our thriving tourism and aquaculture industries we are only too well aware of the hazards and problems that can arise from the operation of unsafe shipping in our waters.

Finally, Australia places great value on human life. Regardless of race, creed or background Australia believes that all seafarers should have the right to work on vessels that provide at least the minimum standards of safety provided under the existing international conventions.
Port State control is merely one aspect of Australia's fight against unsafe shipping. In itself port State control is not a solution. In many ways it is an imperfect procedure working in an imperfect world. It cannot identify every unsafe ship nor can it provide an absolute assurance of maritime safety.

The primary responsibility for safe ships lies with the operator and the flag State. However, whilst some owners and administrations remain unable, or in some cases unwilling, to meet their obligations, port State control will remain as an important enforcement approach. However, the permanent solution to the current safety problems is for all parties to fully accept and implement their existing responsibilities. UNCLOS provides all nations with many rights in relation to ship registration, freedom of navigation on the high seas and innocent passage through the waters of coastal States. However every right must be accompanied by a corresponding responsibility. Whilst some nations continue to ignore their responsibilities in relation to vessels carrying their flag then coastal and port States will implement strategies aimed at protecting their resources, ports and environment from the impact of unsafe ships.

Australia remains a strong supporter of a movement within the IMO to more clearly prescribe and promote the responsibilities of flag States. Such an instrument will provide a benchmark by which administrations will be offered technical and other assistance. For those States who continue to flout their international responsibilities, such an instrument may also act a means of identifying and isolating their activities.

Whilst there is no absolute guarantee of acceptable maritime safety standards and the prevention of marine pollution there is objective evidence that our inspection program is resulting in higher quality shipping servicing the Australian trades. The number of vessels detained continues to fall in both absolute and relative terms. The 1995 detention rate was 9.8% and in 1997 was 6.5%. This has been achieved by AMSA with a substantial level of cooperation afforded by Australia's maritime community. Their open and unqualified commitment to improving safety and environmental protection must be recognized as a major factor in achieving a safer shipping industry.

The current international maritime safety regulatory system provides for an almost seamless system for the movement of vessels between the jurisdictions of the world's trading nations. As such it is a critical element in the facilitation of world trade. The danger remains that some nations or regional groupings will consider unilateral action in an effort to ensure greater protection from unsafe shipping. Such a move is not in the interest of free trade nor in the interest of nations such as Australia which depend on the free movement of vessels for the transport of its exports/imports. The operation of a port State control system which satisfies the tests of transparency, objectivity and accountability can minimize the call for such unilateral action.
There is a cost for Australia's vigilance. The safety regulatory levy on shipping funds the inspection program and is an element of the cost structure facing our exporters and importers. However the question being asked is: *Do our exporters pay a freight premium (and suffer a disadvantage) for their shipping as a result of our vigilance?* AMSA's quantitative and qualitative research cannot prove any cost or service disincentive but common sense dictates that some of our foreign competitors must benefit through their continued use of sub-standard shipping. This is a problem which Australia shares with all nations who implement safety and environmental programs through port State control and provides the impetus for a regional approach in an effort to avoid the creation of competitive imbalances.

Australia is a founding member and strong supporter of the Tokyo MOU. Prior to the MOUs formalization Australia funded and operated the interim Secretariat. However we are becoming increasingly disillusioned with the implementation of the MOUs initiatives, and strategies by some of the member States. Whilst accepting that some nations require both technical and organizational assistance there remain a number of nations who are important open flag registries yet seemingly make little if any contribution to the aims and objectives of the MOU. Such action treats with contempt the spirit of cooperation on which the MOU is based. Until and unless the problems with the current MOU arrangements are fully recognized and addressed then the IMO should perhaps consider postponing the creation of further regional groupings on port State control.

Substantial challenges face those administrations who implement their port State responsibilities:

- The ISM Code provides the overarching framework for the development of a rigorous safety culture but will it really be accepted in its true spirit?
- The continued globalization of the shipping industry is squeezing out traditional operators who are being replaced by entities who view ships merely as another asset play and may disregard their wider safety and environmental responsibilities,
- The continuing academic and regulatory emphasis on the human element which merely clouds the unarguable fact known by all seafarers that a good crew can make for a safe and sound ship but a sound ship does not always guarantee a competent crew,
- The increasing level of technical sophistication that is always accompanied by the call for reduced manning,
- What will be the impact of the Asian economic downturn on freight rates and vessel availability and how will this effect vessel quality and maintenance standards?
In conclusion Australia remains a strong supporter of safe ships and clean oceans. The declaration to be considered at this meeting provides an ideal opportunity for nations to reassess and strengthen their commitment to maritime safety and environmental protection standards. The rules and regulations that currently exist, if properly implemented, would ensure one of the safest transport modes in the world. That we have the current problems in relation to sub-standard shipping highlights the difficulties in application and enforcement rather than the content of the rules. What is required is not more regulation but greater observance of the current regulations. That is where port State control will remain as a useful tool.

All nations must recognize that their international rights are matched by responsibilities. Perhaps the time has come for nations which continually flout their international responsibilities whilst enjoying the benefits of their international rights to be sanctioned by a global community which is tired of the endless succession of accidents involving the loss of life, environmental pollution and the damage of valuable cargo.

Thank you.
Mr. Chairman, Honoured Guests, Ladies and Gentlemen

The event that brings us together here today is unquestionably an important new stage in our constant efforts to improve the safety of marine navigation in the world. I am therefore very grateful to the Canadian government, which is hosting this conference in its country, for allowing me to address you on behalf of Mr. Daerden, the Minister of Transport of Belgium, who was unfortunately unable to attend.

The steadily increasing percentage of ships being detained in the Paris Memorandum of Understanding region over the past few years abundantly demonstrates the need for a worldwide port State control system providing flag States with the essential tools for ensuring that ships flying their flag are kept up to standard. Full compliance with the regulations, it must not be forgotten, is in the first place the responsibility of the flag State. Needless to say, the results revealed by inspections are hardly encouraging about any substantial improvement in maritime safety, despite the efforts of all of you here. Over and above this, I would inform you that my Minister is also very concerned about the threat to mariners’ safety posed by piracy.

I am genuinely convinced that the commendable initiative of the Canadian government to align the Tokyo and Paris memorandums of understanding will contribute substantially to improving the safety of navigation and better protecting the marine environment around the world. The creation of other regional memorandums of understanding, with the much-appreciated assistance of the International Maritime Organization, gives me great hope.

Belgium is endowed with one of the largest ports in the world. It is constantly growing, and so, I may add, is the percentage of ships detained for being below standard. This percentage is currently the highest in the Paris Memorandum of Understanding region. This fact, together with the conviction that port State control is an effective way to achieve safe marine transport, improve shipboard living and working conditions and prevent pollution of the marine environment, prompted the Belgian government last year to strengthen quite substantially the staff assigned to such control in Belgian ports. This step, I am confident, will very shortly have a clear beneficial effect on the number of inspections and control operations in general conducted by Belgium.
A very large number of international instruments to improve the safety standards for ships and their operation, have been newly created, amended or refined in the recent years, through the deserving initiatives within the International Maritime Organization and the European Community.

Obviously, these instruments by themselves cannot provide a safer shipping. They will have some effect only when they are consistently, meticulously and harmonically applied by everybody involved, that is the MOU underwriting States, and more specifically their respective governmental services, entrusted with that task. The effect of the legal instruments on the actual safety standards in the shipping industry, largely depends on the performances of these services.

In order to improve that performance, one could consider the creation of a pre-set, harmonized, universal standard of application of the regulations to which the different maritime administrations must apply.

Therefore, we would like to suggest to all parties concerned that they should concentrate on the application of the already available instruments and to evaluate their real impact on the safety standard of shipping, rather than to take initiatives to create additional new regulations.

We think it would be worthwhile to consider the creation of international compulsory standards for maritime administrations. These standards should cover the different tasks of these administrations and services, the structure that matches with these tasks, well defined areas of responsibility, and last but not least, requirements concerning the personnel, i.e. qualifications, job training, permanent updating of knowledge and know how.

An internal quality management system is an essential part of such standards. This permanent quality control system can be seen as an opportunity for enhanced cooperation and harmonization between the different maritime administrations of the underwriting States, especially when, as we see it, the quality control supervision is rotating amongst the States.

Mr. Chairman, ladies and gentlemen, the Belgian Minister of Transport invites you to reflect on this idea.

Thank you.
I would first like to point out that this Conference is a Canadian initiative. It reflects the great importance that Canada attaches to marine safety and environmental protection in general, and to the regional and global harmonization of port State control procedures in particular.

Canada, like the Russian Federation, is a full member of both MOUs and sees itself as a “hub” between the two regions. Through conferences such as this, Canada sees an opportunity to alleviate administrative and operational difficulties that may be encountered by MOU members as a result of cultural and financial differences in the two regions.

Given that background, I’d like to provide you with a brief overview of Canada’s “state of play” with respect to port State control.

Earlier this month, Transport Canada released its 1997 fourth quarter report on foreign vessels detained at Canadian ports under our port State control ship inspection program. During that quarter, some 278 foreign vessels were inspected, of which 38 were detained, most of these being bulk carriers. Detained vessels such as these are required to rectify their deficiencies before being allowed to leave Canadian ports.

Canada continues to publish annual reports on port State control, reports that provide detailed statistical information on visiting foreign-flagged ships that are inspected at Canada ports. Any deficiencies that are discovered are reported by category such as safety in general, firefighting or lifesaving equipment, or marine pollution, and these categories are further broken down for more detailed analysis.

For those vessels that are detained, statistics are given regarding flag State, inspection office and vessel type. This reporting, readily available to other member nations either in print or electronically, clearly illustrates Canada’s view that inter-regional data exchange is an important aspect of the successful harmonization of port State control procedures.

To minimize disruption to commercial enterprise, Canadian marine safety surveyors work closely with industry before and during port State interventions and we have developed a vigilant targeting system that ensures that only those ships that are most likely to be sub-standard are inspected.
Canada has consistently exceeded the target rate set for port State control inspection. This success is attributable, in part, to the Bulk Carrier Inspection Program, launched in 1992, which forms an integral and effective part of our port State control procedures. Because an increased harmonization of international procedures and enforcement measures is essential in establishing effective port State control, we have worked hard on improvements in this area and are at the forefront of the international harmonization process.

Canada has consistently developed knowledge and expertise in marine safety and enforcement and we are willing to share our experience with other countries. The expertise of Canada’s surveyors receives world-wide recognition, with foreign surveyors often coming to Canada to benefit from on-the-job training.

In addition to participating in port State control seminars, Canadian marine safety surveyors regularly receive invitations to provide specialized lectures and training seminars and courses around the world. Several successful initiatives have been the result allowing a number of other nations to become self-sufficient in terms of marine inspection and other matters related to maritime safety.

For example:

- Canadian marine surveyors recently helped Vietnamese ship inspectors gain the experience necessary to implement standardized vessel inspections and to investigate violations, with particular emphasis on bulk carriers, tankers and container ships, the types of vessels that most often encounter safety-related problems.

- Inspectors from the maritime administration of Chile spent time here in Vancouver recently to work with and study the role of port State control officers. The knowledge that they gained while in Canada will enable them to implement more effective port State control procedures once back in Chile.

- Canadian surveyors also shared their expertise during the past year by developing and teaching courses in both Malaysia and Italy, and

- Canada also hosted a delegate from the Russian Federation, who came here to study and train in preparation for the establishment of an inspection database in his home country.

As manager and custodian of the Asia-Pacific Computer Information System (APCIS), Canada is well suited to train such delegates in reporting procedures and database management. Once trained, they share that expertise with other members countries in their region, further consolidating the international compatibility of systems.
Transport Canada’s Marine Safety Directorate is currently working closely with the maritime administration of the Netherlands to establish an inter-regional exchange server. When fully operational, the server will link the databases of the two MOUs. Such an exchange of inspection information between the Paris and Tokyo MOUs will greatly assist the participating regions in carrying out their inspection and enforcement operations making it more difficult for sub-standard ships to escape detection as they pass from region to region.

We in Canada place great importance on international standards for such vessels. It is our policy to respond positively to all requests for training assistance from countries developing their own port State control standards and processes and to play a leading role in linking regional activities.

We are also keenly interested in the Caribbean MOU and the Viña del Mar MOU for the South American region. It is our hope that the various MOUs, while currently regional in nature, may eventually evolve into a global organization, resulting in standardization that will benefit all stakeholders in marine transportation.

Canada sees the signing of the Declaration as particularly relevant in 1998, the year declared by the United Nations to be the “Year of the Ocean”. In making this the Year of the Ocean, the UN had as its objectives:

- first, to focus attention on threats to the ocean environment and to secure resources to ensure the sustainable development of the oceans; and
- second, to combat pollution, population pressures, overfishing and climate variability.

Our declaration will be a major step forward in meeting these objectives. Canada sees its dual role as a full member of both the Paris and the Tokyo MOUs as the best and most efficient means of minimizing the number of sub-standard vessels entering Canadian ports and travelling the seas.

Canada’s past experience in developing more harmonized port State control procedures with Europe will be of assistance in establishing, for the Pacific Rim region, a similarly cost-effective and reliable inspection and enforcement system. In Canada’s view, we must move forward together, through mutual cooperation and harmonized efforts, to monitor and enforce safe marine transportation.
Your Excellency, Distinguished Guests, Ladies and Gentlemen,

It’s my great pleasure to attend this Joint Ministerial Conference in the beautiful City of Vancouver. I’m glad to have met old friends and made new friends. This provides us with a good foundation for our long-term cooperation in the future.

The nice and friendly environment of Vancouver and the hospitality of my Canadian colleagues have given me a very deep impression. I would also like to take this opportunity to express my appreciation to the Canadian Government and relevant organizations for their good preparation that has made this conference successful.

China is a coastal country with a big merchant fleet. Maritime safety and marine environment protection are of key importance to this country. The Chinese Government is firmly against sub-standard shipping, and has been making efforts to eliminate sub-standard ships. The Chinese Maritime Authority is carrying out port State control inspections under the Tokyo MOU. Great progress has been made both in the number and quality of such inspections in recent years.

While conducting port State control, the Chinese Maritime Authority had laid great stress on strengthening flag State control on those ships flying the Chinese Flag. In 1997, the Regulations governing Ship Safety Inspection of the People’s Republic of China were amended with a view to strengthening flag State control and port State control. Those regulations provide harmonized procedures to form a co-ordinated control and inspection system. In order to exercise effective control of the ships under Chinese Flag, The Chinese Maritime Authority cooperates closely with other authorities. The results of port State control conducted on Chinese ships by other authorities are considered during flag State control inspections in order to improve the technical conditions of those Chinese ships and ensure their compliance with the necessary requirements.

China has ratified all major IMO Conventions relating to maritime safety and prevention of pollution from ships such as SOLAS, MARPOL, STCW, etc. The Chinese Government has been doing its best in discharging responsibilities under those Conventions. To effectively implement the STCW95, the Chinese Maritime Authority
China

Addresses by Heads of Delegation

has completed the formulation and amendment of necessary national regulations relating to training, examination, assessment and certification of seafarers according to the STCW Convention as amended. As required by Regulation 1/7 of the STCW Code, the Chinese Maritime Authority has submitted to the Secretary-General of IMO its documents for communication of information. Such documents were reviewed at the IMO Experts’ Meeting on the Implementation of STCW95 that was held in Tokyo during March 1-5, 1998. China has been the first to submit the implementation document in accordance with the Convention and also the first to be reviewed for that purpose.

The Chinese Government is well prepared for the coming into force of the ISM Code. The Chinese Maritime Authority is ready to conduct inspections relating to implementation of the ISM Code. The Chinese Government has made it clear that, after July, 1998, any Chinese shipping company to which the ISM Code applies will not be allowed to engage in international shipping if it has not obtained a DOC in due time and that any Chinese ship to which the ISM Code applies will not be allowed to sail to other countries or regions unless they are certified with SMC. All foreign vessels arriving at Chinese ports without ISM certification will be treated as sub-standard ships.

We believe this Joint Ministerial Conference will surely enhance and push forward the regional cooperation on port State control. The Chinese Government will, as it always does, make its best efforts to implement the relevant IMO Conventions and Resolutions, to participate actively in the work of Tokyo MOU and to make use of this Ministerial Conference to promote PSC and FSC activities in China. Let us make joint efforts to eliminate sub-standard shipping and achieve the goals set out in the Joint Ministerial Declaration.

Thank you.
Mr. Chairman, ladies and gentlemen,

It is my pleasure and privilege to address you on behalf of the maritime authorities of the Republic of Croatia. I would like to express our appreciation and gratitude to the Canadian government and specifically to Transport Canada for organizing this timely conference. I would also like to apologize for my Minister of Maritime Affairs, Transport and Communications, who was unable to come.

Croatia is the newest member of the Paris Memorandum. The reason for our accession to the Memorandum is that, in it, we have recognized many of the same principles and strategies governing our shipping policy.

Traditionally, Croatia is a maritime and tourist oriented country. While our goals are to stimulate the development of our own fleet and to achieve competitiveness in the world market, our primary concern is for complying with international safety standards. Poorly equipped and operated vessels pose a constant threat, not only to the dignity of the maritime profession, but they also jeopardize fundamental human rights, the right to live and work in a safe environment. Unsafe shipping practices threaten to devastate the marine environment. Therefore, it is our duty and obligation to future generations, to fight against sub-standard practices.

Without a doubt, the onus for safe ship operations is on the shipowner. However, as a large number of organizations have become involved in the actual use of ships, inevitably, this has led to a dispersion of liability, thus diminishing the actual effect of the implementation of internationally accepted standards. The introduction of quality standards and implementation of the International Safe Manning Code will serve to enhance the personal and actual responsibility for the safe voyage of each and every ship.

However, the effectiveness of this and all previously adopted unification standards in shipping depend considerably upon the efforts made by every flag State to implement these standards. In doing so, we must take into consideration the different degree of economic development of each maritime country, that is, unequal objective possibilities to enforce individual instruments. Therefore, we fully support the rendering of all technical cooperation and assistance to maritime administrations for the implementation of international standards.
As far as the so called “front line of defense” against sub-standard shipping does not fully meet the criteria on a global level, the efficient use of the port State control as a “second line of defense” is necessary. According to a summary of foreign ship inspections in Croatia in 1997, a total of 48% of the vessels examined proved to be deficient, whereas 11.91% of them were so deficient that the ships had to be detained.

Our efficiency and decisiveness to combat negligent and irresponsible conduct in shipping has substantially enhanced the safety of navigation.

During a recent ship inspection in Croatia, we witnessed an extreme case of negligence. Due to a total of 66 serious deficiencies, a vessel was ordered to dry dock in a repair yard. While an appropriate ship yard was being determined, the ship left port without being authorized to do so by the port authorities, and headed in an undetermined direction. In that instance, we made use of a newly adopted instrument of the Paris Memorandum, that of ‘banning’. This prohibits the vessel from docking at any port in the region. This way, not only did we protect our own docks, but we clearly indicated our determination that cases such as these will not be tolerated in the future.

Port State control inspectors perform extremely important duties and it is therefore crucial that they receive continued training and education and that procedures are standardized. The authorities responsible for navigational safety on all levels must be properly organized both in terms of staff and equipment in order to be able to perform these complex tasks. It goes without saying that the inspector’s independence is a basic prerequisite of their profession.

Port State control is only effective if it is regionally standardized. All information exchange within the region, between regions, as well as the standardization of port State procedures enables us to realize our goals.

Port State control will only function properly if it is an integrated network comprising a whole unit. Let us not forget, a chain is only as strong as its weakest link. So, let us dedicate ourselves wholeheartedly towards realizing the goals set forth by the Memorandum.

Thank you.
Mr. Chairman, Ministers, Ladies and Gentlemen,

First of all, I would like to commend our Canadian colleagues for their initiative in hosting this First Joint Ministerial Conference. I would also like to express my sincere thanks for the excellent preparations and arrangements, which have been made for the Conference.

The result of this Joint Conference will hopefully assist in eradicating sub-standard shipping in our regions.

The last Ministerial Conference within the Paris MOU, which was held in Copenhagen in 1994, welcomed the establishment of the port State systems in the Asia-Pacific region and in Latin America, in its efforts to eliminate sub-standard shipping. We found it extremely important to promote inter-regional cooperation and the exchange of port State control information between the regions. And we are pleased that today we are taking an active part in initiating such inter-regional cooperation. Only by combining our efforts will we succeed in eliminating sub-standard ships in Europe, as well as in other regions. Therefore I warmly welcome this Conference and its theme of “Tightening the Net - Inter-Regional Action to eliminate Sub-standard Shipping”.

My country fully supports the Declaration in front of us, and the actions stipulated in the Declaration to enhance safety and to improve the working and living conditions on board ships trading in our regions.

I see this as an important step in our global fight against sub-standard shipping. I am convinced that our efforts will succeed in preventing shipowners from operating sub-standard ships. Thus we will enhance the safety of seafarers, and diminish the risks to the marine environment. Finally the operation of sub-standard ships creates an unfair competition for responsible owners, and should be eliminated.

Denmark has a long tradition as a shipping nation, which goes far back to the age of the Vikings. Though, I hope that our ships today, when they visit foreign ports, are greeted with more enthusiasm and more friendly that the Vikings were.

However, our interest in eliminating sub-standard ships goes much further than the interest of eliminating unfair competition. Denmark has a long coastline with international straits forming entrances to the Baltic Sea. This makes us exposed and vulnerable to marine pollution.
Many ships pass through Danish waters, in transit. Therefore, we depend on other countries’ control systems, and on other flags States to fulfill their obligations.

We see this Conference as an important contribution to the improvement of safety and the environment in our region. In the months to come the implementation of the Declaration will be essential. Let me just mention some of the important aspects. The activities under the IMO on flag State implementation needs our willing participation and support. Despite the efforts of the IMO subcommittee there are still flag States which could be labelled as sub-standard.

As a result of which we must, to a great extent, rely on the classification societies acting on behalf of such flag States. The initiative taken by the major classification societies to improve the harmonization and transparency of their rules, are welcomed and appreciated. Especially if the effect is one which makes “class hopping” become less attractive.

Our efforts in other areas could contribute to our mutual goal as well. Other States could be invited to join us in eliminating sub-standard shipping. The Baltic Sea is a very sensitive area, but not all surrounding countries are members of the Paris MOU. I would therefore like to see the Baltic States become more active participants in port State control.

We must realize that safety at sea is not only a question of eliminating sub-standard shipping. There are other risks to the safety of the seafarers which should not be underestimated. Acts of piracy and armed robbery against ships are a significant and increasing threat to the safety of ships and their crew. To eliminate this danger it is necessary to strengthen the cooperation and the exchange of all relevant information regarding to the problem. To this end we should also actively support the ongoing initiatives within the IMO.

The new millennium is close and new ideas will be called for. Let me share with you one of the topics that we could focus on at our next meeting. In short: Quality versus Quantity, or: How could we improve the effectiveness of port State control?

It is difficult to measure the effectiveness of port State control. We have within the MOU taken an important step in the right direction by targeting ships for prior inspections. However, I find that the time has come to consider whether we should continue to focus on annual rate of inspections, or rather concentrate our efforts on those ships in worse repair. Rather than merely counting the number of inspected ships, the inspection rate should also include the quality of inspections. Quality of inspections should be taken into account and the system should somehow credit the port State for selecting a ship, which is suspected of being sub-standard. This could be, as I just mentioned, a topic for our next meeting. But before we engage ourselves in new achievements in the next century, let us not forget the results of today. Mr. Chairman, let me conclude by once more expressing my compliments on the excellent Declaration which we fully support.
Address by Mr. Rato Inoke Kubualbola
Minister for Communications, Works and Energy of the Republic of Fiji
on the occasion of the First Joint Ministerial Conference of the Paris & Tokyo Memoranda of Understanding on Port State Control
Vancouver, British Columbia, Canada, March 24-25, 1998

Mr. Chairman, Honourable Ministers, Your Excellencies, Ladies and Gentlemen,

I would like to thank you very sincerely Mr. Chairman as our host, Transport Canada and the Canadian Government for bringing together the two groups of the Paris and Tokyo Memoranda of Understanding on Port State Control for this inaugural Joint Ministerial Conference in the continuing fight to eliminate sub standard shipping.

We in Fiji, in the middle of the Pacific ocean, with our 300 odd islands completely locked in by the sea, and removed from the rest of the world and the hustle and bustle of the main shipping lanes, at times take for granted the friendliness of the sea and the safety of and the expected compliance of those vessels which pass near and through our waters.

However, we are constantly reminded of the activities of some flag States and shipping interests to flout the internationally accepted practices and principles of safety at sea.

Though we are a signatory to the Tokyo MOU, we have not been able to play an effective role in the monitoring of vessels that come into our ports. We have been totally reliant on our neighbors Australia and New Zealand for their inspection regime and advice.

Mr. Chairman, it was only after the First High Level meeting of officials in Victoria in September last year that we began in earnest to build up our capability to play our part in port State control.

Through the financial assistance of the Tokyo Secretariat and the expertise of the Australian Maritime and Safety Authority (AMSA), we have been able to carry out an audit on our capability to fulfill our PSC obligations, set up the required infrastructure and have completed the training of our inspectors just last week. Training has been possible through the Technical Cooperation Programs of the International Maritime Organization, the AMSA, and the Japan International Cooperation Association (JICA).

Mr. Chairman, my Government is fully committed to the aims of port State control and with the theme of this Conference. With the willing help of others especially AMSA, from Australia, we are now in a position to be counted on to play our part. That we will do and do with commitment and zeal.

Thank you.
Address by Mr. Kyösti Vesterinen  
Director General of the Finnish Maritime Administration  
on the occasion of the First Joint Ministerial Conference  
of the Paris & Tokyo Memoranda of Understanding on Port State Control  
Vancouver, British Columbia, Canada, March 24-25, 1998

Mr. Chairman, Honourable Ministers, Your Excellencies, Ladies and Gentlemen,

Finland as one of the Baltic Sea States has supported efficient port State control since the early eighties. In 1997, the Finnish Maritime Administration inspected around 500 foreign ships in Finnish ports representing 30% of the individual foreign ships visiting Finland, 32 ships were detained. The concentrated inspection campaign on living and working conditions was carried out and 129 ships were inspected in that campaign. The detention percentage of Finnish flag vessels in inspections abroad remained low in 1997.

Finland’s long coast line and the whole Baltic with its winter ice conditions are particularly sensitive to environmental damages.

We have, in cooperation with the other Baltic States, succeeded in implementing some additional technical measures to protect our marine environment. The control of MARPOL operational requirements is therefore important for us. We believe that the 1996 European concentrated inspection campaign on oil record books was very useful. Maybe both regions could consider the possibility of a joint campaign on MARPOL matters in the future?

Finland has implemented the ISM rules on Finnish flag ships through national legislation well ahead of the IMO schedule. All foreign-going ships including ordinary cargo ships will have ISM certification by 1 July 1998. We therefore welcome the concentrated inspection campaign on ISM matters starting next July.

We are eager to keep sub-standard ships outside the Baltic area and therefore welcome this new form of cooperation between the regional control areas to tighten the net.

We believe that the only way to safer seas and cleaner oceans is to continue to support the provision of technical cooperation to those administrations willing to improve their capabilities as flag States. This can happen through IMO programs or by supporting the World Maritime University directly or by any other bilateral programs.

In our neighborhood we still have three Baltic States outside the European network. The first step for us is to help them to improve their flag State capabilities. Our firm belief is that they can do it quite quickly and join the European network in the future.

At the same time the cooperation between the regional networks and within the IMO should be continued.

Thank you for your attention.
Address by Mr. Christian Serradji, Director of Maritime and Seafarers Affairs, France, on the occasion of the First Joint Ministerial Conference of the Paris and Tokyo Memoranda of Understanding on Port State Control
Vancouver, British Columbia, Canada, March 24-25, 1998

Ministers and Distinguished Delegates,

The regional marine safety conference on 26 January 1982 was the real launch-pad for the Paris Memorandum. In his opening address at the time, the French minister responsible for oceans expressed the importance of following up the action initiated by the member States and noted that the relative absence of marine disasters over a given period of time should not to be allowed to lead to any loss of commitment over the long haul to satisfactory marine safety.

Sixteen years later, everyone can see the wisdom of remarks that already reflected your opinion at the time. The honour that I feel in speaking before such a gathering reflects the success, vitality and seriousness of regional agreements concerned to develop and interact.

The action of the IMO, and of its Secretary General, Mr. William O’Neil, who was able to take the necessary initiatives, plays a large part in this. Further, the combined efforts of the secretariats or other driving forces behind this issue, such as the European Commission for the Paris Memorandum, have greatly contributed to this success. But this success also owes a great deal to the leadership of concerned countries like Canada, which I thank for holding this conference.

At the same time, however, the reality of the marine world with its tragic accidents constantly reminds us of the need to continue our efforts.

In this connection, France would like to restate the three main ideas on which it bases its action and position:

A moratorium on standard-setting is essential to implement the concept of integrated safety.

While many voices have called for a moratorium on standard-setting to give flags and operators a chance to come up to par, we, the countries bound by regional port State control agreements, must regard this necessary moratorium as a real challenge not only because of our important role in encouraging upgrading of the world fleet but also in terms of our own image as represented by the quality of our own flags.
This heightened effort will have to take account not only of technical standards but also of the human factor and the standard being developed for it. In fact, regardless of technological advances, regardless of international efforts at coordination and consultation for better and more effective marine safety, the fact remains, and will always remain, that integrated safety is achieved through the ineluctable and essential human dimension. This is one of France’s major concerns. No longer can marine accidents and disasters be exorcised simply by looking for “culprits” or mechanically adding layers of regulation. Human error is too central to safety not to be subjected to thorough study of its technical, economic, social and cultural implications.

**The human factor is still the linchpin to integrated safety**

In our context, the human factor must be viewed in the light not only of the two main deadlines of full application of the STCW Convention and the coming into force of the ISM Code for certain types of vessel but also of the standards of the International Labour Organization in the maritime field.

**STCW**

Seamen’s training is now strictly governed by the 1995 STCW Convention, and 1998 is also a turning point for it. In future, a ship whose seamen cannot produce certificates of competency in compliance with the regulations established by the Convention may be detained in port. Also in future, a country whose marine training standards have not been recognized as satisfactory will run the risk of seeing the holders of certificates issued by it prohibited from working at sea. France was very active in developing and implementing the STCW Convention. I am convinced that recognized curricula and diplomas meeting criteria backed by the world-wide maritime community as a whole make an irreplaceable contribution to guaranteeing better intrinsic safety. Over and above that, I am also firmly convinced that upgrading and control of maritime training criteria will promote an idea of maritime employment as combining recognized skills and acceptable social standards for seafarers.

**The ISM Code**

By 1 July of this year, some categories of ship will have to have been certified under the Safety Management Code established by the IMO. Inspired by the concept of the ISO 9000 standards in industry, the ISM Code places man at the centre of safety considerations by clarifying the organization of work, especially as regards relations between decision-makers ashore and crews on ships. It is henceforth recognized that seafarers are no longer the only actors or persons responsible for the safety of a voyage, but that the ship’s operator must put as much effort as possible into safety.
The ILO Standard

Discussion of the human factor cannot be dissociated from the work of the International Labour Organization (ILO) and the minimum social standards that it is endeavouring to develop. With the minimum standards established by ILO Convention No 147, port State control can be used to monitor many areas covered by the Organization’s instruments, in particular, living conditions on board ships. The work-time problem can be approached from the angle of both working conditions and safety in the strict sense.

Of course, it is the custom of the sea to take no account of work and sleep time, as the continuity of the voyage has to be maintained; this is one of the prime characteristics of seafaring. But when the organization of work itself forces undersized crews to work at unreasonable paces, not only is safety compromised but responsible operators may in turn be forced by such unfair competition to adopt the same practices if they are not to disappear.

France is working within the ILO for the development of a modern, pragmatic convention on the work time of seamen and ships’ complements. We have emphasized that such a rule would be feasible only if applied on all ships, and only if compliance with its provisions could be monitored. These views were followed by the ILO’s General Conference in adopting Convention No 180. This particularly important instrument established a link between a social standard and a technical safety standard with respect to work time and rest time. A further link in the chain for truly integrated marine safety has thus been put in place, showing that safety can no longer be discussed without raising seafarers’ working conditions. France will actively devote itself to promoting the conditions for ratification.

A port State control combining technical standards and rules for the human factor is thus an especially attractive tool based on inclusion of all the factors involved in a ship’s operation. Focusing on the organization of work, the method of control makes it possible to reliably assess the level of safety of the ship being inspected.

Integrated safety depends on permanent striving after impeccable quality of control

Such a vision of ship control requires above all that the control itself be of impeccable quality. To that end, I would stress the training effort needed to be undertaken for inspectors. Every country, of course, must be responsible for training its own inspectors, but I want to underscore the importance of the synergies that can be developed regionally. Take for example the seminars for inspectors now traditionally organized by the Paris Memorandum or the training action being taken in May by the European Commission on the approach to ISM control. The issue of inspector training and exchanges highlights the importance of close links between port
State control authorities and thus the usefulness of the regional character of the memorandums of understanding.

France Addresses by Heads of Delegation

France, for its part, has contributed to this regional activity since the inception of the Paris Memorandum: it makes the facilities of the computer centre of the authority responsible for the sea available to the Memorandum’s secretariat for SIRENAC; and it organized the 1991 ministerial conference. Further, every three months our country uncompromisingly publishes a list of ships detained in inspections. The objectives set France have all been met, with a total of 1,363 ships being inspected, and 178 detained, for 1997. As every year, however, safety centres also conducted over 15,000 inspections of French ships. This is proof that irresponsibilities as a flag State are not overlooked.

To handle the anticipated workload, the manpower and means available to the system described above must be increased. I am working towards this, and plan to place emphasis on training, because the quality of the inspection system depends in future on integrated safety.

Conclusion

Ministers and Delegates,

Often the victim of major ecological disasters in the past, our country will preserve a high degree of consciousness of marine safety. Although the parameters of safety change every day, as do the economic data of marine transport, port State control will remain an indispensable tool for guaranteeing the safety of life, protection of our coasts and the conditions for fair competition in marine transport. Our presence here demonstrates the determination of our individual governments to continue the actions undertaken for quality, integrated marine safety, which necessarily involves every flag and operator in compliance with international standards.

Since the Paris Memorandum on port State control entered into force in 1982, 5 Ministerial Conferences on port State control have taken place. But this is the first Conference organized jointly by the members of the Paris Memorandum and the Tokyo Memorandum. The Government of the Federal Republic of Germany welcomes this fact very much.

I would also express special gratitude to Canada for having taken, as a member of both Memoranda, the initiative for this Conference.

More than 85% of international trade is by sea; as regards the trade of the European Union with third countries, this figure is as high as 90%. Furthermore, shipping is the safest and most environment-friendly mode of transport. To guarantee this high level of safety requires constant efforts. And this is the special challenge which port State control has to meet. It supplements efficiently the obligations of the flag State concerning the control of maritime safety, the working conditions on board ship and the protection of the marine environment. That it is successful can be seen from the fact that the number of vessels which had to be detained in the framework of port State control due to serious deficiencies has been decreasing since 1996. I hope that this trend will continue: high common standards, rigid controls, a small number of complaints. This would be a sign of an improved safety standard in shipping world-wide.

The Joint Declaration which we want to adopt is a documentation of current practices and, at the same time, an obligation for all of us to make even greater efforts at both the national and international levels.

I consider it to be the central message of our Joint Declaration that efficient and uniform controls are to exert pressure on certain flag States and shipowners to assume their responsibilities regarding the compliance with international regulations in the fields of maritime safety, protection of the environment and working conditions.

Furthermore, all the possibilities of a dialogue between administrations, shipowners’ associations, insurers, shippers, charterers, classification societies and trade unions should be used in order to achieve the aim of making all parties even more aware of safety concerns. This seems to be more important than the call for new regulations.

“Tightening the Net”
Inter-regional Action to Eliminate Sub-standard Shipping
In view of the international character of maritime shipping and the cross-border effects of maritime pollution, national measures for maritime safety and the protection of the marine environment only have a limited impact. Therefore, the cooperation in IMO, which is active world-wide, is of great importance. If the countries assembled here work closely and resolutely together towards the same goal, this will give new incentive to the work in IMO.

The aim of our activities and our joint efforts must be to ban sub-standard ships from the world’s seas. I am quite intentionally speaking of the world’s seas in order to prevent different safety standards in different parts of the globe. Much of what is necessary to obtain our objectives has already been initiated by the IMO. In the immediate future, to mention only one example, the implementation of the International Safety Management Code requires the support of all of us.

I also think that it is very important to extend the existing information systems within the framework of port State control and to strengthen the mutual exchange of information between our control systems.

The Government of the Federal Republic of Germany expressly declares its strong belief inter-regional cooperation. It is only when ships can expect efficient controls at both ends of important transport routes that the intentional use of sub-standard vessels on these routes is made impossible.

The European Union with its common maritime, shipping and port interests also has a special responsibility for the protection of our seas. This applies particularly in regard to the harmonized implementation of international regulations on shipping safety and environmental protection by the Member States as well as the uniform and co-ordinated control of these regulations. I am very pleased to find many important elements for the EC Directive of 19 June, 1995 on port State control in the Ministerial Declaration.

I would now like to make a few remarks on maritime safety from the German point of view:

1. In addition to coastal fishery and pleasure boat traffic, approximately 80,000 ships’ movements are counted every year in German waters, 65,000 of them in the German Bight.
   - There have been no particularly serious incidents recently. The accident rate - in relation to the number of ships’ movements - is less than 0.1%.
• This high degree of safety is, on the one hand, due to the international and national regulations which are constantly being adjusted to the current requirements. I should also mention that Germany has ratified all the important instruments that are of importance in the framework of port State control.

• In addition, Germany has a traffic safety system that works very well; it consists of the elements ships’ routing, shipping police, vessel traffic service and pilotage services.

2. Germany fully meets its obligation to inspect 25% of the incoming, foreign vessels and employs highly qualified personnel for this purpose. In 1997, the inspection figures were even a little higher.

3. Every year additional inspections are carried out on German and foreign-flag ferries in order to guarantee their safety.

The safety of maritime transport, the protection of our seas and coasts, as well as the human living and working conditions on board are the primary objectives of our maritime transport policy. The German delegation, therefore, supports the Declaration of the Conference without any restriction.

Thank you very much for your attention.
Address by Mr. Stavros A. Soumakis, Greek Minister of Mercantile Marine 
on the occasion of the First Joint Ministerial Conference of the 
Paris & Tokyo Memoranda of Understanding on Port State Control 
Vancouver, British Columbia, Canada, March 24-25, 1998

Dear Colleagues, ladies and gentlemen,

It is my honour being here today to such an important, from all aspects, Conference, trying with 
the other Ministers to build up the necessary safety measures in such a delicate field. I will also 
take the opportunity to express my appreciation to the host country for its initiative and warm 
hospitality.

Greece, a major and traditional maritime nation, considers shipping safety and prevention of sea 
pollution as very important matters and is always ready to respond to initiatives taken or 
decided for the achievement of these purposes.

Accordingly, we give much attention to the active participation in all the international fora, where 
delegates from many administrations and agencies strive to introduce and adopt the necessary 
legal framework that will lead to our goal.

Commitments of countries arisen from the adoption of the decisions taken in the international 
organizations, have paved the way for a new era in maritime safety. The legislation is ready and 
is being continuously improved, what is left is the obligation of all those involved in the maritime 
field to implement it.

International conventions, such as the STCW Convention, the ISM Code, the GMDSS, the 
SOLAS Chapter for the safety of bulk carriers as well as the relevant national legislation, have 
put forward the legal framework through which Member States are implementing their 
commitments by developing the necessary infrastructure. Enforcing of compliance by ships of 
all flags, sailing in our waters, with existing International Maritime Organization (IMO) and 
International Labour Organization (ILO) standards, is the main pillar of our maritime safety 
policy.

Nowadays, the maritime safety regime is a flag State regime, the so called “first line of defense”, 
under which, flag States have the primary responsibility to monitor and control the application of 
safety regulations to their ships. Port State control is considered as the fundamental supplement 
to this safety regime.
Regional clusters of port State control in Europe, the Americas, the Pacific and the Mediterranean, contribute through their efforts to safer ships sailing the oceans of the world. Evasion of compliance with existing rules and regulations has become more difficult, if not impossible.

IMO, the European Union and flag States have undertaken and continue to develop the legislative work, which is required for the implementation of effective port State control.

Greece, being a pioneer member of the Paris MOU agreement, has created a quite effective system of inspections aimed towards the safety of ships and environmental protection.

The Greek port State control is implemented by Coast Guard Officers, highly trained and co-ordinated by the Maritime Safety Directorate of the Ministry of Mercantile Marine. They have been dispersed to the 14 busier ports of Greece. Additionally and whenever necessary, inspection in the other ports are covered by the headquarters staff.

Having in mind our obligations emanating from the ISM Code and STCW Convention, we have taken all the necessary steps to educate and train our port State control officers in all relevant procedures in order to enhance their professional judgement, to evaluate the operational proficiency of our crew members and to acknowledge the fact that the ISM Code adopts a new system approach to safety and is designed to promote a safety culture both in companies ashore and on the day to day practice on board ships.

According to the latest statistics, the effectiveness and the quality of our inspections have been substantially improved in recent years, resulting in more detentions in our ports. This increase indicates the importance that is given to the effective application of the Memorandum. Approximately 30% of ships sailing to Greek ports are today inspected and deficiencies are rectified before departure, thus, eliminating, to the fullest possible extent, sub-standard shipping.

Information is being supplied to SIRENAC as mutual collaboration with other countries is our fundamental principle. In turn, messages from SIRENAC, received from other countries, serve to immediately alert our network of port State control officers, thus, contributing to the joint efforts of MOU members.

In addition to port State control requirements and in order to comply with its obligations as a flag State, Greece has established 20 consulate offices in the busier foreign ports, staffed by trained inspectors. Their main role is to inspect the Greek flagged ships arriving at such ports to ensure, in addition to port State control inspections, the fulfillment of the obligations of masters, shipping companies and classification societies.
It has been proved that most of the reported deficiencies and resulting detentions were attributed to lack of proper maintenance and handling of the ship or unsafe practices on board the ship. We have succeeded in eliminating these deficiencies by providing relevant instructions and by imposing sanctions, if necessary, according to our legislation, on those, who fail to comply with port State control requirements.

These and other measures have resulted in the fact that vessels flying our flag has incurred a decreasing number of detentions through the years. Further consistent efforts for improvement will continue to take place.

The Ministry of Mercantile Marine is entrusted with the very difficult task of developing a maritime safety culture, which will contribute to safe navigation and marine environmental protection, factors of great significance for the socio-economic development of my country. We have promoted a climate which ensures the quality of shipping, focusing basically on safety, thus preventing, inter alia, illicit price competitiveness.

Unfair competition is a situation, which has to be completely eliminated, since it might have catastrophic results on human lives and property, which sometimes ends in tragedy. It is thus our duty to send out the clear message that seaworthiness has no relation to cost.

It is my belief that both the Paris and Tokyo MOUs, having successfully performed their duties and acknowledging the challenges in place and the common responsibility for the safe operation of ships, will increase their efforts to achieve the common object for the ultimate protection of the valuable assets we have: “people, ships and environment”. This Conference, here in Vancouver, is living proof of this.

Thank you for your attention.
Address by Mr. Stephen Ip,
Secretary for Economic Services for Hong Kong, China
on the occasion of the First Joint Ministerial Conference of the
Paris & Tokyo Memoranda of Understanding on Port State Control
Vancouver, British Columbia, Canada, March 24-25, 1998

Mr. Chairman, fellow Ministers, distinguished delegates, ladies and gentlemen,

I am very pleased to have this opportunity to participate in the First Joint Ministerial Conference of the Paris and Tokyo Memoranda of Understanding on Port State Control. I would like to join my fellow Ministers in congratulating Canada for taking this important initiative and for the excellent arrangements for the meeting.

In Hong Kong, the port is the most important natural asset for us. It is our main conduit for trade and an important source of employment. The safety and well being of all those who use the port, and who sail from our port, are of paramount importance to us. Port State control therefore has a special significance to us.

A few statistics will highlight the importance of maritime trade to Hong Kong. In 1997 we had 44,000 portcalls by ocean going ships involving 5,600 ships. In addition there were 123,000 portcalls by coastal cargo vessels from Mainland China and 66,000 portcalls by ferry vessels. The port handled a total of 168 million tonnes of cargo including 14.5 million twenty-foot equivalent units of freight containers.

The International Maritime Organization and the International Labour Organization have developed a comprehensive set of international conventions on ship safety, marine pollution prevention and welfare of seafarers. These conventions also stipulate the responsibilities of flag administrations in implementing their provisions. Most flag States take their responsibilities seriously, but a few do not. The result is that sub-standard ships remain a threat to international shipping, as some operators still find it more convenient to cut corners at the cost of safety. Such ships, apart from being a risk to safety at sea, also adversely affect the competitiveness of other ships which are operated in conformity with international conventions.

Port State control will play a crucial role in discouraging the operation of such sub-standard ships. We know that port State control cannot provide a complete solution to the problem. It is ultimately the responsibility of the flag States to monitor the condition of their ships and honour their obligations by ensuring that their ships comply with international standards. But as long as sub-standard ships continue to exist, port State control will continue to have an important role to play.
We need to ensure that ships maintain adequate and effective safety and pollution prevention standards. And that seafarers can work in a safe and hygienic environment. These are issues which need international, as well as regional, cooperation. We must let the international maritime industry, and shipowners in particular, know that sub-standard ships are unacceptable in our ports and on our seas. We must leave ship operators in no doubt that the international community today demands safer ships and a cleaner environment. This Conference and our Declaration will give a clear message that there is an international resolve at the highest political levels to combat the threat of sub-standard ships.

Hong Kong, is proud to be part of this international effort. Prior to 1989, our port State control inspections were mainly “reactive”, that is, ships were inspected if they were involved in an accident or complaints were received from seafarers or other maritime interests. Since 1989 we have embarked on a pro-active approach in systematically boarding ships in our port to confirm their compliance with international standards. From an inspection of 15 ships in 1989, the number has increased to 515 ships in 1997. Our present aim is to inspect at least 15% of the ships visiting our port which will mean increasing our capabilities by 50% from today’s levels. We are aiming to achieve this by the year 2000. Last year the Marine Department of Hong Kong set up a separate port State control section for streamlining the administration of port State control activities.

Hong Kong is a founding Committee Member of the Tokyo MOU. The Tokyo MOU has been instrumental in enhancing the awareness of port State control in the region as well as harmonizing the standards of inspections. Hong Kong fully supports the activities of Tokyo MOU and other regional co-operative efforts.

On 1 July, 1997, Hong Kong reverted to Chinese sovereignty. Under the Basic Law, the de-facto constitution of Hong Kong Special Administration Region of the People’s Republic of China, Hong Kong will maintain its previous systems of shipping management and shipping regulation. We will maintain a highly autonomous maritime administration and will issue certificates under the name HONG KONG, CHINA. As far as port State control matters are concerned, Hong Kong will administer its own port State control policies and maintain its membership as a separate entity in the Tokyo MOU.

Mr. Chairman and fellow Ministers, I would like to take this opportunity to reiterate Hong Kong’s commitment to promoting safety at sea and marine pollution prevention, and we will do our best to support international efforts, such as the forum today, in the fight against sub-standard ships. Thank you.
Mr. Chairman, fellow Ministers, Ladies and Gentlemen,

I congratulate our Canadian colleagues for their initiative in hosting this Ministerial Conference and for their kind hospitality throughout.

It is a valuable opportunity to evaluate the contribution that port State control has made to the improvement in safety of world shipping since its inception in the early 1980s and to plan how we can together continue to ensure that the highest possible safety standards are maintained worldwide.

I believe that today’s Declaration will give further impetus to the objectives of port State control and will reinforce the link between the two regions for the achievement of common goals and a genuine global approach to maritime safety and the environment.

Responsibility for safety in shipping rests with the owners and operators. Owners who do not comply with basic safety standards show blatant disregard for their workers, their passengers and for the environment. Non-compliance can often be for a variety of reasons, among them to enable shipping companies to gain an unfair advantage over compliant competitors. The unsatisfactory performance by a number of shipping operators, together with human error, are two fundamental problems that lead to a continuing high risk of shipping casualties.

We must all as flag States take stock of our own position with regard to enforcing safety standards on board vessels. We must lead by example. Our ultimate objective must remain to encourage, and indeed pressurize, States which are not exercising sufficient control to improve their record of effective safety enforcement and to recognize the ultimate benefit to all of a safe worldwide fleet.

The Declaration which we make today drives home the message to the international community that port State control is no substitute for proper exercise of flag State responsibility. The Paris and Tokyo Memoranda and port State control systems in other regions are a vital contribution to better enforcement. They serve as a deterrent, but must never be seen as an excuse for evading responsibility. Pressure must be maintained on non-compliant flag States to improve
Port State control is a deterrent. It is also, demonstrably, preventative policy in action. Prevention saves lives, obviates suffering and avoids the high costs which disasters bring in their wake. Marine casualties and pollution incidents are massively wasteful of resources that can more fruitfully be deployed in other ways. The way forward for port State control must be to work together towards the elimination of sub-standard shipping and the fostering of a safety culture.

I welcome the emergence of other regional systems of port State control. It is an important international endorsement of the vital role which port State control can play in improving standards. It is important that each region works independently towards its own objectives and yet we must cooperate to achieve the standards to which we all aspire.

I believe that the vast majority of marine accidents can be attributed to incompetence and human error. Because of this, I welcome the mandatory introduction of the ISM Code. This, in reality, forces the implementation of a practice which in some cases is and, in all cases, should be considered to be normal. Lack of ISM Certification can often be symptomatic of wider problems, indicating that there may be other deficiencies. In effect, it can be the “tip of the iceberg”.

Port State control is at present the only “policeman” for the ISM Code, and it is important that there is a uniform approach to ships which do not comply. The message must be loud and clear that vessels which do not demonstrate their compliance with the ISM Code will be met with tough action in the form of detention and probable refusal of entry into ports.

Of course we must recognize that over the last number of years awareness of importance of safety measures has increased on the international arena but not to the extent that we should become complacent. Public expectation concerning safety and environmental protection has increased and the level of risks that public opinion will tolerate has sharply declined. The publication of the final report into the “Estonia” tragedy concentrates our minds on what can happen and what we must not allow to happen.

We, in Ireland, recognize our own vulnerability to the risk of maritime casualty. Our location as an island on major shipping routes leaves us open to the effects of disasters which cause tragic loss of life and can lead to pollution of the environment of which we are so proud. We are committed to striving for the highest standards to minimize the risks to human life and to the environment.

I will make certain that Ireland will continue to cooperate with our neighboring countries and world-wide to ensure that safety on our seas remains of the highest priority. We must meet the challenges facing us in the context of the Paris and Tokyo Memoranda of Port State Control to ensure the maximum effectiveness of this valuable and powerful method of control. The work of
I feel particularly honoured to be taking part, on behalf of the Minister of Transport and Shipping, Claudio Burlando, in this First Joint Ministerial Conference of the Tokyo and Paris Memoranda of Understanding on Port State Control. The Minister was prevented from attending this important meeting by unavoidable government commitments. He has asked me, however, to convey his deep appreciation for this invaluable initiative by the Canadian Government, which unfailingly shows particular interest in the matters to which our meeting is devoted.

Our presence here is intended to underscore Italy’s safety consciousness as regards both safety of human life at sea and protection of the environment. Italy has a deep-rooted seafaring tradition and culture, in large part owing to its geographical location in the middle of the Mediterranean. The Italian shipping market has always been characterized by “family-run” firms, careful to make the best of internal resources, including manpower, and adding external resources as necessary to adapt their size and structure to new demands. For some time now, however, in keeping with international trends, this traditional model has been joined by the model of the entrepreneur who, with knowledge of specific areas of trade and seeking to fill well-defined niches in shipping, turns himself into a shipowner, even if he lacks a specifically seafaring culture and a suitable operating structure; the inevitable consequence of this is that ship technical management often has to be outsourced. This phenomenon has led to a decline in the standards of ship quality and contributed to prompting the international regulatory agency to draw up conventions designed to achieve higher crew qualifications and a higher level of safety in the broad sense, as well as to protect the marine environment.

The uniform regulations to which I have alluded confirm the requirements always felt to be necessary by traditional operators in the shipping industry; they can be grouped under the following three headings:

- ships in good working order;
- competent and reliable crews;
- effective coordination between ships and the shipping company’s operations offices.
This, in my opinion, is the framework for the tools provided by the Paris Memorandum, Community Directive 95/21 on port State control for ships calling at community ports or operating in waters under member states’ jurisdiction, and the regulations of the ISM Code in the new Chapter IX of the SOLAS Convention, 74/75, adopted by the IMO in the resolution approved at the SOLAS Conference on 25 May 1994.

Italy, which is party to the Paris Protocol, is expediting the process of adopting Directive 95/21. On the other hand, our country has anticipated the SOLAS deadlines for implementation of the ISM regulations. It has done so in order to allow shipping companies to gain the necessary experience and familiarity with the system before it comes into force internationally.

Under our regulations, the ISM Code is applicable as follows:

• before 1 July 1996 for passenger ships, including high-speed passenger craft;
• before 1 July 1997 for oil tankers, chemical tankers, liquefied-gas carriers, bulk carriers and high-speed cargo craft of 500 or more gross tons;
• before 1 July 2000 for other cargo ships and mobile drilling units of 500 or more tons.

To meet the commitments contained in the standards referred to earlier, Law 84/94 on reform of the port system (as amended by Law 647/96) set up a new body called the Navigation Safety Services Directorate. One of its tasks is to oversee the implementation of standards and coordinate harbour master activities in our country.

In 1998 it is planned to increase the participation of our country’s personnel in meetings of the various Memorandum bodies, working groups and seminars which are to begin defining standard procedures and ensure more effective coordination for ship control between Maritime Administrations.

We are also in the process of organizing the 28th Seminar on Port State Control, being held in Rome this year during the last week of October.

Port State control measures and control of the procedures introduced by the ISM Code can, of course, achieve the intended goal only with the cooperation and commitment of those actually involved in the practical application of the procedures.

In this connection, insurers have an important contribution to make, as they have an obvious interest in maintaining and improving levels of ship safety and have always supported the recognized authorities of the IMO. (Let us not forget that no shipowner can afford to operate a
ship that is not insured against total loss or find work for his vessel without proof of adequate liability insurance.)

In passing, I should like to add that the Italian insurance market, which has important traditions and is sometimes the point of contact with other markets, favours the introduction of stricter guarantees for the classification, certification and seaworthiness of ships; such guarantees have been adopted by the British reference insurance market.

The important players in this respect, however, are the classification societies. They mainly act on behalf of the government authority to issue certifications, but, subsidiarily, provide insurance companies with the elements for risk assessment. Because of their central role, these societies must eventually acknowledge these very important issues by adopting any measure that discourages “class-hopping”.

It is desirable that market liberalization and competition among classification societies should not jeopardize the results of the initiative that has brought us together here today in such large numbers. The Canadian government’s commitment to encouraging any form of harmonization to eliminate sub-standard ships is, as I said earlier, very important and warrants our support. We cannot, however, fail to notice the absence of several countries which, to encourage adoption of their flag, are less scrupulous about the matters before us.

In conclusion, I should like to add a word about the problem of piracy. I merely want to add our concern to that expressed by several delegates and to support the adoption of appropriate measures to combat this scourge.

Thank you.
Address by the Vice-Minister for International Affairs, of the Ministry of Transport of Japan on the occasion of the First Joint Ministerial Conference of the Paris & Tokyo Memoranda of Understanding on Port State Control
Vancouver, British Columbia, Canada, March 24-25, 1998

Mr. Chairman, distinguished Ministers, ladies and gentlemen,

It is my great honour to express my sincere gratitude to your Excellency Minister Collenette for hosting this magnificent Ministerial Conference.

In January 1997, an old oil tanker hull broke into two pieces while navigating off the coast of Japan, causing an oil spill which led to severe marine pollution. To date, most of the oil pollution has been cleaned up. The stern part of the tanker, however, sunk to the depth of 25 hundred meters into the Sea of Japan containing great quantities of heavy oil. Authorities concerned are still closely monitoring the situation.

Japan is highly dependent on shipping for the transport of export and import of many items including basic industrial materials such as petroleum and ore. Maritime transportation safety is, therefore, of great importance to Japan. Furthermore, as Japan relies on marine resources for food, the issue of marine environment protection is of great concern.

Japan has been making efforts from the past to enhance port State control. In consideration of the recent problems experienced in international shipping and the series of severe accidents which occurred in seas surrounding Japan, we feel Japan needs to reinforce port State control. It is in this interest that we established port State control officers as exclusive officers for port inspections. 46 port State control officers are currently located in 14 stations across the nation and the number of PSC officers will be increased to 52 next April.

Bearing in mind that most of the recent severe accidents have been caused by outdated bulk carriers and tankers, Japan intends to implement port inspections with emphasis placed on the hull structure strength of these vessels in the future.

I believe that intra-regional cooperation is of crucial importance for efficient PSC activity. As one of the leading parties in the establishment of the Tokyo MOU, Japan has been making positive contributions to its development. We intend to continue to contribute to further development of the Tokyo MOU in future years to come.
It has been four years since the Tokyo MOU was initially formed, and its activities are now well on track. In addition to the promotion of intra-regional cooperation, inter-regional exchange of views on port State control will become increasingly important in the future. In this sense, the holding of this Conference is timely indeed, and I sincerely hope that the holding of this Conference will serve as an impetus to make the inter-regional cooperation on PSC more meaningful.

Last but not least, in the interest of maritime safety, marine pollution prevention and fair competition in shipping, sub-standard ships should be thoroughly eliminated from the shipping market.

To conclude my remarks, I wish to strongly support the Ministerial Declaration which we are going to sign and with that, I would like to issue an emphatic warning to those parties which continue to allow the operation of sub-standard ships.

Thank you very much.
Dear Mr. Collenette, Ladies and Gentlemen,

It is with great pleasure that I attend this first inter-regional Conference on port State control. In fact, it is my second port State control Conference during my present term in office; the first one having been the Conference in Copenhagen in the autumn of 1994.

It is a welcome occasion, because major improvements in port State control under the Paris Memorandum have been achieved since Copenhagen, which can be attributed in part to the ongoing concern for maritime safety shown by the European Union.

Looking at the statistics, one could say that the Paris MOU has been more effective. For example: the percentage of detained ships has been reduced from 17.5 percent to 15 percent, accompanied by a slight decrease in the deficiency percentage. This is a positive development, but I nonetheless consider a detention rate of 15 percent to be far too high!

The inter-regional character of this Conference is particularly welcome. I will not go into all the details of the Paris and Tokyo MOU’s, as these certainly are included in the presentation of both MOU’s during this meeting. I believe that this Conference is a most logical step, now that the Tokyo MOU of 1994 is in effect, and considering all the matters that we have in common.

Of course, there are differences between us. But we are working towards increased harmony, which we believe is the right thing to do.

Port State control is not the only instrument in the fight against sub-standard shipping. There are other instruments which aim at safer shipping and cleaner oceans, and it is sensible to know which position is taken, and by whom.
Fortunately the final declaration, which we will sign tomorrow, presents an appropriate framework for this clarity.

Let us look at some of the more specific parts of that declaration; parts which I consider to be the highlights of this conference.
First of all, I would like to emphasise once again the importance of an inter-regional surveillance programme to assess the performance of flag States. Looking at the statistics, it is noticeable that in the most recent “3-year rolling list of above average detentions”, the flag States mentioned are the same ones that were mentioned in the 1994 list. It is clear that we have to do more than repeatedly send communications to those administrations, in which they are urged to improve their performance.

From my own experience, I know that quite a few of those flag States are willing to improve their efforts. But they lack the appropriate means, in particular the necessary knowledge and skills.

This is where a surveillance programme could become an important strategic tool. Such a programme could include a professional analysis of the structure and working methods of a maritime administration. This could be followed by supportive actions from our side, improving the weak points within such an administration.

I believe that if we take that surveillance action, provided that it is well structured and the basis for collaboration is in place, we will eventually reduce the number of flag States who are showing below average performance. This could considerably help us in solving our problems.

Recent information from the International Civil Aviation Organization shows that a similar programme, developed and applied under their auspices, brought about many positive reactions from aviation authorities.

Having mentioned the term “performance of flag States”, I would like to make a few remarks about the Flag State Implementation Sub-committee (FSI); in my opinion one of the most important sub-committees of the IMO.

Admittedly, this sub-committee has in the past failed to meet the expectations raised in 1993 when it was started. But it is now heading in the right direction.

Let us not devote too much time to debate with IMO members who take divergent actions, and are inexplicably unable to discuss improvements in the implementation of the conventions to which they are a party.

The agreement reached in this Conference - I am referring to supportive action in implementation - will undoubtedly be of benefit to the FSI working programme. In this supportive environment, it is not impossible that the sub-committee will finalise the so-called self assessment system during the next meeting in June.
I consider this self assessment system, whatever form it will take, to be the very first step in the total process of enhancing the implementation of IMO conventions.

We must not get ahead of ourselves, but I would like to take this opportunity to stress that, before taking any further steps in IMO, there is a compelling need for a long-term strategic policy plan. We will certainly support any initiative leading in that direction.

I would also like to make a comment about access to information on the quality of ships. Such information has to be objective and based on professional expertise of the highest quality; statistical calculations must be undisputed.

This information should be published in a lucid way. Data should also be open to private parties that are involved in shipping and have a serious interest in the safety of this mode of transport. This will certainly improve the effectiveness of our port State control.

Private parties, having access to adequate data on the quality of ships, can also be held responsible, perhaps even liable, if they use sub-standard means of transportation.

Moreover, the linking of various objective data, whether resulting from private, or public inspections, could also reduce the large number of inspections with which today’s ship’s captain is confronted.

This brings me to some final observations. I would refer you to the paragraphs in which we address maritime parties other than flag and port States. The real market players, I call them. In my opinion these market players have to strengthen their commitment to quality and safety. After all, they do play an important role in maintaining quality and safety.

Sub-standard ships endanger the lives of their crews and lead to unfair competition. The competition problem should in the first place be tackled by the market itself. However, I see it rather as our duty to initiate this problem tackling, for example via dialogue with operators, underwriters, the people who charter and shippers.

The Quality Shipping Conference on the 4th of June this year in Lisbon will, I hope, give rise to this discussion. We are giving serious thought to organising a second Conference on “Market Mechanisms for Safer Shipping and Cleaner Oceans” in the Netherlands, as a follow up to the successful Rotterdam Conference of autumn 1996, the “Mare Forum”. It would be a good opportunity to see each other again.

Mr. Chairman, there is one other item I would like to raise at this stage. That is the issue of piracy and armed robbery. Like other speakers we think that acts of piracy and armed robbery pose a serious threat to the safety of seafarers.

We support initiatives within IMO to end this phenomenon. For this reason The Netherlands will contribute financially to the series of seminars organized by IMO in order to find practical solutions for this problem.

Thank you very much for your attention.
Chairman, Ministers, other distinguished delegates,

It is with great pleasure that New Zealand attends this auspicious gathering on such an important subject. We offer our warmest thanks and sincere congratulations to our Canadian hosts for their considerable and exemplary efforts in bringing this Conference to fruition. It is with sadness therefore that I must offer the apologies of our Minister of Transport, The Honourable Maurice Williamson who is unable to be present on this occasion but who conveys his full support and enthusiasm for the joint declaration.

New Zealand is very vulnerable to the potential impact of sub-standard foreign flagged shipping. Maritime transport is the key to New Zealand’s pre-eminence as a trading nation and almost all our international shipping trade flies a foreign flag. Access to the domestic coastal trade is also relatively open to such vessels. The geographical isolation of New Zealand means that international shipping traverses thousands of miles of often stormy oceans to reach our shores. Finally our coastline, with its extensive marine reserves and world heritage parks is an environmental jewel which we are determined to protect. Hence, to repeat, New Zealand is vulnerable to foreign flagged sub-standard ships - we have simply a lot to lose.

It is not surprising therefore that port State control plays an important part of our overall strategy to promote and maintain a safe and clean marine environment. New Zealand is proud to have been a founder member of the Asia/Pacific (Tokyo) MOU in 1993. It is also why New Zealand has set and is achieving a target port State control inspection rate of 100% of all eligible ships visiting any New Zealand port.

Eligible ships, to clarify, are: passenger ships, tankers and those carrying dangerous cargo in bulk. There are also all other ships not inspected in New Zealand in the previous six months or any found to have had deficiencies when previously inspected. In total, this equates to approximately 45% of all ship visits.

If that then has been our response, what has been the outcome? We must here acknowledge that the nature of shipping visiting New Zealand is biased favourably towards container vessels, refrigerated vessels and passenger cruise ships. Such vessels are generally of a good standard and are often, in any event, regular visitors. By contrast for example, we see little bulk carrier trade loading high density cargo for export.

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Nevertheless, it is New Zealand’s experience that port State control procedures have brought about a significant improvement in the standards of certain types of ships which now visit our shores. A rigorous and strict control regime (and being known for practising just that) appears to have paid a significant safety and environmental protection dividend, with a significant reduction in the need for vessel detentions, in particular, over recent years.

Having articulated the benefits and effectiveness of port State control, I must enter one key note of caution, and in doing so echo the comments of some of the previous speakers. New Zealand is concerned that port State control seems to be regarded in some quarters as “the first line of defence” against sub-standard shipping. It is not, and should not be regarded in this light. It is in fact, the ambulance at the bottom of the cliff.

Flag State control is the fence at the top of the cliff and has the pre-eminence in preventing the incidence and not simply the detection of sub-standard shipping. While we shall still be enthusiastic signatories to this Conference’s Declaration, we would wish to emphasize the need to support the efforts of IMO’s Flag State Implementation Sub-Committee to ensure that flags enjoying the benefits of IMO conventions live up to their obligations under them. We are especially pleased by the reference to the Flag State Sub-Committee and the tone of the reference in the Declaration as a consequence.

In the interim, New Zealand will, of necessity, continue to maintain a strong port State control inspection regime and work with others to eliminate sub-standard ships in the Asia Pacific region. To this end, we fully support the training system put in place by the Tokyo MOU and will provide our own experienced port State control officers to assist other countries as appropriate. We shall also maintain our standing invitation to other countries to undergo training alongside our own port State control staff in New Zealand.

Before concluding Chairman, I want to return to the subject of piracy and armed robbery raised initially by Denmark yesterday and commented upon by several European countries and indeed by Admiral Mitropoulos just now. I do not recall an Asia/Pacific voice on the subject, consequently, I simply wish to acknowledge New Zealand’s support for urgent action in this matter and wish to associate ourselves with the various remarks made, not least, the intervention of the United Kingdom.

Finally, as a comment both to thank our hosts and acknowledge its growing benefits, we shall continue to provide and make use of information from the Canadian port State control database and would welcome additional initiatives to refine and develop the system yet further.

Thank you Chairman for the opportunity to speak.
Address by Mr. Odd Hellesnes, State Secretary, Ministry of Trade and Industry, Norway on the occasion of the First Joint Ministerial Conference of the Paris and Tokyo Memoranda of Understanding on Port State Control Vancouver, British Columbia, Canada, March 24-25, 1998

Your Excellencies, Ladies and Gentlemen,

I am pleased to express my appreciation for the opportunity to address this distinguished audience here in Vancouver. It is with great expectations that I attend this Conference. As a representative for a shipping nation, I find it very useful to discuss a common approach to eliminate sub standard shipping within the two regions.

Shipping is an important industry in Norway. A main objective for Norway’s shipping policy is to improve safety at sea. It is vital to increase the focus on safety and environmental protection. It is also sound economics. More active port State control, public demand, higher insurance premiums and the age of the world fleet are a few of the factors which will bring about an increased focus on ship standards.

Safety at sea can only be obtained through a wide international commitment. Consequently, it is essential that the appropriate standards for maritime safety are established through the International Maritime Organization. Norway is among the major contributors to the organization and the work within the IMO is a high priority.

The shipping industry faces a number of challenges. Let me just mention the ISM code and the new protocol to the STCW convention. Everyone in the industry should place safety high on the agenda. Most shipping companies provide safe and secure transportation. But there is still a market for less serious operators and this gives cause for concern. We all suffer when an accident occurs. The reputation of the shipping industry is hurt, the environment may be damaged for years to come and, last but not least, lives do get lost.

We have over the past years seen discussion about the role of the flag State. We have to take into consideration that not all flag States fulfill their obligations. From a port State point of view we need to take firm action to stop the use of sub standard ships. They are a threat to human lives and the marine environment. We cannot accept this risk.

On the other hand we have to accept that the responsibility for safe shipping operations rests upon the owner, the master and the flag State. In respect of the flag State obligation, we wish to stress that this is the key factor in our common efforts to prevent the use of sub standard ships.

We have to insist that flag States ensure that their ships comply with the agreed international instruments.

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The International Maritime Organization has started a process in this respect. We fully support the work done in the Sub-Committee on Flag State Implementation. If the flag States do not react, others will.

Port State control is a supplement to the flag State obligations. As long as control procedures are harmonized within the region, we do look at them as a major contribution to increase safety at sea. This is the first joint ministerial conference of the Paris and Tokyo Memoranda of Understanding on port State control. I look forward to further harmonization of practices and procedures within the two regions.

There is one particular problem which has been referred to by the Danish and other delegates, and where I would like to point out an additional responsibility for port States. We do expect that all port States exercise their powers to protect visiting vessels from piracy and armed robbery.

I am grateful to the Canadian Minister for this initiative and for his hospitality. We do hope that the Declaration from this Conference will contribute to dynamic international port State control systems in our regions.

Thank you for your attention.
Mr. Chairman, Distinguished Ministers, Ladies and Gentlemen,

Papua New Guinea has a land area of 460,000 square kilometres and shares a common 800 kilometre long common border with Indonesia. The rest of the country is surrounded by sea. Coastal and international shipping is vital for the economic livelihood of the country. It is therefore imperative that the Papua New Guinea maritime transportation practices conform to those of the international shipping community. An international effort in consolidating port State control is a challenge in this direction.

Mr. Chairman, ladies and gentlemen, the Government of Papua New Guinea is pleased and delighted to be in attendance at this very important meeting, the purpose of which is to eradicate sub-standard vessels and practices throughout the world.

The Maritime Transport infrastructure constitutes 18 major ports administered by the Papua New Guinea Harbours Board and over 400 port facilities which accommodates its coastal and international shipping network.

With an annual traffic movement in Papua New Guinea waters, of about 2,000 overseas ships calling at Papua New Guinea ports, 4,000 recorded international shipping movements transiting Papua New Guinea waters, without calling at Papua New Guinea ports, and around 8,000 coastal shipping movements between Papua New Guinea Harbours Board Ports, quality tonnage is an important factor.

Port State control actively supports and encourages the application of international standards developed within the International Labour Organisation (ILO) and the International Maritime Organisation (IMO), to enhance the standards of shipping. In particular, SOLAS 1974 (as amended 74), LL 1996 (Loadline 66), Prevention of Pollution from Ships 1973 as modified by the Protocol of 1978, as amended (Marpol 73/78), the Convention on Standards of Training, Certification and Watch-keeping for Seafarers, 1978 as amended (STCW 78/95) and the Tonnage Measurement of Ships 1969 (Tonnage 69).
Since becoming a member of the IMO, Papua New Guinea has implemented fifteen (15) IMO Conventions.

A. IMO CONVENTION 48  
B. SOLAS CONVENTION 74  
C. LOADLINE CONVENTION 66  
D. TONNAGE CONVENTION 69  
E. COLLISION REGS CONVENTION 72  
F. STCW CONVENTION 78  
G. SAR CONVENTION 79  
H. MARPOL CONVENTION 73/78  
I. MARPOL ANNEX III  
J. MARPOL ANNEX IV  
K. MARPOL ANNEX V  
L. L.C. CONVENTION 72  
M. INTERNATIONAL CONVENTION 69  
N. C.L.C. CONVENTION 69  
O. FUND CONVENTION

Port State control in Papua New Guinea is still in its infancy although all the regulations are in place. Several officers have also had the benefit of overseas training as provided by various sponsor countries which include Singapore, Malaysia, China, Japan, and Australia. For this, we are truly thankful.

The problems we are encountering in Papua New Guinea at this stage is inadequate Port State Control Officers. Gradually, this problem is being attended to.

Another problem area is the requirement of an APCIS (Asia Pacific Port State Computer System) so that Papua New Guinea can connect up with other Tokyo MOU countries for exchange of information.

In the port State control meeting held at Auckland, Canada offered to help establish this system in Papua New Guinea and also to help train our operators. This help would be much appreciated.

In conclusion, Papua New Guinea has an average 400 overseas vessels arriving at its ports during the year, of which we must inspect 25%, as established by the Tokyo MOU on Port State Control. We envisage that this inspection capacity will increase by the year 2000 when we have addressed the manpower and computer information constraints.

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Thank you.
Mr. Chairman, Distinguished Delegates,

It is indeed a great pleasure and honor to participate in this Joint Ministerial Conference of signatories to the Paris and Tokyo Memoranda of Understanding on Port State Control, and we join the other delegations in thanking the Government of Canada and in particular Transport Canada for inviting us and hosting this important meeting.

Mr. Chairman, we find this timely Conference of particular importance to the Philippine maritime safety administration because of a major thrust of our government in rebuilding and further strengthening a major feature of our geography and economy—that of being primarily a maritime country. We have, for several years now, maintained a position of strength in ship manning, having close to 200,000 seafarers plying the world’s oceans on ships of various flags. Being ourselves also a ship-owning nation with some 8 million GT of international shipping and another 8 million GT of domestic shipping, we possess no less than 60 maritime schools of sufficiently high standards with a determined drive to maintain and improve upon such standards. In addition, in the past 5 years, we have seen a significant revitalization of the erstwhile moribund shipbuilding industry with the building last year of two world class bulk carriers and the start of production of high speed multi-hulled small ferries primarily for domestic use but likewise for export purposes.

We have seen significant progress in our port State control process since we issued our first PSC Guidelines in 1992, one year ahead of the Tokyo MOU on Port State Control, and have just revised this as of 18 November 1996. We were an original signatory to the MOU, and, on 9 September 1997, our government fully acceded to it.

Some of our current projects include recruitment and training of future inspectors and the activation of PSC Offices in the Port of Cebu this year and hopefully in Davao and Cagayan de Oro by next year. More importantly we believe, is the fact that finally we are coming to a major decision in reorganizing our maritime structure. Late last year, just after Mr. William O’Neil, the Secretary-General of IMO visited the Philippines, we were able to sort out an internal matter relevant to the bureaucracy responsible for STCW 78/95 implementation. This month, even prior to the enactment of appropriate and necessary legislation, our President, President Fidel Ramos has, based on the joint recommendation

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of the Secretary of National Defense and the Secretary of Transportation and Communications, agreed to use his executive authority to transfer our primary PSC implementing agency, the Philippine Coast Guard, from the Department of National Defense to the Department of Transportation and Communications as a separate command. While the legal details need to be fulfilled via an enabling law, we believe that the physical transfer will now allow us to have a more unified action program, particularly on port State control.

In sum, it is our pleasure to report that henceforth, the Philippine administration will be able to more effectively address our obligations with regard to the Tokyo MOU and the appropriate IMO and ILO instruments.
Mr. Chairman, Honourable Ministers, Distinguished Delegates, Ladies and Gentlemen,

First of all, let me express my deep appreciation for the invitation extended to me to participate in the First Joint Ministerial Conference of the Paris and Tokyo Memoranda on Port State Control.

I thank wholeheartedly, Honourable David M. Collenette, Minister of Transport of Canada and the Government of Canada for hosting this meeting in this beautiful city of Vancouver, British Columbia. I am very impressed by the hospitality and excellent facilities offered to us here.

We are very proud, Mr. Chairman, that Poland joined Paris Memorandum in 1991 as a first country from the Central and Eastern European region and, indeed, we are very pleased to be here in Vancouver as a full member of this organization.

Since 1991, we have learned and gathered a great deal of experience in our endeavors to comply with and implement fully, all requirements, obligations and procedures developed under the Memorandum.

Acting in close cooperation with all Members of the Paris MOU, thanks also to the valuable assistance of its Secretariat, Poland is able today to cope in a professional manner with all its duties under the Agreement. Carefully selected special teams of highly qualified port State control inspectors serve the purpose of tightening the net against sub-standard ships entering Polish ports on a round-the-clock basis.

Our ultimate goal is clear: not to let any ship which does not comply with the rules and requirements concerning maritime safety and protection of the marine environment, established by IMO, ILO and EU respectively, to miss the net.

Mr. Chairman, in this First Joint Ministerial Conference of the Paris and Tokyo Memoranda of Understanding on Port State Control representatives from Acuerdo de Viña del Mar and Caribbean Memoranda on Port State Control participate in their capacity as observers.

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This fact clearly demonstrates that port State control regional arrangements are developing as an effective way to enhance further international measures to suppress sub-standard shipping world-wide and that the concept of inter-regional harmonization of port State control practices is, nowadays, an essential and desirable element to achieve this goal.

We share the view of many others that an inter-regionally coordinated action plan is probably the only proper way to protect efficiently, global observance of international fair competition at sea.

Let me conclude, Mr. Chairman, that with these principles in mind, Poland unequivocally supports the Joint Ministerial Declaration entitled, “Tightening The Net - Inter-Regional Action to Eliminate Sub-Standard Shipping”, as drafted. May I assure you, Mr. Chairman, that Polish Maritime Administration agencies in general and Polish port State control inspectors in particular will be continuously and consistently guided by the principles enshrined in the Declaration.

Finally, may I take this opportunity, Mr. Chairman, to congratulate all the officials and experts who contributed to, and drafted the final text of the Declaration for all the excellent work which they have done.

Mr. Chairman, Honourable Ministers, Distinguished Delegates, Ladies and Gentlemen, I thank you for your kind attention.
Address by José R.P. Penedos, Portuguese Secretary of State for Defence
on the occasion of the First Joint Ministerial Conference of the
Paris and Tokyo Memoranda of Understanding on Port State Control
Vancouver, British Columbia, Canada, March 24-25, 1998

Mr. President, Ministers, Ladies and Gentlemen,

On behalf of my Minister, I would like to thank the Canadian Government for the invitation to this important Conference which, in a co-partnership of interests of the States undersigning the Paris and Tokyo Memoranda of Understanding of the Port State Control, is aimed at the enhancement of the maritime surveillance and preservation of maritime environment by the development of sea pollution preventive measures.

I would like also to stress that the year of 1998 was declared the International Year of the Ocean by the United Nations, upon the initiative of my country, to commemorate the discovery of the maritime way to India by Vasco da Gama.

Thus, beyond the feeling of pleasure and satisfaction to be able to participate in this Inter-ministerial Meeting, it is also worth mentioning the numerous initiatives taken by my Government and the ones still to be taken during this year, in which three Ministerial Meetings will take place to discuss sea policy at organizational, legislative, socio-cultural and scientific levels with particular attention to areas of sea lane control and maritime means of transport. Those initiatives will culminate in the opening of the International Exhibition in Lisbon - “EXPO 98” - whose theme will be subordinated to “the Oceans - A patrimony for the future”.

For more than five centuries Portugal has been acknowledged worldwide as a country of sailors. And, if in the past Oceans epitomized the Portuguese dream with the historical feat of the discoveries of far away lands by sea travel as its most relevant period, nowadays as an imperative of its geography with an archipelago nature and its vast maritime sea lanes, the ocean still remains an important factor in the life and economy of the Portuguese People.

Although the globalization of economy and the integration in the European Union have caused some changes in the marine sector of the Portuguese economy, we are striving to develop our industries in the areas of, fisheries, aquaculture, ship-building and marine transportation which are all of vital importance, since it is by sea that almost 80% of our international commercial trades are carried, with movement of over 55 million tonnes. We assume the principle that any particular use of the seas shall not jeopardize other legitimate uses of maritime spaces and the general interests of the world community.
Based on the expertise learnt from the sea and the recognition of its importance in the population’s life, we share with the other States the common interest of enjoying the best navigation safety conditions, good quality of life aboard while also protecting the oceans against polluting agents within the framework of the International Community.

Thus, the present declaration that is about to be signed by the Member States of the two Memoranda of Understanding of Port State Control is of vital importance to the enhancement of the actions that can decrease the high number of sub-standard ships still operating.

In order to achieve the goals we are attaining regarding the safeguard of human life at sea and better conditions of work aboard ships, either in the framework of high quality standards for people on board, or regarding the certification and qualification of the crew and marine environment protection, we have to continue our efforts to apply sanctions to the operators of sub-standard ships.

The efforts within the IMO and ILO to develop important standards are considered imperative by my government, who last February introduced standards that had been adopted by our law, with additional measures scheduled to be developed in working sessions that will take place during the coming year.

I take this opportunity to reiterate the support of my country to IMO and ILO.

To conclude I would like to congratulate everyone committed to the preparation of this declaration and express my gratitude to the Canadian government for their warm welcome and excellent organization of the working sessions.
Mr. Chairman, Distinguished Ministers, Ladies & Gentlemen,

On behalf of the Ministry of Transport of the Russian Federation, the Maritime Administration of Russia, and myself, let me greet all participants of the First Joint Ministerial Conference of the Paris & Tokyo Memoranda and anticipate successful work.

We very much appreciate the initiative of the Canadian Government to convene such a Conference and the invitation of a considerable number of Ministers (37), responsible for maritime safety, as well as representatives of the International Maritime Organization, the International Labour Organization and the International Association of Classification Societies.

All of us are united by the purpose and task of port State control, namely: harmonization of regulations and procedures concerning foreign ship control in ports of member-States, and on this basis we shall use the mechanism of the port State control to establish the concerted actions aimed at the eradication from international shipping of sub-standard ships which violate the requirements of international standards, those not in compliance with maritime safety requirements as well as the appropriate working and life support conditions on shipboard.

Russia’s participation in both the Paris & Tokyo Memoranda corresponds to the interests of Russia and the international community in implementation of international standards of maritime safety and environmental protection. It also increases the prestige of maritime authorities within international shipping circles and promotes the fulfillment of the main purpose of these regional agreements.

During our transition to a market economy and despite current difficulties, the Russian Maritime Authority has created a necessary infrastructure which makes it possible to apply the requirements of international conventions in the sphere of maritime safety, protection of the marine environment, working and the life support conditions of seafarers.

We have a classification society, Russian Maritime Register of Shipping which is internationally recognized. The inspection of foreign ships is carried out in the nine largest Russian European ports and six Far-Eastern ports.

Russian marine educational establishments provide both the Russian and world fleets with qualified personnel. Measures have been carried out to introduce modern training and computer technologies into educational programs. The competence of Russian ships’ officers and shore managers meet these international requirements. Certificates of Russian seamen are recognized by all marine States world-wide.
The major thrust in the work of the Maritime Administration this year targets application and enforcement of the International Safety Management (ISM) Code and, with this in mind, to secure safety of navigation and to further international cooperation.

The Russian delegation believes that it is necessary to strictly follow the adopted dates of ISM Code enforcement.

In our country the Russian Maritime Register of Shipping is responsible for the certification of shipping companies and ships. The Register has done a large amount of work in this direction. 93% of relevant ships and 61% of shipping companies in Russia are in the process of certification.

The Maritime Administration of the Ministry of Transport within the Russian Federation, as a flag State authority, is extensively involved in supervising and monitoring activity, legislation enforcement and is responsible for the development of measures aimed at increasing safety and accident prevention.

In Russia there are established two regional information centres: one in the European part of the Russian Federation in Saint Petersburg and the other in Vladivostok, in the Far-East Region. Possessing up-dated technical base and highly skilled personnel, these Russian information centres effectively carry out technical and information support for ships being inspected and detained.

There is plenty of strenuous work ahead. It is our common business and there is no room for any incidental observers. Mutual trust, responsibility and cooperation are the pivots, which permit us to fulfill the general task of the elimination of sub-standard ships and in future to maintain the merchant fleet safety at a high level.

In conclusion I would like to thank cordially the Minister of Transport of Canada for the excellent Conference organization. The technical detail and cordially developed program along with the highly qualified contributors must be recognized for their contribution in the finalization of this Declaration preparatory to signature. I anticipate that our cooperation will develop actively and provide all of us with appreciable results. I also hope that when implementing the requirements of the above document we will always find a solution acceptable for all member-States.

I would like to take this opportunity to invite distinguished Ministers, delegates and Heads of international organizations to take part in the International Euro-Asian Conference on Transport which will be held in Saint Petersburg on May 12-13 this year, to consider problems of the East-West transport system’s link up.

Let me emphasize that effective work has been done here and we have been impressed by our stay in the beautiful City of Vancouver.

Thank you for your kind attention.
Mr. Chairman, Distinguished Ministers, Ladies and Gentlemen,

I would like to congratulate the Government of Canada for its initiative in hosting this First Joint Ministerial Conference of the Paris and Tokyo Memoranda on Port State Control and to express my sincere thanks to our host for the excellent arrangements and kind hospitality.

This Conference is a significant event in the history of inter-regional cooperation on port State control. The Ministers responsible for the safety of shipping in the two port State control regimes have come together to discuss strategies to eliminate sub-standard shipping. The cooperation of the two regimes would undoubtedly further strengthen the efforts to enhance safety levels in international shipping. As a follow-up to this meeting, there should be increased efforts to augment cooperation between the Paris and Tokyo MOUs to improve the exchange of information, to promote more joint training in port State control and to undertake more initiatives to harmonize port State control procedures and standards between the two regimes.

As a flag State with a merchant fleet exceeding 20 million gross tons on its register, and as a port State which operates the world’s busiest port, Singapore takes its responsibility to promote global maritime safety very seriously. Located at the cross-roads of major sea lanes and as a littoral State of the Straits of Malacca and Singapore, Singapore is also very vulnerable to the risk of oil pollution arising from shipping accidents in and around its waters. The Straits of Malacca and Singapore are bodies of water that are fairly well enclosed. Oil pollution resulting from accidents caused by sub-standard shipping has a more serious impact than in open waters. Therefore we strongly support international efforts in port State control to reduce the risk of accidents and thereby marine pollution.

In the past, the means for achieving safety of shipping has traditionally been hardware oriented. New regulations introduced to improve safety of ships were invariably related to the construction of ships and onboard equipment. In recent years, the international maritime community have become increasingly aware that good hardware alone is not enough to ensure overall safety. Statistical figures suggest that about 80% of all shipping accidents were caused by human error. The implementation of two new instruments which address the human element - the International Safety Management (ISM) Code and the 1995 Revision of the Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW) is therefore timely. Singapore has been active in ensuring strict compliance with these regulations by vessels flying our flag.
The effect of these new instruments can only be realized if they are dutifully enforced. The primary responsibility of enforcement must still rest with the flag State. We believe that port State control is only a supplement, not a substitute, to flag State implementation of the regulations. I am pleased to note that a specific statement for support of the activities of the International Maritime Organization (IMO) on Flag State Implementation has been included in the Joint Ministerial Declaration.

In the long run, effective flag State implementation will relieve the ever-increasing demand on the resources for port State control. But, in the meantime, Singapore will seek to increase the number of port State control inspections within its ports. Inspection for compliance with the ISM Code will be emphasized in the scope of the port State control inspections.

In closing, I would like to reiterate that the primary responsibility of ensuring safety of shipping and prevention of marine pollution rests with those who are directly related to the ships, namely, the flag States, the shipowners, the crew and the classification societies. It is important that flag States should endeavour to ensure that their ships and crew comply with the ISM Code and the revised STCW Convention in time. Only global compliance will allow these instruments to achieve maximum impact. Intra-regional and inter-regional cooperation in exchanging information on sub-standard ships will help us to achieve this objective. This Joint Ministerial Conference has pledged to enhance the efforts at seeking global compliance through such intra-regional and inter-regional cooperation. I would like therefore to thank the Canadian Government again for taking this important initiative to bring us together to strengthen our efforts towards this goal.

Thank you.
Mr. Chairman, Excellencies, Ladies and Gentlemen,

On behalf of the Spanish Minister, Mr. Rafael Ariar, I would like to thank the Canadian Government for its kind invitation to participate in this first ambitious Ministerial Conference, where the two different regions that you bridge, have decided to join their efforts to solve common concerns on maritime safety.

Regional port State control was pioneered by the Paris Memorandum of Understanding and reinforced by recent European Union initiatives. It has expanded through Memoranda signed in other geographical areas including the Asia-Pacific, South America, the Caribbean and the very recently born South Mediterranean MOU.

Positive results are beginning to appear in our common battle against sub-standard shipping. The descent in absolute and relative figures of lost ships in recent years could be interpreted as a positive trend index.

The major advantages of enhancing maritime safety in clean seas must be made known to citizens in general, in order to help create the favourable and sensitive environment which should back up our efforts.

As an example, I would mention the case of Spain where major traffic lanes for shipping crossing between the Atlantic and the Mediterranean are located only a few miles away from many of our most environmentally sensitive coastal areas. Any action taken to enhance safety on the huge number of ships transiting these waters is really worthwhile.

On the contrary, the avoidance of malpractice by some of the shipping business role players is a plus for the suppression of market dysfunction, or what is equivalent, the contribution to an efficient allocation to good transport services, while stabilizing their supply to consumers and industries.

A common approach towards identifying sub-standard ships in the ports of the world should be seen as our main objective, with the tools being provided by IMO and ILO who are the key organizations in this realm. This Ministerial Conference will represent a new step ahead in achieving our objective.
One basic pillar of port State control is the level of performance of our port officers, training being a vital element. To provide our PSC officers with the best available information and equipment for inspections is one of our major initiatives towards ensuring PSC effectiveness. In this context, the Spanish Maritime Administration is, at present, developing direct contacts with other administrations and offering advanced facilities to enable our Port Control Officers, as well as others from countries located within new MOU regions, to perfect their surveying techniques.

What cannot solve our concerns is the transfer of sub-standard ships from one region to another region, because as a rule, accidents will still occur.

Therefore, the highest possible level of cooperation, and the setting up of other flag State implementation compliance capacity in other countries and regions, under the auspices of IMO, must be the basis to achieve the goal of safe shipping.

I would also like to mention that, since shipping is an activity of a global nature, the continuation of the effort to extend port State control schemes in other regions is a significant message, at the Ministerial level, stemming from this Conference. This should serve to stimulate those regions to exercise the control of foreign flag ships which, eventually, should achieve the world-wide operation of ships without permitting unfair opportunities.

Mr. Chairman, once more thank you for your invitation and the kind hospitality of the Government of Canada. May this Ministerial Conference represent a large step forward in our common endeavour.

Thank you.
Chairman, ladies and gentlemen,

I am honoured to have been invited to address this Conference on port State control, and I have found it very interesting to listen to the presentations during the day. You have really put focus on various and important aspects of this issue.

First of all, I would like to thank and congratulate the Canadian Government for convening and hosting this important Conference.

The reason we are here is that we have a common problem, namely the existence of sub-standard ships. As we all know, they continue to create an unacceptable threat to maritime safety and the marine environment. It is also totally unacceptable that certain shipowners jeopardise seamen’s lives by using sub-standard vessels.

Step by step, and through the efforts of the IMO, we are beginning to see progress in improving safety at sea. The IMO has also given us the necessary platform for dealing with the environmental challenges. Together with a number of other countries, Sweden has been active in stressing the need for substantial results in both these fields.

Shipping is an international mode of transport and the world tonnage is spread over a great many countries. This is also the reason why shipping issues have so often been dealt with within various international fora. Improving safety and meeting the environmental challenges demands that all those who are in any way involved in shipping take their responsibilities seriously. Governments naturally have a role to play in this respect, but shipowners and cargo owners must also play a very active part in making shipping safer and oceans cleaner.

It is flag State control that we must concentrate on in the long-term, and all possible effort must be put into the development of a proper flag State regime. Looking at the declaration, which we are going to sign, I am therefore particularly satisfied with what is said about flag State responsibility. We must never forget that the prime responsibility for maritime safety rests with the shipowners and the flag States. However, until we have a reliable flag State regime for maritime safety we will have to continue to uphold and possibly reinforce the port State control regime. One way of making port State control more effective is to use information technology. I
I am therefore pleased to note the paragraph regarding the information systems in the declaration. It is important that we make use of all the tools and means that information technology provide us with. And here, I am not only talking about using information technology in order to exchange information and data between our two regions but also in order to publish quick and widespread information on detained ships.

Swedish is, in some respects, a small country. As all small countries we are dependent on free trade and have always advocated free trade. It is totally unacceptable to us that certain shipowners gain unfair competitive and economical advantages over responsible operators by using sub-standard ships. We need port State control also to tackle these problems.

In this context I also would like to express my support for what has been said by Mr. Hammer Hansen from Denmark about armed robbery and piracy.

Ladies and gentlemen, a comprehensive report on the tragic loss of the ro-ro passenger vessel “Estonia” has now been published by the International Accident Investigation Commission. The report covers all the facts and circumstances which contributed to the outcome of the accident, but the Investigation Commission also presents conclusions and recommendations aimed at preventing the occurrence of similar accidents in the future. It is now time to act on the recommendations contained in the report. The recommendations are addressed to the international maritime industry as a whole, and I have invited government-appointed maritime experts from countries whose ships trade in Northern Europe to an international Conference in Stockholm next month to discuss them. Special attention will be focused on the so called “Grandfather Clause”. The significance of a “Grandfather Clause” is that new rules for ship design and construction do not automatically apply to existing ships. In the light of new knowledge and improved safety standards, we need to continuously review the principles governing the design, manufacture, installation and approval of equipment which is of crucial importance for ships’ safety. We will also be looking at Formal Safety Assessment regarding the safety of older vessels. Other important topics to review are ships’ survivability in case of water on car-deck, means of escape and life-saving systems, and also how to increase the ability of passenger ships to rescue people from the sea in adverse weather conditions.

I will make sure that the outcome of that Conference is properly reported to the international community. I hope that the outcome of this present Conference will be a step towards increased safety at sea. And having listened to the presentations that have been made here by my colleagues, I am sure that we will be able to take that step.

Thank you.
Address by H.E. Mr. Phadermchai Sasomsub, Deputy Minister of Transport and Communications for Thailand on the occasion of the First Joint Ministerial Conference of Paris and Tokyo Memoranda of Understanding on Port State Control
Vancouver, British Columbia, Canada, March 24-25, 1998

Mr. Chairman, Ladies and Gentlemen,

It is an honour for the Delegation of Thailand to participate in the First Joint Ministerial Conference of the Paris and the Tokyo Memoranda of Understanding on Port State Control together with the distinguished representatives of the member countries.

Thailand is a country in Asia with a long coastline of 1,500 miles. It is situated between two oceans; to the east is the Gulf of Thailand which connects with the Pacific Ocean by the South China Sea, to the west is the Andaman Sea which connects with the Indian Ocean.

At present, a total of 102,170 ships have been registered in Thailand. Among this number, 450 are sea-going ships of 300 gross tons and above, with the total tonnage of approximately 4 million dead weight tons. As a flag State, Thailand has well recognized the importance of implementing the IMO safety and environmental protection conventions, including other relevant international agreements. The Government of Thailand has rigorously undertaken its obligations as a flag State to ensure that Thai ships conform to international standards.

Thailand is a member of the Tokyo Memorandum of Understanding on Port State Control, concluded in Tokyo on 1 December 1993. To carry out port State control activities, an inspection unit has been established within the Harbour Department under the Ministry of Transport and Communications. At the beginning, there were difficulties in the control process as experienced by other developing countries when they first commenced implementation. However, continuous progress has been made, thanks to the support and cooperation among members of the Tokyo MOU, particularly in terms of port State control inspector training programmes and the exchange of data.

In 1997, the number of visits made by foreign ships was 12,600 and the total number of individual ships calling at Thai ports was 4,500. It was an arduous task to carry out the inspections as there is a very limited number of port State control inspectors. Nevertheless, I would like to take this opportunity to reiterate our commitment to the Tokyo MOU and to assure you that Thailand will continue its efforts for better and more efficient port State control.
Ladies and Gentlemen, I flew over 8,000 miles from Bangkok to attend this Conference to confirm that Thailand will give full support to the initiative of the participating Paris and Tokyo MOU countries to promote closer cooperation and further harmonization on port State control between the two regions.

On behalf of the Thai delegation, I would like to express our sincere thanks and appreciation to our host, Transport Canada for the excellent arrangements of this Conference. I would also like to thank the delegates of both the Paris and the Tokyo MOU’s member countries and to all those involved in the preparation of the joint declaration, who made this occasion possible.

My delegation is confident that the joint declaration is another significant move towards maritime safety. I am certain that it will not only benefit the two regions but also will be of beneficial influence to the international maritime community as a whole.

Thank You.
Ladies and gentlemen,

On behalf of the European Community, jointly represented by the United Kingdom as President of the Council of Ministers and by the European Commission, I would like to begin by thanking our host, David Collenette, for inviting us to this important Conference.

We are here today because we share common interests: the safety of those who travel on ships, both passengers and crew; the protection of the marine environment from pollution from ships; and the encouragement of shipowners to acknowledge that quality operation is good business. All these interests are threatened by ships which consistently operate below acceptable standards.

Why do some owners persistently operate sub-standard ships? Surely the answer is simple: money. A competitive trading advantage may be gained by ignoring the rules. Figures from the Organization for Economic Cooperation and Development suggest costs may be reduced by 15 per cent on a vessel operating at the minimum level of safety needed to keep it operational, rather than at the minimum legal level. This rises to 25 per cent when compared with the average expenditure of a responsible shipowner.

Sub-standard operation threatens lives and our environment. We have all responded to this threat by working regionally to enhance port State control.

Port State control is a means of checking compliance with internationally agreed rules on safety, pollution prevention and seafarers’ working and living conditions. Regrettably, for those ships whose owners and flag States fail to discharge their responsibilities properly, it is the only means of enforcement. Since the establishment of the Paris Memorandum of Understanding in 1982, port State control has become something of a growth industry. The Tokyo MOU has also been operational for some years. And we have representatives here from the Acuerdo de Viña del Mar and Caribbean MOU.

The worldwide expansion of port State control demonstrates that concern about sub-standard shipping is becoming more and more widespread, and there is no doubt that port State control continues to be needed. In 1997, half the inspections carried out by the 18 signatories to the Paris MOU revealed deficiencies. More than one in ten inspections uncovered defects sufficiently serious to require detention of the ship. Over 1,600 ships were detained.
The success of modern port State control is founded on cooperation. The harmonization of the inspection standards and better co-ordination of inspections at a regional level have brought great benefits in terms of coverage and in making the best use of resources. With every Paris MOU country undertaking to inspect at least 25 per cent of foreign flagged ships calling at their ports, it is estimated that over 90 per cent of ships visiting the region each year are inspected.

In the European Union, port State control has been reinforced since 1995 by a Directive which is legally binding upon Member States and which has introduced important initiatives, particularly in targeting certain categories of ship and in emphasizing operational aspects.

Hopefully, this Conference will provide a sound basis for wider cooperation between regions. It is important that we try to build on our collective experience by seeking to adopt the highest standards of inspection. Measures which can be used to help include the exchange of port State control inspectors, shared training programmes, the exchange of inspection data and shared information on enforcement initiatives. However, if greater cooperation is to succeed, we must all, as responsible maritime administrations, show an equal commitment to quality.

While port State control has proved successful in identifying sub-standard ships, the number of vessels detained each year points to a culture of evasion. And port State control is not in itself a panacea to the problem of sub-standard ships. It is limited by its scope and the time available for inspection. The port State does not have the advantages of access and timetabling available to owners and flag States for survey of the ship. As a spot check, an inspection cannot identify all ships which do not meet international standards or fully test the competence of those on board.

There are high hopes for the International Safety Management - ISM - Code. It has been described as the most significant shipping safety measure yet and I am sure that we all strongly support its introduction. Properly implemented there is no doubt that it should have a significant impact on the general quality of shipping operations.

But the key phrase is “properly implemented”. Like port State control, the Code is not a solution in itself. It is only as good as the shipowners required to implement it and the flag States responsible for monitoring compliance. In itself the Code is unlikely to change the attitudes of those determined to break the rules. That is why the role of port States will continue to be important. Overall standards of operation are unlikely to improve until all shipowners realize that they will find it almost impossible to trade without legitimate ISM Code certification. The European Community is legislating to ensure a hard line on ISM Code compliance. Any non-compliant ship visiting a Community port after 1 July will be detained, and may face a subsequent ban from our ports.
The acceptance of poor standards by owners and crew is encouraged by inadequate control by some flag States, in direct neglect of their responsibility to ensure that the ships on their register comply with international conventions. It is widely recognized that some registers have not developed sufficiently comprehensive administrations to monitor their fleets effectively.

I believe, therefore, that although we should work together to make port State control as effective as possible, we will not ultimately achieve our goal of eliminating sub-standard shipping unless we also address the core issue. We therefore strongly support the efforts of the International Maritime Organization’s Flag State Implementation (FSI) Sub-Committee. Over the past year, a number of States represented around this table, including Canada, Mr. Chairman, have been taking part in a Correspondence Group developing the concept of self-assessment of flag State performance against agreed criteria. This work will be reported to the next session of the FSI Sub-Committee in June. At that meeting, I hope that the nations represented here will join together in building on this concept which we hope will have an important role in securing more effective flag State performance.

With this in mind, I believe that this Conference should declare its commitment to seeking the adoption by the IMO of binding quality criteria for flag States, as well as to further cooperation in port State control.

The draft declaration also envisages building a wider safety culture throughout the maritime industry. This is a very important point. I have talked about the role of flag State and the port State, but there are many others in the wider shipping industry, including those in shipping services such as insurance, who whilst not having a direct responsibility can influence standards to a greater or lesser extent.

In recent times, enlightened self-interest has led some of these to increase the pressure on sub-standard shipping. Last December, I hosted a seminar in the UK involving insurers, charterers, classification societies, banks, crewing agencies and ship managers. The aim was to try to identify further steps which they could take to supplement the efforts responsible Governments are making to eliminate sub-standard shipping. We are following up the seminar in cooperation with the European Commission’s “Quality Shipping” campaign and intend to hold a further seminar in the autumn once the impact of the ISM Code is clearer.

To conclude, I hope that the Declaration we sign this week will provide the basis for more concerted action to enhance port State control, to tackle poor flag State implementation and to develop the widest possible safety culture throughout the shipping industry. We owe it to those who work and travel on ships, to good shipowners and to the environment to succeed.
May I first of all pass on Neil Kinnock's heartfelt apologies for his absence from this important Conference. As European Transport Commissioner he was particularly looking forward to being in Vancouver. But Mr. Kinnock has to be in Brussels for what is, I have to say, an even more historic event, decisions by the European Commission on European Monetary Union. He sends his best wishes for a successful meeting. I am Mr. Kinnock's Chief of Staff and I represent, through him, the European Commission, which is here jointly with the UK Presidency, representing the European Community.

I would like to join with Ms. Jackson and Mr. Quirk in thanking David Collenette for taking the initiative to organize this Ministerial Conference and for the great effort he and his staff have put in to make it a success.

Maritime safety has always been a high priority in Europe. We have a tradition of operating shipping at a quality that fulfils the very best standards of safety, environmental protection and living and working conditions. We are proud of this, but we will never be complacent.

Despite the benefits, good standards and practices have not become universal. There are still far too many practices in shipping which are driven by considerations of short term profit without due regard for the safety of human beings, the environment or the living and working conditions on board vessels.

Whilst many classification societies, shippers, shipbrokers, owners and insurers do meet their legal and moral obligations, they are undermined by those who do not. This leads to unfair competition, and may, far worse, lead to danger and, on occasion, tragedy.

We do not accept that many charterers and shippers cannot identify the dubious operators. Nor do we believe it right that, because of the soft market, insurers indirectly support the sub-standard operators.

If the world is to benefit from high standards of shipping, the most sustainable of all major transport modes, the responsibilities must be fairly shared and properly discharged by flag States, classification societies, cargo owners, insurers, brokers, port operators, as well as those who own ships. They will all benefit from high standards.
High standards are best achieved through voluntary commitments by the maritime industry as a whole. For that reason, at the last General Assembly of the IMO, Glenda Jackson and Neil Kinnock announced initiatives to promote the idea of “Quality Shipping” and appealed to the maritime industry to work towards achieving the common goal of eliminating sub-standard shipping.

We look to the industry to respond in a number of ways; codes of conduct of ethical behaviour; charters on responsible care programmes; and ship vetting schemes managed by the industry itself.

Obviously, the maritime industry as a whole has a major role to play in the Quality Shipping Campaign. Each part of the chain must play its part. Organisations must ensure that the obligations are fulfilled by their members and, in the last resort, to take appropriate measures against those who fail to follow their own standards.

Governments have their own role to play. We identify at least three elements:

- rigorous enforcement of existing regulations on international maritime safety;
- improved and better targeted port State control. This implies the reduction of inspections of ships of bona fide operators and more inspections of sub-standard ships;
- reliable and detailed information, and dissemination of this information; for example on deficiencies discovered under port State control, ships detained and names of owners/operators, flags, their classification societies, and so forth. The value of this information would be further enhanced by creating links and mutual access to industry-developed databases.

This co-ordinated action between the industry and the Community and its Member States would contribute to the change of practices we all seek.

To promote these concepts, a first seminar was hosted by Ms. Jackson, in London, last December. To keep up the momentum, we are following up with a second seminar organized in Lisbon on 4 June, to which World and European industry organisations are invited. We also intend to hold further meetings to assess the initial impact of the ISM Code and of our port State control initiative.

All of this is vital. But it is not enough. We must also secure a reliable and strong pool of highly qualified and trained seafarers.

I regret to say that in the EU, whilst the high standards of seafarers has certainly been maintained, the numbers have not. The loss of jobs is very serious and the lack of availability of skilled seafarers that is essential in shipping and related industries is potentially even more
serious. Together with the Member States, the European Commission is working to develop legal, fiscal and professional conditions that will encourage the industry to invest in its own future.

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That pool is currently being eroded as several players give preference to cheaper, often unqualified labour, intense price competition, especially in the tramp market, can also reduce quality standards of the crews.

Furthermore, the European Community has adopted legislation to secure the effective application of the revised IMO Convention on Standards of Training, Certification and Watchkeeping. This European Directive will enter into force in all Member States in April next year. It will introduce common criteria for the recognition in the European Community of seafarers’ certificates issued by third countries and will ensure uniform and efficient application of the port State Control provisions of STCW ‘95 in all ports of the Community.

Let me conclude by recalling that at the heart of our Quality Shipping Policy is the strong drive towards effective enforcement of existing rules adopted by the IMO and ILO. We will continue to work in the closest cooperation with these organisations in securing progress until shipping everywhere is as safe as the sea will allow.

Port State control, and control over the performance of classification societies, remain the corner stone of the European policy against sub-standard shipping. We have built our legislation around these basic laws. It accounts, today, for almost a dozen legislative measures. These are described in a brochure, copies of which are available here at this Conference. I commend it to you.

There is still a lot of work to be done. The European Community is grateful to Canada for having initiated this Ministerial Conference. It will promote a climate which will ensure the quality of shipping, by focusing on safety rather than just on price competitiveness. I therefore join Ms. Jackson’s hope that the Declaration we sign this week will provide a strong basis for our common work. The adoption by the IMO of binding quality criteria for flag States is, in our view, a necessary element. This work must continue, enhanced by the experience of this Conference, because achieving and maintaining quality is not a one-off exercise. It requires constant vigilance, energy and determination from all, and we, in the European Commission are committed to playing our part to the fullest.
Mr. Chairman, your Excellencies, Ladies and Gentlemen,

On behalf of the Minister of Transport of Iceland, I am both pleased and honoured to have the opportunity to attend this First Joint Ministerial Conference of the Paris and Tokyo Memoranda on Port State Control.

First of all I would like to thank the Canadian Government for arranging this conference here in this beautiful city of Vancouver.

In an ideal world there should not be any need for port State control. The responsibility for ensuring that ships comply with the provisions of the relevant instruments rests upon the owners, masters and the flag States. We do, however, not live in an ideal world. International standards for safety and pollution prevention are consistently ignored and subsequently some ships are sailing in an unsafe condition. This leads to unfair competition and threat to lives and the marine environment. As long as flag State control continues to be ineffective, there is a need for port State control.

Iceland would like emphasize its view that the long term aim, to ensure safer seas and cleaner oceans, will only be achieved by improving the standards of flag State control. But until one is convinced that flag State control is being effective it is necessary to increase the pressure on sub-standard shipping by conducting port State control. In order to make port State control as effective as possible it must be conducted all over the world. In this respect, Iceland believes that port State control is most effective when it is conducted on a regional basis. The advantages for countries working together with a regional agreement on port State control are many but the keyword is harmonization.

Iceland is an island and is therefore heavily dependent upon shipping. About 98% of Iceland’s import and export are transported by ships, most of which are foreign flag-ships. More than 600 individual foreign-flag ships enter Icelandic ports every year. In addition, a substantial number of ships navigate through Icelandic waters without entering our ports. It is in the interest of Iceland, as a coastal State, to ensure safe shipping in its waters and that the risk of pollution of the sea and its coastline is kept to an absolute minimum. Keeping the sea and coastline clean is especially important for Iceland because its economy is heavily dependent on fishing and tourism interest. About 75% of the value of the export products derives from the fisheries alone.
In order to watch over Icelandic interests, the Icelandic Maritime Administration has for several years conducted port State control on board foreign-flag ships visiting Icelandic ports. Such inspections have been conducted, as far as possible, in accordance with the principles of the Paris MOU but without the Icelandic Maritime Administration being a member of the Paris MOU.

In 1996, the maritime authorities of Iceland were granted the status of “cooperating maritime authority” to the Paris MOU as a transitional measure for a limited period. Such a period is necessary for the maritime authorities to comply with the Paris MOU’s qualitative access criteria for new members. When the qualitative access criteria have been complied with, which we aim to do in 1999, Icelandic maritime authorities plan to request for adherence to the Paris MOU as a full member.

In closing, Iceland hopes that this First Joint Ministerial Conference of the Paris & Tokyo MOU States will strengthen cooperation between world regions in an effective enforcement of international rules and tighten the net against sub-standard shipping.

Thank you for your attention.
Address by Mr. Bjorn Klerck Nilssen, Chief of the Maritime Industries Branch, 
International Labour Office on the occasion 
of the First Joint Ministerial Conference of the 
Paris & Tokyo Memoranda of Understanding on Port State Control, 
Vancouver, British Columbia, Canada, March 24-25, 1998

Excellencies, Ministers and Delegates, Distinguished Observers, Ladies and Gentlemen,

I would like, first of all, to express my very sincere thanks to you for inviting Mr. Michel Hansenne, the Director-General of the International Labour Organization to participate in this First Joint Ministerial Conference on Port State Control. It is a great pleasure for the ILO to be here and for me to address you on his behalf.

For the ILO, an organization where not only governments, but also employers and workers play a decisive role, the main theme for this Conference relates directly to our activities.

One of the ILO’s main missions is to promote objectives such as furthering democracy, human rights and international labour standards and promoting the protection of working people. The aims are to ensure that work is carried out in a safe and healthy environment, that working conditions are consistent with workers’ well-being and human dignity, and that work offers real possibilities for personal achievement, self-fulfillment and service to society. These objectives and aims apply as much to the maritime industry as to any other work.

The ILO shares with you the importance of eliminating sub-standard shipping by maintaining an effective system of flag State and port State control. In a sub-standard working environment, it is unreasonable to expect work to be performed well, as such an environment influence’s people’s alertness and shapes their attitudes. Poor performance often leads to accidents and casualties. “Human error” is, however, a very diffuse and general sort of classification and too often the discussion seems to focus on procedures without looking into the reasons behind mistakes and misjudgement. Maritime safety and marine environmental protection will therefore always be closely linked to living and working conditions of seafarers.

The ILO has adopted a number of minimum standards on working and living conditions of seafarers. Convention No. 147, which is one of the relevant instruments in both the Paris and the Tokyo Memoranda, constitutes the central statement of the ILO on what should be regarded as the minimum internationally acceptable maritime labour standards.
ILO Conventions and Recommendations are of a universal character and it is therefore important to avoid introducing different standards in different regions. These standards are periodically revised and updated by special maritime sessions of the International Labour Conference, the most recent one held in 1996. The results of that Conference have been well-reflected in the draft Declaration of this Conference.

The ILO is trying through different means of action to make it difficult to operate sub-standard and accident-prone ships and we believe that ratification and effective implementation of ILO maritime labour conventions, Convention No. 147 in particular, are important in this context.

The importance for the flag State to have an appropriate administrative machinery with a system of inspection of seafarers’ living and working conditions is reflected in the Labour Inspection (Seafarers) Convention No. 178 adopted by the ILO Maritime Conference in 1996. Where more than one ministry have competence on inspection matters coordination at national level is important.

As we all know, too many flag States have not put their house in order or put in place the necessary legal and administrative machinery and have no effective means of inspecting working and living conditions. Added to this is the situation where the owner is only operating in shipping on a short-term investment basis with no interest or concern for social and labour conditions on board. Most ship owners are responsible and care about their crews. Unfortunately, a persistent minority operate with sub-standard conditions. The ILO regularly receives information on quite disgraceful conditions relating, for example, to poor accommodation, inadequate or inappropriate food and abandonment of entire crews. The ILO standards, as well as the Declaration of Philadelphia from 1944, which is part of its Constitution and significantly lays down that labour should not be treated as a commodity, should serve as a bulwark against such deplorable conditions.

The ILO is therefore much in favour of effective port State control as this makes it difficult to operate sub-standard ships. It is the ILO’s view that Convention No. 147, with its appendix, should be reflected in any port State control arrangement. The ILO welcomed very much the decision of the members of the Paris MOU to conduct a concentrated campaign during the last part of 1997 on selected items of seafarers’ living and working conditions. We hope that the analysis of the results will be of value in other parts of the world.

Effective flag and port State control depends, as we all know, to a great degree on the training, experience and professional judgement of national inspectors. The guidelines published by the ILO in 1990 for the inspection of labour conditions on board ship will be updated, including also the relevant standards adopted by the ILO in 1996. A model course of Convention No. 147 is being finalized and will be used in the training of
inspectors. The ILO will continue to organize seminars and provide technical advice on maritime labour standards with special training for inspectors responsible for inspection of both foreign and national registered ships. We are looking forward to continuing our collaboration with you on these important issues.

Finally, Mr. Chairman, I am confident that the cooperative spirit in this Conference will continue. It is the ILO’s hope that the Conference will take another significant step forward for the benefit of seafarers, the shipping industry and all the maritime states concerned. May I stress again the continuing support of the ILO in working in full cooperation with you to that end.

Thank you.
Mr. Chairman, Distinguished Ministers, Ladies and Gentlemen,

It is now sixteen years since the first Memorandum of Understanding on port State control was signed in Paris. At the time this was regarded as an important achievement but it is only now, with the advantage that hindsight always offers, that we can appreciate just how significant it really was.

Port State control was envisaged as a back-up system. It was intended as a means of catching the sub-standard stragglers that evaded the net cast by the flag States. When provisions for port State control were included in SOLAS and other treaties, it was assumed that their application would be a national concern. Each country would have the right to inspect foreign-flag ships entering its ports, but there was no requirement to do so and no recommendations on how many ships should be inspected.

The Paris Memorandum changed that. Port State control became a regional operation, enabling inspections to be organized more effectively and resources to be used more efficiently. The ability to target certain ships and owners became not only desirable, but possible. The chances of ships evading detection in the Paris Memorandum area shrank rapidly. The system proved so successful that other regions decided to set up similar systems of their own.

We now have individual agreements covering Latin America, Asia and the Pacific, the Caribbean and the Mediterranean. Next June a draft agreement is expected to be signed covering the Indian Ocean and last month a conference in Accra, Ghana, took the first steps towards the adoption of a regional port State control system in West and Central Africa. More than 90 countries are involved in these different systems and they are now so widespread that we can look forward to taking the process a little further and linking these regional systems so that the transfer of information from one to the other can be formalized.

This could consist initially of a series of electronic links and the establishment of a global database of port State control information. And the possibilities that this would offer are spectacular - and certainly worth pursuing.
In the first place, the database would increase fairly quickly until it contained information about virtually every ship in the world - the good as well as the sub-standard. Port State control inspectors would be able to identify the flags, ships and operators that needed to be checked most closely. We know that in the past sub-standard operators who found the PSC inspectors becoming a little too zealous simply moved their ships to a region where the surveyors were not so enthusiastic. But now these places are becoming fewer. Within a few years they will have disappeared altogether and the sub-standard ships that do so much damage to the reputation of our industry will have nowhere to hide.

But the growth of port State control around the world has other, even more exciting implications. It means a huge increase in knowledge. The statistics and data gathered by the regional PSC systems are all exchanged and made available to IMO. The Organization also receives data from other sources, including national administrations which are not part of any regional PSC systems. We are currently negotiating the purchase of the ship identification database of Lloyd’s Maritime Information Services.

All this information is useful in itself, but it is also capable of being analyzed. In the past, IMO has frequently been called upon to react to events, usually a major casualty. As a result of the Torrey Canyon, Amoco Cadiz and Exxon Valdez disasters, measures were introduced which have greatly reduced marine pollution. Ro-ro ferry safety has been improved as a result of the Herald of Free Enterprise and Estonia tragedies. Bulk carrier safety has been boosted, but only because of a series of sinkings over the years, many of which have involved heavy loss of life. We can congratulate ourselves on what has been done - but how much better it would have been if those improvements had been made before rather than after the disaster.

Now, almost for the first time, we have the chance to anticipate events, because the data that is being made available from port State control inspections and other sources should enable us to better analyze casualties and find out, more accurately than ever before, just what causes accidents and what can be done to prevent them.

We can use the same information to minimize the consequences of accidents, especially if it is linked to a process such as formal safety assessment, a method of identifying risks and their consequences and then evaluating the costs and benefits of different options for reducing those risks. IMO has developed interim guidelines for using formal safety assessment in its rule-making process, but the more information we have at our disposal the more effective it will be.

We are well placed to become more pro-active, rather than reactive, because of what has been achieved in recent years. We can point to the falling casualty rate and the decrease in marine pollution from ships as further proof that we are achieving our objectives. This should encourage us to use this opportunity to set our own priorities, rather than operate under an agenda that is dominated by the latest disaster.
Port State control and the statistical data that is being made available as a result will be invaluable - but we must also ensure that there is a change of attitude within the shipping industry, because there is no doubt that there is a tradition of secrecy that too often results in problems being hidden rather than revealed and ignored rather than solved.

A case in point involves ro-ro safety. The recently-published report into the Estonia disaster shows that there were a series of incidents on Swedish and Finnish ro-ro ships involving bow doors going back to the 1970’s. Yet none of these was made known to the maritime world as a whole. It is probable or at least possible that other ro-ro operators were also having problems with bow doors in other countries. But if so, we were never told.

Not only was IMO not informed. Other operators, Administrations, seafarers and, of course, the travelling public were also told nothing, no doubt on the grounds that they had no need to know, or that they would have been unnecessarily alarmed by the possibility that the bow door of the ship they were sailing on might be forced off its hinges.

Would that have happened in the air industry? Would it have been allowed to happen? Of course not: if a problem is detected in an aircraft all planes of that type are grounded until the problem is solved. In the shipping industry, the tendency is to keep quiet. And so a series of incidents, each one relatively unimportant when seen in isolation, yet building up a pattern that should have set the alarm bells ringing not only at IMO but throughout the industry, went undetected.

The development of port State control gives us an opportunity to change that culture as well and to replace secrecy with openness. But at the same time we also have to concentrate on making sure that port State control is made ever more effective. Over the years some critics have claimed that port State control is unnecessary, that it imposes a burden on port States which should really be borne by the flag State. This is probably true, but what is the alternative?

Without port State control, organized into regional systems as has been done in recent years, there would be very few checks on international shipping and standards would undoubtedly decline. Port State control is essential to any determined attempt to raise safety and environmental standards and the fact that there is a cost involved has to be accepted - for the cost, in human terms, of doing nothing, would be so high as to be intolerable.

We have to make sure that port State control is modified and improved in the light of experience and that the new regional systems now being developed are able to benefit from the lessons learned by the pioneers. We have to ensure that regional differences are taken into account, but that procedures are standardized as far as possible, so that shipowners and seafarers are able to participate effectively and are not confronted by differing, possibly contradictory procedures as they sail from region to region.
To assist this process, IMO is developing a global strategy for PSC and has incorporated in the procedures for port State control the professional profile, training and qualification requirements and general operating guidelines for PSC officers. In this way we hope to ensure that, while the systems may be regional, the standards applied will be universal.

Finally, we have to do something about the part played by the flag State, on which the primary responsibility for safe ships should continue to be placed, irrespective of the actions of the port States. It is wrong that the Administrations which profit from shipping should not shoulder their share of the implementation burden. That is why IMO established its Sub-Committee on Flag State Implementation, which will be holding its sixth session next June. In November, the IMO Assembly adopted a number of resolutions prepared by this Sub-Committee, including guidelines to assist flag States in the implementation of IMO instruments, a Code for the investigation of marine casualties and incidents and a resolution on the implementation of the International Safety Management Code.

Further measures will be considered in June, including guidelines for unscheduled inspections of ro-ro passenger ships. The Sub-Committee will also have port State control on its agenda and that is logical, because flag State implementation and port State control are not separate but complementary to each other. In nearly every country, after all, the same inspectors do both jobs. And both are concerned with ensuring that IMO standards are implemented, that safety is improved and pollution reduced. Nobody involved in shipping can object to any of those ambitions.

I wish to take this opportunity to congratulate all those involved in port State control activities in the areas covered by the two memoranda of understanding for their valuable contribution to safety and environmental protection. Challenging times lie ahead and I would urge them to be particularly vigilant when exercising their duties, especially with relation to the implementation of the IMO standards enshrined in the recently adopted amendments to the SOLAS Convention aimed at enhancing the safety of ro-ro passenger ships and bulk carriers, as well as the implementation of the revised STCW Convention and the ISM Code.

The sensitivity shown by Governments and the general public in recent accidents involving ro-ro passenger ships and bulk carriers resulting in heavy loss of life and the need to enhance safety and environmental protection through focusing on the human element, which is basically the objective of the revised STCW Convention and the ISM Code, justify any additional effort port State control officers should make when exercising their important duties.

This conference is the first one of its kind. It represents another milestone in our attempts to ensure that the legislation adopted at the international level is implemented and enforced and no doubt it will be followed by many more. IMO is pleased to be associated with this initiative and I would like to conclude by wishing this conference every success and to thank Canada for organizing it.
Address by Mr. Joseph J. Angelo,
representing the United States Department of Transportation
on the occasion of the First Joint Ministerial Conference for the
Paris & Tokyo Memoranda of Understanding on Port State Control
Vancouver, British Columbia, Canada, March 24-25, 1998

Mr. Chairman,

The United States has become primarily a port State with an average of 7,500 foreign ships calling on its ports each year. These foreign ships account for 95% of the passenger ships and 75% of the cargo ships operating in U.S. waters. As a result, the greatest potential threat to U.S. ports and waterways now comes from foreign ships.

Port State control is not new to the U.S. Beginning in the 1970’s, the U.S. Coast Guard increased its emphasis on the examination of foreign vessels. Although this emphasis was primarily driven by requirements to ensure compliance with the then new U.S. pollution prevention and navigation safety regulations, boarding officers also exercised port State authority when instances of non-compliance with SOLAS and MARPOL were noted.

Over time the international safety and environmental protection standards, implemented under conventions such as SOLAS and MARPOL, have become stricter, with increased enforcement authority for port States. In large part, these improved international standards measure up to the relevant U.S. standards. In 1994, the U.S. introduced risk-management methodologies into its port State control program to allocate limited inspection resources where they could do the most good by identifying those ships, ship owners, classification societies and flag Administrations that were most often found lacking in meeting their international convention responsibilities.

While the U.S. port State control program has achieved excellent results and continued progress is being made, more work needs to be done to tighten the safety net, not only in the U.S. but worldwide. The U.S. applauds the efforts of the International Maritime Organization in its support of the development of viable regional port State control agreements around the globe, and remains steadfast in its resolve to cooperate with them to the fullest extent possible.

Amongst the regional arrangements worldwide, the accomplishments of both the Paris and Tokyo MOUs are noteworthy. Much progress has been made, yet more can be accomplished. With its focus on coordination and harmonization, this Joint Ministerial Conference is a decisive event, not only for the member countries of Paris and Tokyo MOUs, but for everyone around the world involved with port State control.

“Tightening the Net”
Inter-regional Action to Eliminate Sub-standard Shipping
Coordination and harmonization amongst port State control authorities is essential to maintain a more persistent pressure on ships, their owners, managers, classification societies and flag Administrations to meet their responsibilities as the first lines of defense against sub-standard shipping. When faced with a network of port State control authorities which have coordinated their activities and communicate with each other, those involved with sub-standard ships will find that they have no place to hide. They will have no choice but to bring their ships up to standards or face continuous, persistent and costly port State control action.

Significant strides in this respect have already been made. The adoption and use of international codes for deficiencies, control actions and ship types have ensured that inspection information can be shared and easily understood among regions. In addition, advances in information technology are being utilized to upgrade computer databases to enable the exchange of inspection information to occur quickly with minimal cost. There have already been limited, informal exchanges of information on foreign ships between port State control authorities. This effort must increase to facilitate the free flow of vital information concerning sub-standard vessels.

Initiatives are underway in all regions to harmonize port State control procedures and policies. As previously mentioned, the adoption of international codes provides the ability to standardize inspection reports such that they can be understood in different regions. Information and comments are being exchanged between port State control authorities during the development of enforcement policies and procedures for new international requirements, including the International Safety Management Code.

Harmonization of training is also a key to increasing the capacity of port State control authorities to tighten the safety net. In the United States, we have hosted representatives of other port States at our field units and headquarters, providing them the opportunity to observe our port State control program at all levels. In addition, representatives from other countries have attended our port State control course.

There is still much that can and should be done. The exchange of port State control inspection information should be formalized into a routine practice. The technology is there, it must simply be utilized. At the same time, we all should strive for harmonization of enforcement policies and procedures to ensure that no sub-standard ship can slip through the safety net anywhere in the world. Through the fullest use of the lines of communication, coordination and harmonization we can as port States leverage our resources to eliminate sub-standard shipping.

As an observer, the U.S. has followed with great interest the development of both the Paris MOU and the Tokyo MOU from their beginnings. We will continue to cooperate with both to the fullest extent possible in the future.
Vancouver, British Columbia, Canada, March 24-25, 1998

The Honorable David Collenette, Canada’s Minister of Transport, Chairman of the First Joint Ministerial Conference of the Paris and Tokyo Memoranda of Understanding on Port State Control, Chairmen of the Port State Control Committees of the Paris and Tokyo Memoranda, Ministers, Heads of delegations and representatives of IMO and ILO, Ladies and Gentlemen,

First of all, I wish on behalf of the Vietnamese delegation to express our appreciation to the Canadian Government and Ministry of Transport and the Port State Control Committees of the Paris and Tokyo Memoranda for the excellent work they have done in preparation for this important Conference.

My delegation welcomes the convening of the First Joint Ministerial Conference of Paris and Tokyo Memoranda on Port State Control and has studied with interest the draft joint Ministerial Declaration. We share with other delegations the concern and the need to effectively apply port State control in order to promote the safety of life at sea, on-board living and working conditions and protection of the marine environment at both global and regional levels. As a country that has a long coast, an increasing number of ships and ports and an increasing number of foreign ships to these ports, Vietnam attaches great importance to port State control and to the promotion of safety of life at sea, on-board living and working conditions and protection of the marine environment.

Even though we have been faced with a great number of difficulties of a developing country, we have over the past few years adhered to a number of conventions and made great efforts to better meet our obligations both as a flag and a port State. We have at the same time taken active measures in order that we may soon adhere to the Tokyo MOU. We have adjusted and improved our national maritime law and enhanced the role played by our national marine management bodies. We have also established training programs to improve the quality of our personnel who are involved in port State control. Four training courses have been organized in Vietnam, one of which has been carried out by experts of Canada’s Ministry of Transport under a program of cooperation between the ministries of Transport Canada and Vietnam. Another one of which has been carried out by experts of the Tokyo MOU Secretariat. In addition, a number of Vietnamese officers have been sent to be trained in Tokyo and IMO training centres.

I would like on behalf of the Vietnamese delegation to express our appreciation and sincere thanks to those countries and international organizations for the assistance they have extended to us. I hope that we continue to receive more from others. Our country will try to do her best to adhere to the Tokyo MOU soon.

Thank you Mr. Chairman.
Address by Juan Jose Beltritti, Secretary of the Acuerdo de Viña Del Mar on the occasion of the First Joint Ministerial Conference of the Paris and Tokyo Memoranda of Understanding on Port State Control

The Maritime Authorities members of Viña del Mar Agreement are well aware of the amazing scientific and technological changes in the field of water transport, as well of some distortions created by the over supply of tonnage, the substantial increase in the world fleet age and a certain eagerness to obtain competitive conditions. All these factors have led to a difficult situation when trying to strike a balance between safety conditions and economic factors. This situation therefore gave rise to the emergence of sub-standard vessels which operate well below minimum safety standards and pose a potential risk of maritime accidents in the region.

Several efforts were therefore made in order to increase the efficiency of port State control functions. To such ends, several activities were planned aimed at achieving total quality and obtaining safer ships, quality seafarers, a competitive shipowner sector with a firm commitment, and a modern and efficient maritime administration.

The following goals have been achieved through the Viña del Mar Agreement after five years of work:

- uniform criteria to perform the port State control surveys in the whole region,
- establishment of minimum qualification criteria for training officers entrusted with port State control functions,
- creation of an Information Centre (CIALA, in Spanish) located in Buenos Aires, Argentina, to provide antecedents when selecting vessels to be surveyed and, if necessary, to obtain antecedents from other region,
- consultations with experts in some countries in the region in order to prepare technical cooperation programs including:
  - basic and advanced training courses for staff engaged in port State control of vessels,
  - exchange of officers or fellowships awarded to be carried out in other countries of the region or in countries forming part of the other MOUs.

Moreover, the Maritime Authorities have decided to circulate statistics on vessels detained in this region as a means to show all vessels calling at our ports, the Authorities’ strong commitment to enforce the Viña del Mar Agreement provisions.
As a contribution toward improving safety in the area under the scope of the Operative Network for Regional Cooperation among Maritime Authorities of the Caribbean, ROCRAM-CA, the members of the Viña del Mar Agreement undertook to survey all vessels calling at their ports and coming from Caribbean countries belonging to ROCRAM-CA, as well as those vessels leaving their ports and heading to ports of the Caribbean region. These joint efforts are aimed at increasing vessel control.

Mr. Chairman, as you have already acknowledged, human resources allocated to port State control activities should meet the highest professional and quality standards in order to attain high efficiency levels. Unfortunately, human resources will always be scarce. The members of Viña del Mar therefore consider that the exchange of information on the condition of vessels calling at their ports will be a useful tool when selecting and giving priorities to vessels to be surveyed. In this way available human resources may be better allocated and employed.

Thank you Mr. Chairman.
Introduction

On 9 February, 1996, representatives of twenty-two (22) maritime administrations of the Wider Caribbean met in Bridgetown, Barbados and adopted the final text of a Caribbean Memorandum of Understanding on port State control. Fourteen of the States signed the MOU prior to the closure of the period of signature on 9 August, 1996, and to date, nine Caribbean States have accepted the MOU.

The region has commenced the process towards implementation of the regional system of port State control. In this regard, three institutions have been established, the Secretariat in Barbados, the Caribbean Maritime Information Centre in Curacao, Netherlands Antilles and the Caribbean Port State Control Committee (CPSCC). It is expected that in the future a Working Group on Harmonization will be established as a sub-committee of the CPSCC to deal with reporting and coding problems, and it is anticipated that a Ministerial Conference will be staged in due course.

Present Status of the Caribbean MOU

The Caribbean MOU becomes effective for a State on deposit of a letter of acceptance with the Secretariat. At the present time, nine States of the Wider Caribbean have accepted the MOU. Other signatory States have observer status at meetings of the Caribbean PSC Committee. Other States, namely Canada, USA, The Netherlands, requested and were granted observer status. The organizations, CARICOM Secretariat, IMO, ILO, IACS and Paris MOU, Tokyo MOU, and Viña Del Mar Agreement Secretariats also have observer status.

General Philosophy for introducing the Caribbean MOU

It is important to note that there was consensus among those Caribbean States participating in the preparatory process leading towards the signing of the Caribbean MOU that such action would send a clear signal that the Caribbean Sea will not be a haven for sub-standard ships. These States did recognize that there would be a period during which port State control would not be fully implemented, and indeed a ‘grace’ period was contemplated. It was agreed that the period would be used to achieve the following:
Tightening the Net

Inter-regional Action to Eliminate Sub-standard Shipping

Caribbean MOU    Addresses by Heads of Delegation

• ratification and implementation of IMO instruments, particularly the ‘relevant instruments’ of the MOU,
• modernization of maritime legislation,
• up-grade of national maritime administration (including training of port State control and flag State implementation personnel - both administrators and field staff), and,
• acceptance of the Caribbean MOU by all twenty-five States (including the French Departments, Cuba, Haiti and Dominican Republic) of the Wider Caribbean region.

In short, the Caribbean MOU was seen as providing a very important catalyst for the up-grade of national maritime safety administrations.

Synopsis of the Provisions of the Caribbean MOU

In general, the provisions of the Caribbean MOU follow the provisions of the Paris MOU and the Viña Del Mar Agreement. Like the Tokyo MOU, there are no acceptance criteria. Given a high incidence of cargo ships below 500 tons, or non-SOLAS ships, the Caribbean has adopted the Caribbean Cargo Ship Safety Code which provides certification and inspection criteria for such ships. The U.S. Coast Guard has agreed that ships certified in accordance with the Code will not be required to be inspected and certified under its ‘Operation Safety Net’ program.

Progress to date

Two (2) meetings of the CPSCC have been held, one in Cayman Islands in January, 1997 and the other in Aruba during the first week of October, 1997. The U.S. Coast Guard will shortly finalize a computerized information system for the Caribbean Maritime Information Centre, which will include a centralized system for the centre and distributor software for all other administrations. This system was demonstrated at the last meeting of the CPSCC and after a number of refinements, including the option of the reporting on non-Convention ships, it should soon be ready for use by Caribbean States.

Full PSC is in place in most of the islands of the Netherlands Antilles and to some extent in Trinidad and Tobago, and ad-hoc inspections are being undertaken in other States. In the case of Barbados, such action is taken especially in the context of ILO 147 deficiencies.

The effort to implement port State control in the region has been endorsed by the CARICOM Ministers responsible for maritime transport. At the meeting of the CARICOM Council of Trade and Economic Development (Tourism and Transport) held in Barbados in February, the Ministers also urged States to ratify those international conventions designated as relevant instruments to the Caribbean MOU.

“Tightening the Net”

Inter-regional Action to Eliminate Sub-standard Shipping
Technical Cooperation

It is significant that in September 1997, in association with IMO, the CARICOM Secretariat established an office of Regional Maritime Expert, based in Trinidad and Tobago. This Expert is expected to “provide assistance to the Caribbean region on maritime-related matters in support of the implementation of the regional system of port State control. Relevant areas include ports and port activities, marine pollution, maritime safety, search and rescue, maritime training and technical advice on the content, accession to and implementation of IMO and other relevant Conventions.”

Ratification of Relevant Instruments - Progress

States cannot enforce treaties to which they are not party. In this connection, a number of Caribbean States which are members of the Caribbean MOU are not party to the ‘relevant instruments’ of the MOU. This is a major challenge to progress. At the second CPSCC meeting, a number of States reported that action was being taken on the acceptance of the more important maritime treaties, namely MARPOL 73/78 and SOLAS 74/78.

Modernization of Maritime Legislation

At the time of the signature of the CMOU in February, 1996 a number of Caribbean States had not passed national maritime legislation, but continued to use laws and technical legislation which had been made applicable to their territories. At the second meeting of the CPSCC, a number of Caribbean States reported that national legislation had been enacted, whilst others have developed such legislation to final drafting state.

Up-grade of Maritime Administrations

The Regional Maritime Adviser has recently completed a diagnostic mission to a number of CARICOM States (Grenada, Belize, Suriname, Dominica and St. Kitts and Nevis) to assess the state of maritime legislation, national capacity for drafting and the type and nature of technical assistance required.

He noted that, whilst in some cases, there is no cohesive and clearly identifiable maritime administration, States are in the process of building appropriate administrations and legislation is being put in place to this end. Many of the States were far advanced in their acceptance and implementation of MARPOL 73/78. The dearth of trained personnel in the Caribbean region to undertake flag State and PSC duties was also highlighted. A rigorous training program will shortly be put in place, in association with IMO to produce personnel with appropriate
theoretical and practical experience. This activity would add to the IMO/DNV CASIT program delivered in 1995, which produced 14 ship inspectors.

\begin{tabular}{l}
\textbf{Caribbean MOU} & \textbf{Addresses by Heads of Delegation} \\
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\textbf{Conclusion}

There remains a concern that the pace of acceptance of the Caribbean MOU by Caribbean States needs to be accelerated. Unless there is a significant number of such acceptances, the regional systems for PSC will not be effective. However, it is recognized that there are several important requisites, which must be put in place for the effective implementation of PSC. The Caribbean MOU Secretariat will continue its cooperation with the Regional Maritime Adviser to advance this critical matter.

“Tightening the Net”
\textit{Inter-regional Action to Eliminate Sub-standard Shipping}
Mr. Chairman, Ministers, Ladies and Gentlemen,

I appreciate, as chairman of IACS, the invitation to this historic Conference and having the opportunity to address you.

The International Association of Classification Societies gives its full cooperation in supporting the aims and objectives of port State control.

As the world’s leading classification societies, IACS’ Members have the same core objectives: to bring safer ships and cleaner seas. Full cooperation with port State control and prompt response, on request, is an obligation for the IACS societies.

I have three important signals today. These are:

1. Sub-standard ships can be eliminated by cooperation of all the safety partners, but we will only meet the challenge by working together.

2. Compliance with statutory safety regulation demands compliance with Class rules. They are inseparable.

3. The ISM Code can deliver a safer world by creating a safety culture and we have to succeed.

Classification rules have developed over 200 years. They define the “fitness for purpose” design, construction and lifetime maintenance of standards for a ship’s structure and its essential engineering and electrical systems.

Over 90% of the world’s merchant fleet is classed by the 11 Members of IACS - which gives us a unique level of technical knowledge and competence and an understanding of the world’s fleet.

We are also in a unique position regarding statutory regulation of the fleet. This is because compliance with SOLAS 74 safety standards will, from 1 July 1998, be conditional on
conformance with the structural and mechanical rules and standards of a vessel’s classification society. To trade legally, a vessel must comply with both its Class and Flag State requirements.

Class is also vital in the detailed mechanisms of port State control. Our IACS member societies wish to make positive use of ship detention data - to help increase available knowledge among safety partners of vessels not meeting acceptable standards and to check our own performance in relevant cases. We also consider that common, worldwide criteria for assessment of Class responsibility for ship detention would be beneficial to all. In this regard, we also consider that common targeting criteria worldwide is a crucial goal in helping port State control to take a full role in the elimination of sub-standard shipping.

The IACS Societies are central to “continuous improvement”, in both the technical standards achieved and maintained in the world fleet, and in its regulation.

But what about standards? How does Class ensure high standards? The answers include IACS’ Quality System, Certification Scheme, our Transfer of Class Database, the Enhanced Survey Programme and Marine Safety Initiatives Programme.

Information standards, data exchange and regulation are also central to long-term effectiveness of the ISM Code which places the responsibility on owners for safety and pollution prevention on a statutory basis. The Code’s entry into force on 1 July this year marks a milestone date: the greatest step forward in maritime safety and compliance for many years. As a major partner in the network of organizations vital to improving maritime safety, this is equally an important date for IACS.

Delivering a safer world fleet in the 21st century depends principally on the owner, and then a working partnership between the IMO and its members, classification societies and port State control.

The ISM Code will deliver this improvement only if it succeeds in progressively eliminating sub-standard shipping. So let us remember those key linkages: that compliance with the ISM Code requires compliance with existing IMO conventions and with the rules and standards of classification.

Together, with the ISM Code and the vigilance of port State control, our industry has the first truly global instruments to tackle these “human aspects” challenges. That is why IACS has helped and stands ready to help port State control globally with training, and through data exchange, database development and ongoing cooperation.

IACS also has major resources - indeed a unique level of survey experience and expertise. These are available through its Members’ totals of 6,000 surveyors, nearly 4,000 technical staff and 1,200 offices world-wide. There is no other single organization that can offer port State control knowledge and assistance on this scale.

“Tightening the Net”
Inter-regional Action to Eliminate Sub-standard Shipping
In summary, the challenge to eliminate sub-standard ships will only be met by a full partnership of all key organizations dedicated to safer ships and cleaner seas.

Our purpose is fully shared and our roles fully complementary. Class has its dual role as the arbiter of technical standards and its delegated authority on behalf of flag States. Through the expansion of port State control we now have an added mechanism that will be crucial in delivering the objectives and ultimate promise of the ISM Code.

This provides the industry with the opportunity to move away from the culture of blame and inspection and to grasp the culture of safety based on commitment to values and beliefs. It is a radical change and when successful will lead to radical improvement.

Class is committed to playing a full role with you in tightening the net and eliminating sub-standard ships. At the end of this meeting it’s perhaps timely to reflect that the international community will accept nothing less from our maritime industry.

Being the last speaker, I take the opportunity to end the presentations by asking the distinguished delegates to bring home the following statement “Quality Pays”. Thank you.
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FIRST JOINT MINISTERIAL CONFERENCE OF
THE PARIS AND TOKYO MEMORANDA OF UNDERSTANDING
ON PORT STATE CONTROL

Vancouver, British Columbia, CANADA
March 24-25, 1998

INTERVENTIONS ON PIRACY

“Tightening the Net”
Inter-regional Action to Eliminate Sub-standard Shipping
Mr. Chairman, the UK would like to intervene on a point made by the Danish delegate.

The UK agrees that it was not appropriate to include piracy and armed robbery in this Ministerial Declaration. However, the UK Government is very concerned about this problem which is prevalent in some parts of the world. The most recent incident to cause concern in the UK involved a ship in a South American port, in which a young female officer was held at gunpoint and shot. We share the view of our Danish colleagues, which are also echoed in the UK by shipowners and the seafarers’ unions, that effective action must be taken. It is unacceptable that ships and seafarers should continue to be subject to piracy attacks.

The UK believes that the best and most sensible way to combat piracy is through concerted action through the IMO. We would welcome improved cooperation with other countries in seeking to combat this problem.

To support this work, the UK has agreed to provide funding for a series of seminars being organized by the IMO in problem areas. We hope that other countries here will support such action.
Intervention on Piracy by Mr. Christian Serradji, Director of Maritime and Seafarers Affairs, France

Mr. Chairman, I simply want, on behalf of France, to fully endorse the proposal just made by the British minister. Piracy is a real problem. We must definitely not exclude a study, and consideration of the issue, so that we can organize our thinking and take the necessary action in an appropriate forum.

Intervention by Mr. E.E. Mitropoulos, Director, Maritime Safety Division, International Maritime Organization

Mr. Chairman,

Since mention has been made of the on-going work in IMO with respect to piracy and armed robbery, it might be of interest to your conference if I were to provide some information on what we have done so far.

In accordance with the instructions of the Maritime Safety Committee at its last session in May 1997 the Secretary General has concluded the round of consultations with the Ambassadors and High Commissioners, in London, of countries in areas most affected by armed robbery and piracy. We are now about to send expert missions to these countries, subject of course to the availability of funds, to increase the awareness and help them implement the IMO guidelines on suppression and prevention of acts of piracy and armed robbery against ships.

If all goes well, it our intention to organize four regional seminars in areas such as the South China Sea and the Malacca Strait, South America, the Red Sea, the Persian Gulf and the Indian Ocean. A paper to this effect has been submitted to the next session of the Maritime Safety Committee and, subject to availability of funds, the first of these four regional projects will take place in Rio de Janeiro in October of this year.
FIRST JOINT MINISTERIAL CONFERENCE OF
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INTER-REGIONAL ACTION TO ELIMINATE
SUB-STANDARD SHIPPING

VANCOUVER, BRITISH COLUMBIA,
CANADA,
24-25 MARCH 1998

JOINT MINISTERIAL DECLARATION
Ministerial Declaration

The Ministers responsible for maritime safety of the Governments of:

- the Kingdom of Belgium,
- the Republic of Croatia,
- the Kingdom of Denmark,
- the Republic of Finland,
- the French Republic,
- the Federal Republic of Germany,
- the Hellenic Republic,
- Ireland,
- the Republic of Italy,
- the Kingdom of the Netherlands,
- the Kingdom of Norway,
- the Republic of Poland,
- the Republic of Portugal,
- the Kingdom of Spain,
- the Kingdom of Sweden, and
- the United Kingdom of Great Britain and Northern Ireland,
Ministerial Declaration

whose maritime Authorities are signatories to the Paris Memorandum of Understanding on Port State Control (Paris Memorandum),

the European Community represented by the Presidency of the Council (the Minister of the United Kingdom of Great Britain and Northern Ireland) and by the European Commission,

the Ministers responsible for maritime safety of the Governments of:

- Australia,
- the People’s Republic of China,
- Republic of Fiji,
- Hong Kong, China ¹)
- the Republic of Indonesia,
- Japan,
- Malaysia,
- New Zealand,
- Papua New Guinea,
- the Republic of the Philippines,
- the Republic of Singapore, and
- the Kingdom of Thailand,
Ministerial Declaration

whose maritime Authorities have signed and accepted the Memorandum of Understanding on Port State Control in the Asia-Pacific Region (Tokyo Memorandum), and the Ministers responsible for maritime safety of the Governments of:
- Canada, and
- the Russian Federation,

whose maritime Authorities are signatories to the Paris Memorandum and have signed and accepted the Tokyo Memorandum, hereinafter referred to as "THE MINISTERS",

participated 2) in the First Joint Ministerial Conference of Paris and Tokyo Memoranda of Understanding on Port State Control on “Tightening the Net” - Inter-regional Action to Eliminate Sub-standard Shipping which was held in Vancouver, British Columbia, on 24-25 March 1998 upon the invitation of the Government of Canada.

The Ministers responsible for maritime safety of the Governments of:
- Iceland,
- the Socialist Republic of Vietnam, and
- the United States of America,

the Director-General of the International Labour Organization, and

the Secretary-General of the International Maritime Organization, attended 3) the Conference as observers, together with representatives of:

“Tightening the Net”
Inter-regional Action to Eliminate Sub-standard Shipping
The Ministers recognize that this, the first joint conference of the Paris and Tokyo Memoranda, would be instrumental in further increasing the pressure on sub-standard shipping by taking concerted action within both regions, declare as follows:

I. **The MINISTERS note with deep concern that:**
   a) despite extensive internationally agreed rules to promote safety of life at sea, on-board living and working conditions and protection of the marine environment, and although world shipping is generally operated in a safe and responsible manner, a number of shipowners and operators persistently continue to conduct their business with disregard for these rules, threatening both lives and the marine environment and often obtaining an unfair competitive advantage over responsible operators,
   b) the above unacceptable conduct has flourished due to the inadequate control by several flag State Administrations which, despite having primary responsibility under international law for enforcing international requirements, consistently ignore such conduct or fail otherwise to exercise such responsibility,
   c) in spite of the fact that port State control has been applied as a separate mechanism against sub-standard ships for over a decade, such control has not succeeded in fully eliminating the persistent pocket of non-compliance and its effects on the regions concerned.

II. **The MINISTERS stress that:**
   a) this situation is unacceptable and that additional remedial action is required immediately at both global and regional levels, as appropriate,
   b) such action should be considered in the context of the entire maritime scene in which all involved, including flag State Administrations, port State authorities and the maritime industry in its widest sense, must strengthen their commitment to quality and safety in all aspects of shipping and play an active role in a common goal to eliminate sub-standard shipping, thus enhancing the reputation of the industry,
c) such actions should aim at furthering the implementation of measures to ensure that all shipping operators comply fully with the relevant international standards for safety, seafarers’ living and working conditions and environmental protection,

d) whilst acknowledging the prerogative of every State to exercise its rights derived from Conventions to which it is a Party, States should meet their full obligations as flag States in order to be able to properly exercise port State control,

e) all viable options should be vigorously pursued to foster a meaningful dialogue with associations of shipowners/operators, marine underwriters, shippers, charterers, classification societies and trade unions, with the firm objective of promoting a wider safety culture throughout the entire maritime industry,

f) as the human element has a vital effect on all phases of maritime safety both ashore and afloat, and on environmental protection, port State control should take the human element into account, especially in the enforcement of the International Management Code for the Safe Operation of Ships and for Pollution Prevention (ISM Code), the 1995 Amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, and the Merchant Shipping (Minimum Standards) Convention, 1976 (No.147).

III. The MINISTERS express their determination:

a) to actively support and encourage the continuing efforts of the International Labour Organization (ILO) and the International Maritime Organization (IMO) to enhance the standards of shipping, and

in particular:

- to consider the prospects of ratifying the Conventions and the Protocol of 1996 to the Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147), adopted by the 84th (Maritime) Session of the International Labour Conference in October 1996,

- to consider the prospects of promoting measures to enable the entry into force of the Protocol of 1988 relating to the International Convention for the Safety of Life at Sea, 1974, and the Protocol of 1988 relating to the International Convention on Load Lines, 1966, as soon as possible,
Ministerial Declaration

- to rigorously exercise port State control in respect of the new safety provisions for bulk carriers, emanating from the 1997 IMO Conference of Contracting Governments to the International Convention for the Safety of Life at Sea,

- to enhance port State control focusing on structural integrity of ships,

- to support initiatives within the IMO to develop mandatory reporting procedures for flag States on the follow-up of port State control detentions,

- to support action already in progress within the IMO to revise Resolution A.481 (XII) “Principles of Safe Manning” on the basis of the functional approach,

b) to take concerted action within the IMO aiming at the adoption of comprehensive binding quality criteria for flag State Administrations and ship registers, to continue to support the activities of the IMO Sub-Committee on Flag State Implementation in this regard, and to be prepared to consider the provision of assistance in well defined technical co-operation programmes to flag State Administrations having difficulties in implementing requirements stemming from ILO and IMO instruments,

c) to apply all reasonable measures to induce flag State Administrations with a record of being unable or unwilling to exercise adequate control of their ships, to improve their performance,

d) to urge authorities exercising port State control to apply the following principles to their inspections:

- the conditions laid down in IMO Assembly Resolution A.787(19) “Procedures for Port State Control”,

- the relevant provisions of the ILO publication “Inspection of labour conditions on board ships: guidelines for procedures”,

- the principle that the port State should not inspect ships for provisions of Conventions to which it is not a Party, and that, when inspecting ships for provisions of Conventions to which it is a Party, the port State should not impose standards on foreign ships that are in excess of standards applied to ships flying the flag of that port State,
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e) to urge all classification societies and recognized organizations to improve the harmonization and transparency of their rules and procedures, to *inter alia* make ‘class hopping’ less attractive, noting that members of the International Association of Classification Societies have made substantial progress in this direction already,

f) to strengthen compliance with ILO and IMO standards by enhancing the application of port State control in both regions so as to maximise its deterrent effect; and, to that end, to ensure that appropriate action is taken as a matter of urgency in pursuit of the initiatives listed below:

1. to ensure that objective criteria for authorities participating in their port State control systems and minimum qualification criteria for their port State control officers are in place and are implemented in each region,

2. to exercise rigorous port State control, including concentrated inspection campaigns, to verify compliance with the requirements of the ISM Code, as it becomes applicable, making particular use of the guidelines for the control of compliance, as developed by the Paris and Tokyo Memoranda. To this end, the Ministers confirm that no exemptions from the provisions of the ISM Code will be accepted and that ships, to which the provisions of Chapter IX of the International Convention for the Safety of Life at Sea, 1974, apply, arriving in ports within the two MOU regions after 1 July 1998, which do not have the required Safety Management System, will be subject to decisive port State control action including detention. Such a detention may be followed by refusal of access for trading purposes to ports of the Paris and Tokyo Memoranda, in accordance with provisions of national law, until sufficient evidence is provided on the implementation of a Safety Management System,

3. to ensure that all personnel involved in port State control are properly qualified and receive adequate training. This entails basic and advanced training, including inter-regional courses or exchange of port State control officers, all of which will constitute a vital contribution towards a more coherent and consistent application of port State control in both regions,

4. to enhance port State control of the operational requirements in the relevant Conventions, on the basis of effective procedures, as one important tool to identify sub-standard ships,
Ministerial Declaration

5. to publish regularly, detailed information on ships detained including, as a minimum, the particulars published by the Paris Memorandum and consider the possibility of including, whenever practicable, information concerning the various commercial interests involved,

6. to ensure co-ordination between maritime authorities and other ministries or government agencies concerned with seafarers’ living and working conditions and the protection of the marine environment,

7. to ensure that there are communication links between port State control authorities and other agencies such as pilotage services and port authorities, who could be expected to become aware at an early stage of the arrival of sub-standard ships,

8. to continue to upgrade their respective regional port State control information systems, SIRENAC and APCIS, to work towards full exchange of port State control information between the two regions and to act as lead regions in the development of an efficient system on a more global scale for storing port State control data and exchange of information, particularly in respect of the ILO and the IMO and other port State control regions fully compatible with the Paris and Tokyo Memoranda. In this context, the Ministers note with satisfaction that an inter-regional data exchange server, capable of exchanging batches of port State control data between the databases of the Paris and Tokyo Memoranda, is ready to commence its operation,

9. to take concerted action within the ILO and the IMO to develop relevant port State control procedures as and when these Organizations consider new provisions to improve safety, protection of the marine environment and onboard living and working conditions; consideration should also be given to port State control procedures in respect of:

- the ILO Protocol of 1996 to the Merchant Shipping (Minimum Standards) Convention 1976 (No. 147),
- the International Convention on Tonnage Measurement of Ships, 1969,
- the ISM Code,
Ministerial Declaration

- the provisions for bulk carriers, adopted by the 1997 IMO Conference of Contracting Governments to the International Convention for the Safety of Life at Sea,

- structural integrity of ships,

10. to enhance, as Parties to the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, the provision of adequate shore reception facilities and the exchange of information between ports as to the discharge of wastes from ships to such facilities, thereby contributing to the reduction of illegal discharges from ships,

11. to investigate the possibility of establishing regional safety oversight programmes for the purpose of assessing the enforcement performance of flag States including, where deemed necessary, follow-up advice and technical assistance to improve matters, thereby taking into account the experience with a similar oversight programme in the civil aviation sector and developments within the IMO,

12. to continue to support, within and outside the IMO, the provision of technical co-operation to those Administrations willing to improve their national capabilities to fully meet their international obligations as flag States, which capabilities are considered as a prerequisite for the effective application of port State control measures by such Administrations,

13. to consider, in pursuance of IMO Assembly Resolution A.682(17), “Regional Co-operation on Port State Control”, the prospects of continuing their support of effective port State control mechanisms in other parts of the world as a means to eradicate sub-standard shipping worldwide,

and requested the Port State Control Committees of the Paris and Tokyo Memoranda to keep each other informed of progress on those initiatives.
IV. **The MINISTERS confirm and stress that:**

a) port State control is more effective when implemented on a regional basis. However, it is still beneficial to all concerned when harmonization of the various areas of port State control administration and inspection procedures can be achieved on an inter-regional basis. To this end, both Port State Control Committees will keep each other fully informed of all new port State control initiatives undertaken in their respective regions, in order to review whether reciprocal measures can be introduced,

b) they will make available sufficient resources to enable their respective Administrations to maintain a competent, effective and adequately funded national maritime infrastructure, which they recognize as a prerequisite for an effective port State control effort,

c) they will closely examine their present port State control structure and make adjustments and allocate resources as necessary,

d) all parties concerned will co-operate in the execution of the actions confirmed and remain in regular contact, through the present mechanism, to monitor projects to implement such actions within their respective regions.

V. **The MINISTERS:**

a) acknowledge that, in view of the continuing process of updating the relevant international maritime instruments, the task of the port State control officer has become increasingly complex,

b) recognize that the public acceptance and credibility of port State control depends greatly on the professional attitude and skills of port State control officers,

c) express their deep appreciation for the considerable efforts made by the port State control officers in their daily work of implementing both the Paris and Tokyo Memoranda.

VI. **The MINISTERS:**

consider it particularly appropriate that this Conference is held and these commitments are entered into during the United Nations’ “International Year of the Ocean” and in the same year as the 50th anniversary of the IMO.
VII. The MINISTERS:

warmly thank their Canadian colleague for taking the initiative for this first joint Conference and request him to convey their gratitude to the Government of Canada for the hospitality bestowed on them and for making available the arrangements necessary for the success of the Conference.

IN WITNESS WHEREOF THEY HAVE SIGNED THIS DECLARATION.

DONE AT VANCOUVER, BRITISH COLUMBIA, THIS TWENTY-FIFTH DAY OF MARCH, ONE THOUSAND NINE HUNDRED NINETY-EIGHT.
Mr Patrick Quirk, on behalf of the Minister for Workplace Relations and Small Business of Australia:

Mr Walter Van Wolputte, on behalf of the Minister of Transport of the Kingdom of Belgium:

H.E. Mr David Collenette, Minister of Transport of Canada:

Mr Hong Shanxiang, on behalf of the Minister of Communications of the People’s Republic of China:

“Tightening the Net”
Inter-regional Action to Eliminate Sub-standard Shipping
Mr Zeljko Urban, on behalf of the Minister of Maritime Affairs, Transport and Communications of the Republic of Croatia:

Mr Jørgen Hammer Hansen, on behalf of the Minister of Business and Industry of the Kingdom of Denmark:

H.E. Ratu Inoke Kubuabola, Minister for Communication, Works, and Energy of the Republic of Fiji:

Mr Kyösti Vesterinen, on behalf of the Minister of Transport and Communications of the Republic of Finland:

“Tightening the Net”
Inter-regional Action to Eliminate Sub-standard Shipping
Mr Christian Serradji,
on behalf of the Minister for Infrastructure,
Transports and Housing of
the French Republic:

Mr Dr. Norbert Lammert,
on behalf of the Federal Minister of Transport of
the Federal Republic of Germany:

H.E. Mr Stavros A. Soumakis,
Minister of Mercantile Marine of
the Hellenic Republic:

H.E. Mr Stephen Ip Shu Kwan,
Secretary for Economic Services of
Hong Kong, China:

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Mr Jacky D. Wahyu, on behalf of the Minister of Transport of the Republic of Indonesia:

[Signature]

Mr Michael Guilfoyle, on behalf of the Minister for the Marine and Natural Resources of Ireland:

[Signature]

Mr Giorgio Giaccardi, on behalf of the Minister of Transport and Navigation of the Republic of Italy:

[Signature]

Mr Hiromichi Toya, on behalf of the Minister of Transport of Japan:

[Signature]
Mr Ali Abdullah, on behalf of the Minister of Transport of Malaysia:

H.E. Mrs Annemarie Jorritsma-Lebbink, Minister of Transport, Public Works and Water Management of the Kingdom of the Netherlands

Mr Russell Kilvington, on behalf of the Minister of Transport of New Zealand:

Mr Odd Hellesnes, on behalf of the Minister of Trade and Industry of the Kingdom of Norway:

“Tightening the Net”
Inter-regional Action to Eliminate Sub-standard Shipping
H.E. Mr Vincent Auali,  
Minister of Transport and Civil Aviation of 
Papua New Guinea 

Mr Carlos L. Agustin,  
on behalf of the Secretary of Transportation and Communications of 
the Republic of the Philippines:

Mr Krzysztof Luks,  
on behalf of the Minister of Transport and Maritime Economy of 
the Republic of Poland:

Mr José R. P. Penedos,  
on behalf of the Minister of National Defence of 
the Republic of Portugal:

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Mr Alexander Lugovets,  
on behalf of the Minister of Transport of the Russian Federation:

H.E. Dr. John Chen,  
on behalf of the Minister for Communications of the Republic of Singapore:

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Mr Fernando Casas Blanco,  
on behalf of the Minister of Public Works, Transport and Communications of the Kingdom of Spain:

H.E. Mrs Ines Uusmann,  
Minister of Transport and Communications of the Kingdom of Sweden

.......................................................... ..........................................................
H.E. Mr Phadermchai Sasomsuab, on behalf of the Minister of Transport and Communications of the Kingdom of Thailand:

H.E. Ms Glenda Jackson, MP, Minister for Shipping of the United Kingdom of Great Britain and Northern Ireland, President of Council of the European Union:

Mr Andrew Cahn, on behalf of the Commissioner for Transport of the European Commission:

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Inter-regional Action to Eliminate Sub-standard Shipping
THE FOLLOWING OBSERVERS, WHOSE SIGNATURES FOLLOW, HAVE PARTICIPATED IN THIS CONFERENCE.

Mr Jón Birgir Jónsson, on behalf of the Minister of Transportation of Iceland:

Mr Joseph J. Angelo, on behalf of the Secretary of Transportation of the United States of America:

H.E. Mrs Dinh Thi Minh Huyen, on behalf of the Minister of Transport of the Socialist Republic of Vietnam:
Mr Bjorn Klerck Nilssen,  on behalf of the Director-General of the
International Labour Organization:

Mr Efthimios E. Mitropoulos,  on behalf of the Secretary-General of the
International Maritime Organization:

Mr Juan J. Beltritti,  Secretary to the
Acuerdo de Viña del Mar:

Ms Valerie C. Browne,  Secretary to the
Caribbean Memorandum of Understanding
on Port State Control:

“Tightening the Net”
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Dr. Tor-Chr. Mathiesen,
Chairman of the Council of the
International Association of
Classification Societies:

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EXPLANATORY NOTE TO THE MINISTERIAL DECLARATION.

1) Under the Basic Law of the Hong Kong Special Administrative Region (HKSAR) of the People’s Republic of China, the HKSAR is authorised by the Government of the People’s Republic of China to continue to maintain a shipping register and issue certificates under its legislation, using the name “Hong Kong, China”. The Government of the HKSAR also has the authority, on its own, to define its specific functions and responsibilities in respect of shipping. Any reference to “flag State Administration” of Hong Kong and “national” laws, standards, or maritime infrastructure of Hong Kong should be treated as the Government of the HKSAR and the laws, standards, or maritime infrastructure of the HKSAR respectively. The reference to “State” in paragraph II(d) should mean that of the People’s Republic of China.

2) The Republic of Korea and the Republic of Vanuatu, whose maritime authorities have accepted the Tokyo Memorandum, participated in the preparatory work for the Conference but were unable to be represented at the Conference.

3) The Solomon Islands, whose maritime authority has signed the Tokyo Memorandum, was unable to be represented at the Conference.
Closing Remarks by the Chairman of the Conference

FIRST JOINT MINISTERIAL CONFERENCE OF THE
PARIS AND TOKYO MEMORANDA OF UNDERSTANDING
ON PORT STATE CONTROL

Vancouver, British Columbia, Canada

March 24-25, 1998

CLOSING REMARKS BY THE CHAIRMAN OF THE CONFERENCE

“Tightening the Net”
Inter-regional Action to Eliminate Sub-standard Shipping
Closing Remarks by Chairman of the Conference

It was a very great pleasure to be part of such an important meeting as the First Joint Ministerial Conference of the Paris and Tokyo Memoranda of Understanding on Port State Control.

The signing of the Joint Ministerial Declaration this morning is a historic event, one that signals a major step forward in international cooperation on marine safety and environmental protection.

As a member country of both the Paris and Tokyo Memoranda of Understanding, with shipping in the Atlantic as well as the Pacific, Canada feels a special commitment to our combined efforts in protecting the marine environment.

And, as we all know, sustainable transportation is one of the cornerstones of that protection. With much of our nations’ economies dependent on trade, the importance of a safe, efficient and affordable marine transportation system is paramount, a system that facilitates trade and the movement of goods, while at the same time being environmentally sustainable.

These objectives are achievable and today’s Declaration forms an integral part of the ongoing process necessary to achieve them.

The presentations made by fellow ministers and delegates during the past two days reveal our shared awareness of the need for effective marine safety measures.

When Canada made the decision to convene the First Joint Port State Control Conference we had two main objectives. First to harmonize procedures between our two MOUs, and secondly, to reach agreement on the necessity of somehow persuading flag States of the need to fulfill their obligations under the various international conventions to which they are parties.

On reviewing the Declaration that we have signed here in Vancouver it is clear that both of these objectives have been achieved. During the last two days you have clearly indicated your willingness and desire to harmonize the operations of both our MOUs.

This in itself is a major step forward, but in Canada’s eyes, an even more important milestone is the consensus reached on the need to bring additional pressure to bear, hopefully in a positive manner, on flag States in order that they live up to their regulatory responsibilities.

I sincerely hope that member States from both regions will carry this momentum forward to the IMO and in particular, to the upcoming meeting in June at FS16. Certainly Canada is prepared to play its part.

Closing Remarks by the Chairman of the Conference

“Tightening the Net”
Inter-regional Action to Eliminate Sub-standard Shipping
I look forward to working together, either at future conferences or other venues, to strengthen international enforcement measures and to further harmonize our respective national procedures for the inspection, detainment and reporting of sub-standard vessels.

In closing, I would like to thank all participants for their valuable contributions toward our common goals of international marine safety and environmental protection.

Thank you.
List of Participants

FIRST JOINT MINISTERIAL CONFERENCE OF
THE PARIS AND TOKYO MEMORANDA OF UNDERSTANDING
ON PORT STATE CONTROL

Vancouver, British Columbia, Canada
March 24-25, 1998

OFFICIAL DELEGATES LIST
List of Participants

FIRST JOINT MINISTERIAL CONFERENCE OF THE PARIS AND TOKYO MEMORANDA OF UNDERSTANDING ON PORT STATE CONTROL VANCOUVER, BRITISH COLUMBIA, CANADA, MARCH 24-25, 1998

AUSTRALIA:

Mr. Patrick J. Quirk
Chief Executive Officer, Maritime Safety Authority

Mr. Trevor Rose
Manager Survey Operations, Maritime Safety Authority

BELGIUM:

Mr. Walter Van Wolputte
Chef de Cabinet ADJ., Ministre des Transports

Mr. Marc C. Broucke
Ingénieur-Directeur, Inspection Maritime

CANADA:

The Honourable David M. Collenette
Minister of Transport

Mrs. Margaret K. Bloodworth
Deputy Minister, Transport Canada

Mr. Richard Day
Director, Safety & Environmental Programs, Marine Safety

Ms. Bev Desjarlais, M.P.
Transport Critic, Government of Canada

Mr. Mark Duncan
Regional Director General, Pacific Region

Mr. Ron Jackson
Assistant Deputy Minister, Safety & Security

Mr. Randall McCauley
Chief of Staff, Office of the Minister of Transport

Capt. Barry McKay
Director Project Planning, Marine Safety

Mr. Lee Morrison, M.P.
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Capt. Bill Nash
Regional Director, Marine Safety, Pacific

Ms. Naina Sloan

“Tightening the Net”

Inter-regional Action to Eliminate Sub-standard Shipping
Special Assistant-British Columbia, Office of the Minister of Transport

Mr. Bud Streeter
Director General, Marine Safety

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List of Participants

PEOPLE'S REPUBLIC OF CHINA:
Mr. Shanxiang Hong
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Mr. Gongchen Liu
Director General, Maritime Safety Administration
Mr. Jing Lu Hu
Director General, Ministry of Communications
Mr. Dianrong Zhao
Director, Tianjin Maritime Safety Administration
Mr. Xianru Qian
Director, Ministry of Communications
Mr. Dexing Song
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Mr. Xinzhai Yang
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His Excellency eljko Urban
Ambassador, Embassy of the Republic of Croatia

DENMARK:
Mr. Jørgen Hammer Hansen
Director General, Danish Maritime Authority
Mr. Arne Ulstrup
Chief Ship Surveyor, Danish Maritime Authority

FIJI:
Ratu Inoke Kubuabola
Minister for Communications, Works & Energy
Mr. Vula Vakacegu
Deputy Secretary, Ministry of Communications, Works & Energy
Captain Waisale Salu
Director of Marine, Marine Department
Akuila T.P. Savu
Chief Executive, Maritime and Ports Authority of Fiji

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Mr. Jukka Häkämies
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Inter-regional Action to Eliminate Sub-standard Shipping
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Chef, Division des Affaires Internationales à la DAMGM

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Mr. Peter Maier-Oswald
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Mr. Eckart Will
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GREECE:
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Commodore HCG Panagiotis Havatzopoulos
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HONG KONG, CHINA:
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Secretary, Economic Services Bureau, Government Secretariat
Mr. Richard Yuen
Deputy Secretary, Economic Services Bureau, Government Secretariat
Mr. John Y. Tse
Assistant Director of Marine, Government of Hong Kong, Special Administrative Region of the People’s Republic of China

INDONESIA:
Mr. Jacky D. Wahyu
Consul General, Consulate General of the Republic of Indonesia
Mr. Yusra Khan
Vice Consul/Head of Economics, Consulate General
Mr. Mohamad Siradj Parwito
Vice Consul for Economic Affairs, Consulate General

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Assistant Secretary, Department of the Marine and Natural Resources  
Captain Jim Kelly  
Chief Surveyor, Department of the Marine and Natural Resources

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Head of Cabinet, Ministry of Transport and Navigation  
Dr. Tonino Castrichino  
Administrator, Ministry of Transport and Navigation  
Captain Italo Caricato  
Italian Coast Guard, Ministry of Transport and Navigation  
Dr. Patrizia Garbarino  
Legal Advisor to the Minister of Transport and Navigation  
Ms. Giuliana Sgreccia  
Chief Secretary of Mr. Giaccardi, Ministry of Transport and Navigation

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Vice-Minister for International Affairs, Ministry of Transport  
Mr. Toshisuke Fujita  
Deputy Ship Inspector-General, Ministry of Transport  
Mr. Yoshiro Ichikawa  
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Mr. Toru Nakahashi  
Special Assistant to the Director, Ministry of Transport

MALAYSIA:
Mr. Abdullah Ali  
Consul General, Consulate General of Malaysia, Vancouver  
Madam Oi Choo Phang  
General Manager, Port Klang Authority, Chairman Tokyo MOU on PSC

THE NETHERLANDS:
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Minister of Transport, Public Works & Water Management  
Mr. Karel H. Birkman

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General Manager, Port Klang Authority, Chairman Tokyo MOU on PSC

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Minister of Transport, Public Works & Water Management  
Mr. Karel H. Birkman  
“Tightening the Net”
Mr. Eduard V. Sjerp  
Counsellor for Transportation, Office of Transportation, Royal Netherlands Embassy, Washington

Mr. Evert Westerhout  
Head of Protocol, Ministry of Transport, Public Works and Water Management

NEW ZEALAND:  
Mr. Russell R.P. Kilvington  
Director of Maritime Safety, Maritime Safety Authority

NORWAY:  
Mr. Odd Hellesnes  
State Secretary, Ministry of Trade and Industry

Mr. Thomas Kobro  
Head of Division, Ministry of Trade and Industry

His Excellency Johan L. Lovald  
Ambassador, Norwegian Embassy

Mr. Leif Ashjorn Nygaard  
Director General, Ministry of Trade and Industry

Captain Odd V. Vollene  
Director of Department, Norwegian Maritime Directorate

PAPUA NEW GUINEA:  
Mr. Vincent Auali  
Minister, Transport and Civil Aviation

Mr. Henry Veratau, ISO  
Secretary, Transport and Civil Aviation

Mr. Gregory O. Emilio  
General Manager, Papua New Guinea Harbour Board

Mr. Kipa Maleva  
Deputy Director, Transport and Civil Aviation

Mr. Robert Palme  
First Secretary, Transport and Civil Aviation

PHILIPPINES:  
Commodore Carlos L. Agustin  
General Manager, Philippine Ports Authority

Mr. Bayani S. Mercado  
Consul, Philippine Consulate General

Lt. Commander Luis Tuason, Jr.
Station Commander, PSC Station Manila

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POLAND:
  Mr. Krzysztof Luks
  Under Secretary of State, Ministry of Transport and Maritime Economy
  Mr. Jan R. Sawicki
  Director, Minister’s Office, Ministry of Transport and Maritime Economy
  Mr. Jerzy W. Vonau
  Minister-Counsellor, Permanent Representative of the Republic of Poland to IMO

PORTUGAL:
  Eng. José R.P. Penedos
  Secretary of State for Defense, Ministry of Defense
  Vice-Admiral José Celestino da Silva
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“Tightening the Net”
Inter-regional Action to Eliminate Sub-standard Shipping
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