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# Port State Detentions - What Message for Insurers?

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## Port State Detentions - what message for insurers?

### Lies, damned lies and port state control

1999 started on an increasingly familiar note for port state control. Lloyd's List<sup>1</sup> tells us that when a classification society topping a poor-performance list for ISM deficiencies complained about the detention, the subsequent inquiry showed that the ship in question was detained in error. With the withdrawal of that detention the society - RINA, the Italian society and a member of IACS - immediately went to the opposite end of the list.

Last autumn we could already see this type of conflicting information when the Tokyo Memorandum published its ISM-failure list about a week after the Paris Memorandum's own list appeared. Another society - this time our own Lloyd's Register - was one of the worst in one and one of the best in the other. Lies, damned lies and port state statistics, begin the rumblings, and more efforts are made to discredit port state control on the basis of these conflicting results. Doubtless within our own market we hear whispers like - "it's rather a lottery, this PSC business. It really only proves that the ship we're looking at was unfortunate, but really it's no worse than any other - it only had minor defects that didn't merit detention". Unfortunately it is difficult to disregard the own goals that port state regimes sometimes score, as they did here by producing statistics based on too little data, but we should not allow that to overshadow the very real benefits the shipping industry as a whole, and our own part of it in particular, can draw from both the regimes and the information they produce.

With regard to the RINA case, let us simply note that its position as the worst society (disregarding for a moment whether the society should be held to blame for the sins of the ship, a thorny question which has the same implications for casualty reporting and long predates port state control) was based on a single inspection and detention. The Lloyd's Register case was similar - there are too few cases yet for there to be much more than anecdotal evidence about who is complying. As yet ISM only applies to the passenger and bulk fleets, so it only accounts for a minority of shipping inspected by most authorities. Passenger and liquid bulk shipping is already subject to stringent safety management controls so for that segment ISM is nothing new, while the same is true for a significant part of the dry bulk fleet as well. The USA, which till recently accounted for almost half of all published data, does not even allow ships into its ports unless they have submitted their ISM compliance documents in advance so it is unlikely to pick up more than a handful of cases - those where there is non-compliance in practice even though the paperwork is in order.

That doesn't invalidate the PSC process, which is concerned with much more besides ISM and as a whole is now producing a large quantity of usable data. In time there will be enough on this aspect too - particularly with the extension to other cargo ships from July 2002, only three and a half years away.

## **A useful tool - with strings attached**

When this lecture was first envisaged I intended to talk about the data that was available, and describe how insurers and others in maritime industry could use the information, which can be extremely helpful to underwriters and others. It can be used to look at specific ships, as well as to analyze the differences between better and worse quality tonnage, provided one knows the pitfalls to avoid when using some of the statistics.

However, today is also a good opportunity to talk about some of the political context of port state control, because there is a very strong message for insurers here, and one with serious implications for the way we do business. At the risk of leaving the rest of the lecture as an anticlimax, I shall begin with this before looking at the data and what we can learn from it. What I shall not do is look in detail at what port state control is, its history, who does it and where you can find the information. This you will find in a series of short appendices.

## **The political context**

When port state control began - we can date it back in its present form to 1982, when the Paris Memorandum of Understanding was agreed and came into being - one of the main spurs was the Amoco Cadiz disaster off the Brittany coast. This is still the worst oil spill to have occurred. Governments were driven by a realization that flag state intervention could not be relied on. Through this regional treaty, they effectively gave themselves power to intervene by inspecting ships visiting their ports and reserving the right to detain those which were unsafe or which posed an environmental threat - either condition could lead to heavy government expense and voter unpopularity.

This regime continued for several years but in retrospect it is clear that it had little or no effect. As we know only too well in this market, ship quality continued to deteriorate until the heavy losses of 1990 and 1991 helped turn the marine hull insurance market round and gave our surviving underwriters the incentive to introduce pre-attachment Salvage Association surveys. At the same time, for different reasons governments became so frustrated that they stepped up their inspection regimes and eventually began publishing the names of the ships they detained. "Ships of shame" was the name of an Australian government report into the poor quality of tonnage visiting Australian waters, and "name and shame" became the approach. The Australians still go further than any other authority, in that they publish the name of the owner, manager and charterer, while others publish only a single name - which is of course not always the most significant name to be associated with the ship. The three names make it harder for any party to remain invisible.

Why should you name and shame? It is not simply a question of embarrassing the owner. The intention is to make it harder for him to trade, rather like publishing the name of a baker found guilty of selling bad bread. And this is where we have to be careful. The reason why governments - including our own - are stepping up their action is that they are getting dissatisfied that substandard ships seem to continue to trade. They are still finding charters, they are still getting insurance - direct and liability - and they are still getting mortgages. What had been hoped was that by removing the chance that the industries making it possible for the ship to trade were unaware that a particular ship was substandard, such ships would be driven out of the market.

You could describe this as getting the industry itself to provide the sanctions which governments - and the IMO - have so far not managed to implement. The idea of banning ships flying flags with a poor record has been in existence for several years, but there has not yet been the political will in IMO or in the regional MOUs to achieve it. An easier alternative is to persuade the industry to police itself by marginalizing the sub-standard element.

In December 1997 the British Department of the Environment, Transport and the Regions held a seminar for invited representatives of maritime industry, mainly in the British context but involving other European participants as well - such as the Dutch and the EU - along with Bill O'Neil from the IMO. The message that came out was clear. Something had to be done about substandard shipping, and government wanted help from industry. If we can put it in context, first Herald of Free Enterprise, then the Braer and the Donaldson Report, and thirdly the Sea Empress, had convinced the DETR to change its traditionally non-interventionist stance.

Follow-up meetings were arranged for those supplying information - of which there was a lot, but not widely distributed - and monitor progress. The underlying message was also fairly clear - industry has only so long to get its own house in order, and then government may step in with something more draconian.

An interim meeting in Lisbon last June, was followed by a further meeting last month (December 1998). This meeting was more open, including some press representation, but unfortunately did not seem as clear in its focus. The debate was so wide-ranging that there was little time to develop any single set of arguments, and many of those present - including your representatives from this market - were left unsure if much had been achieved.

However, for the record, the summing-up selected four key themes on which to build for the future -

- 1 was the **process - getting all parties committed** to intensifying the campaign against substandard shipping (noting that those at the centre of this effort included the UK, the Netherlands, the EU, the OECD and the IMO itself)
  - 2 was the recognition that neither government nor industry could be expected to achieve everything on its own - **both sides had to be involved together**
  - 3 was that **flag states had a fundamental responsibility** to the public, to industry and to other flag states for ensuring that their own ships complied with international standards, and that if they did not meet their obligations then one could fairly question why they should be entitled to enjoy their convention rights
  - 4 was a **"quality charter"** proposed to the meeting by Neil Kinnock (the EU Transport Commissioner)
- At the same time the UK Minister of Shipping (Glenda Jackson) confirmed **the UK's determination to be closely involved** in taking the campaign forward, involving industry alongside government in these efforts.

Because of the apparent lack of focus at the meeting, people have asked if the exercise is running out of steam, or losing direction. I doubt it. Pressure is likely to continue, and other governments and international organizations are committed to change as well as the UK. The next session is a two-day conference in Amsterdam in June- the Dutch have already held a similar event in 1996, which could be regarded as a precursor to the UK's own efforts - and a full agenda is already being prepared.

So the key message for insurers is probably that unless things improve without intervention we can expect government to legislate further, with consequences which may not always be what the industry would like if left to itself. Cooperation between industry and government is thus going to be important if what emerges is to be acceptable and realistic.

Among possible future steps is increased pressure on the various sectors of maritime industry to act on the information released by port state authorities, possibly by releasing more names - such as those of the charterer, the bank, the P & I Club and possibly even the leading hull underwriter - so that the organization concerned can be embarrassed into compliance.

At the same time, at some stage some flag states are likely to find a ban on entry of their ships into the main centres of port state control activity - countries within the Paris & Tokyo MOUs, and the USA. The objection is often raised that this will simply lead to ships migrating to another register, but there are some fairly simple ways of overcoming this, and meanwhile the flag state in question would face a loss in revenue which it would probably try to avoid by some efforts to increase its level of supervision.

## **Using the data**

So what can we learn from the data that is published so that we can indeed respond to government concerns? We can use it in two ways.

- Information on specific ships

Firstly, we have a ready source of information about a ship we are interested in - the same applies to charterers, banks and other cargo owners. Different authorities have different information about the ship which has been detained. The Australians show owners, managers and charterers, while the UK shows one responsible party in whichever category he falls, and the USA shows no-one. The Paris MOU lists all categories into which all recorded defects fall, while all other data sources give merely a selection of the major ones. (See Table 3 in the appendix.)

One of the criticisms which can justly be made is that the reasons for detention are not all of the same heinousness. At first this was not accepted - anything leading to a detention was automatically as serious as any other reason, and no argument. However, this has been changing recently and we may see more discrimination between serious and more technical detention criteria. We have embarked on our own segregation of different criteria to see what it reveals, but it is a time-consuming exercise and I don't expect much out until the summer. However, from your point of view as primary information users, it doesn't matter - you can judge for yourselves what is important from a hull or cargo underwriter's point of view.

The drawback - and it is a real one - is that the information is paper-based for most people, and unindexed. So how do you find the ship you want when the broker is in front of you, pressurizing you to write his wonderful bulker? Go into a back room, and spend a day looking through hundreds of lists? We are still only talking about typical detention rates of 10% so there is a good chance your ship won't feature at all.

What you do in practice is rely on the broker's word - "only a minor defect, sir, I believe the crewing certificate was a week out of date or something like that". Unfortunately not every out-of-date certificate is innocuous. It may be absent because a ship has not passed an important test, for example. There may be other more physical reasons leading to the detention as well.

Some of the information is also available on Lloyd's of London Press database (and therefore on Seaway as well), although confusingly it is in the casualty field and rather incomplete. In the ILU - and now in its successor, the IUA - we have also been doing something to remedy this by collecting all the data that has been published and putting it into a single electronic document. It allows one to search quickly for any ship by name or number (useful since some owners have adopted the practice of changing the ship's name shortly after release from detention - it also helps to try the owner as well, to see if anything else emerges). The spreadsheet has all the original data, and we have been adding additional fields on ship size and ownership where these are lacking. We are producing updates every two to three months and so far as I am aware it is the only single comprehensive source for published detention records. The next edition is due out in about a week.

Perhaps when the market turns the attention given to information about ship quality will loom larger in insurers' minds. We saw a dramatic contribution to maritime safety when the London market insisted on pre-attachment survey earlier in the 90s. Maybe the time is right for a similar advance soon, though we must acknowledge that while we do wish to contribute to maritime safety, our primary role is to provide insurance and not to act as a government policeman. The current weak market shows the limitations we face in any attempt to act like one. However, where information exists that can shed light on the risk profile of the ships we are thinking about insuring then it makes little sense to ignore it.

- Analysis of common characteristics

The other use, and one that will become more and more important as we get more data, is to try to understand better the kinds of ship which are detained. There are many caveats on how to use the data for analysis, many of which are not respected by authorities compiling their own statistics, but by and large if the data is homogeneous we can deduce a lot from it and should be able to spot trends. A word of warning, though -. During this year we shall be producing more and more analysis ourselves, and perhaps you will be happy to rely on this - on the other hand, I don't want to put you off doing some analysis yourselves, though I have to admit it's a time consuming job and not a particularly congenial one. Here I want to talk about what you can find and to warn you about the pitfalls, which are many.

## **Monitoring the ships or the authorities?**

The first caution is - long before these statistics show you a measure of shipping quality, they show you the detention activity of port state authorities. Only after we have recognized this fundamental point can we start analyzing the ships themselves. It does not by any means invalidate all the data, but I suggest that any statistics compiled by MOUs are often not comparing like with like. It's better to go back to the originating country, or at least - as is now possible - to separate the data joined together in the MOU lists. Different countries have such different patterns of activity that they are best analyzed separately.

The clearest example of this is provided by the Latin American MOU - almost all the detentions in its statistics are by Cuba, which with only 9% of total Acuerdo inspections detains nearly half of them, thus accounting for two thirds of total detentions (Brazil accounts for 60% of inspections but under 20% of detentions because it only detains one in every 50 ships). Comparing Hong Kong and Australia in the Tokyo MOU is the same. The reason why Hong Kong detains half the ships it inspects appear to be that with rather limited resources the Hong Kong inspectors prowl the dockside looking for likely offenders, so instead of taking a more comprehensive approach and casting their net more widely, they target those ships which look substandard.

These discrepancies do not allow you to add the data together - here is confirmation that what you see above all is the record of inspection activity, and that you have to peel away the layers before you get to an index of ship quality. Gradually we are getting to understand the criteria used by the different authorities and this will help us get more use out of the statistics.

## **Targeting**

One of the biggest problems to overcome is the danger that detentions reflect the priorities of the inspectors at the time of inspection. When the Paris MOU countries targeted living accommodation in the third quarter of 1997 and ISM compliance in the third quarter of 1998, they were certain to increase the number of ships caught with defects in these areas. It would be unsound to take the results, measure them against other periods when the same defects were not targeted, and then pronounce on apparent improvements or deteriorations.

The same applies to flag and class. If you go looking for the ships of a particular flag or class, or always look for bulk carriers or old ships, you run the risk of perpetuating the initial findings which put these ships in the spotlight. A properly thought-out system for spreading inspections over all ships can guard against it but not eliminate it entirely. The Paris MOU has a points system used by its members which helps. As well as a loading for age, flag and similar variable, ships are awarded points for the period they have not been inspected. By the time two years have elapsed since the last inspection any ship - even new ship from a respectable flag - will have built up enough points to become a priority for inspection once again.

## **Flag and class**

One of the consoling features of the analysis is that even though your methods may be different, or the data flawed, you tend to produce remarkably similar results. The usual flags over-represented in the ILU total loss statistics are also the ones which turn up repeatedly here. As a whole, there is a strong correlation between detentions and casualties, though I can't give you a mathematical expression for it yet. Thus among the worst flags we find St. Vincent, Belize, Honduras and Antigua, with Cyprus and Malta also showing poor quality even though their larger overall fleet size tends to reduce the impact of their worst segments. That is something we intend to look at more closely in the coming months.

The position with class is similar. We have not made much of class differences in the past, although it is clear that performance varies greatly between ships classed by different registers. The difference is rarely as marked as with flags because of the larger numbers belonging to the main societies, while most of the smaller societies do not have the same modus operandi as the typical flag of convenience. Nonetheless a few societies are consistently poor performers, and again we expect closer analysis to reveal interesting features of how that poor performance is distributed. For example, looking at classification society performance under different flags, one can see alarming qualitative differences between the same society's ships under a national European flag and under some flags of convenience.

Classification societies are of course right to point out that many of the faults which lead to ships being detained are nothing to do with the societies' role in inspecting them. However, with the wealth of data now becoming available we can screen out detentions where class is not involved. We may also be able to look at whether there is any correlation between results for detentions where class is involved and where it is not. I think the results may not surprise us very much.

## **Age, size and shiptype**

The detention data normally released by port state authorities unfortunately gives very little information about the ship itself, so to look at the age or size profile we have to add this, a rather time-consuming additional task even when you can import it from a matching database (and nothing is quite as simple as that, of course). However, the task is well worth while. We are beginning to get strong indications that smaller bulk carriers are much more likely to be detained than larger ones, and that is after allowing for the greater numbers of handysize and handymax bulkers in operation. We are working to get a better understanding of the quantum involved.

While we should expect that old ships are the most likely to be detained, in fact the detention figures show us that the age profile is not as extreme as we might suppose. Few ships are detained under ten years of age, but after this the distribution is not nearly so weighted towards the highest age groups.

Which is the worst type of ship?. This is an interesting question - our own casualty figures show that general cargo ships are worse than bulk carriers even though so much attention is given to bulkers. Most PSC data agrees with this, but both the Canadian and Australian detention lists show bulkers as the worst offenders - the Canadian lists by a long way (two thirds of all detentions).

## **Regional differences**

One of the reasons why there are occasionally significant differences between the detention or defect rates reported by different authorities is that there are still great regional differences in world trading patterns. It should surprise no-one to learn that Vietnam, Thailand and Cambodia are prominent on the Tokyo MOU statistics, but not on those of the Paris MOU. By contrast, Syria and Algeria are prominent on the Paris MOU detention tables. These differences should not worry us - instead they suggest that there are sound reasons for these and other patterns we see in the data being collated.

## **Detention after accidents**

A common criticism of PSC detentions has been that ships are detained after they have come into port for refuge after an accident, and that this is an unjustifiable abuse of the system. In a very small number of cases the detention does seem to have been over-zealous. What is less often pointed out is that detention after an accident is often because the inspectors are unhappy with the projected voyage to the port of repair.

## **International applicability**

How valid would you think a detention by PSC officials would be in the ports of certain countries we could name? Would it be just another excuse for money or alcohol to change hands? When we project the extension of the PSC system to some regions of the world we may imagine that however honest the local inspectors are, the training they receive and the resources they rely on will not have been over-generous. Where people are less scrupulous, or perhaps simply do not get a living wage and have to supplement it somehow, we may justifiably be uncertain about whether the right ships are being detained. For the present there is little to worry about, and when we look at the data provided by the major current sources we can disregard most of these problems.

However, even when a country inspects professionally we can detect patterns and idiosyncrasies which leave some room for doubt over the exact meaning of some data - as I said earlier, we are looking firstly at a record of detention activity, and only secondarily at ship quality. The example to note here is that the US Coastguard clearly takes a strong line on fire and abandon ship drills - so much so that I suspect it is the first thing to be checked when the inspectors go on board. A disproportionately high proportion of their detentions seem to arise from failure in this area. Similarly, the Australian inspectors often seem to head for the engine room to look at the fire dampers. Granted, the state of many of these appears to be particularly dangerous; nevertheless, I wonder if this concentration of effort could sometimes lead to less thoroughness in some other equally important area.

## **Concluding remarks**

In this brief account of port state control, and the detention information now being made available in ever-larger quantities, I have focused on the political context and on that information itself. I have made little mention of casualty statistics, which in the past were the only source we had and which themselves were not nearly as comprehensive as they are becoming today. Here it is our own industry which has still the key role to play, and which gives us the opportunity to wield considerable influence. Between casualty and detention statistics, and together with a better appreciation of the changing shape of the world fleet, we shall soon have better tools than ever before to analyze the business we underwrite. Our ability to do so is increasing fast, and with two sources instead of one we shall be able to create a three-dimensional picture allowing us to ask - and answer - many more questions.

Sometimes it seems as if there could even be too much data to handle. We shall have to take care to handle the different sources appropriately and take into account their sometimes conflicting characteristics. Once that is done, though, I am optimistic that the market as a whole should be able to cope and I look forward to the role that we as the market secretariat should be able to play on your behalf.

Should we respond to the pressure from government? I believe we should embrace the challenge; indeed, there is no real alternative. It's better to be at the table than be unable to influence decisions which affect us. What we have to make clear is that while underwriters want to make all shipowners pay the right rate for the risk they bring, their involvement cannot and should not go much further than this. Indeed, our major role must be to increase the availability and transparency of data so that underwriters can make the fullest possible use of it. And then, assuming that it becomes easier to apply the correct rate to all the diverse qualities of shipping underwritten in our market, insurers would indeed be doing their part by giving a financial disincentive to substandard tonnage commensurate with the increased risk it brought to the market. If PSC detention data helps us do this, then it should be welcomed and used to the full.

## **Port State Detentions - what message for insurers?**

Appendices

### **Section 1 - Port State Control - what is it?**

The term “port state” is used as a contrast with “flag state”. Traditionally, a ship was registered in its owner’s home state. It complied with local rules on safety and manning, if they existed, and its operations were taxed locally in the same way. Operating costs relating to flag state were not perceived as crucial to the economics of the business. To change from Norwegian to British to French would not make the difference that would lead to competitive success or failure. When a ship called at a foreign port it was accorded rights as though it was an extension of its flag territory, with its own country granting reciprocal rights to the foreign country’s ships in turn.

During the 1960s the idea of “open registries” became popular. An open registry was not restricted to nationals, so any owner prepared to pay the registration fees could fly the flag. Costs of sailing under an open registry flag were significantly lower than those applying to traditional flags - registration was cheaper, taxes were lower or non-existent, manning was not restricted to home country nationals so cheaper foreign crews could be recruited, and safety rules were less stringent (and often not enforced).

The first major open registries were Panama, Liberia and Honduras. Very quickly they acquired a reputation for inferior quality and for exploiting crews, and the labour unions recognized they had a severe problem - any action by a seamen working under their home flag to push for higher wages or better working conditions could lead to loss of their livelihoods as the owners simply decided to “flag out”. The International Transport Workers’ Federation (ITF) launched a major campaign against these open registries, which it stigmatized as “flags of convenience”, the term now usually applied to them in conversation. While not strictly accurate, and sometimes acting like an unguided missile in targeting the wrong flags, it expresses the essential nature of the arrangement.

Different flags developed their own cultures and Liberia soon moved away from the laissez-faire attitude shown by others, with stricter controls on safety and a proper enquiry system to be followed after major accidents. Clearly, in this case the main purpose was to continue to run ships responsibly but to have the cushion of more favourable tax and manning regimes.

However, other FOCs showed little or no interest in the standards of their ships and eventually this led to development of the “port state” concept, where the port state reserved the right to subject foreign flag ships to its own requirements on safety and similar matters if they wished to enter its ports. Thus an owner would no longer automatically be able to hide behind the “shield” of a foreign sovereign state to argue that it need not comply with local requirements. This port state right has existed all along, but has only recently been put into real effect under the port state regimes which have sprung up in many parts of the world.

## Section 2 - the port state regime

While in theory each sovereign state was equal in its rights to administer its own flag fleet and to be treated as if it was equal to any other in the way it enforced international maritime standards, in practice wide discrepancies could be seen and gradually the status of flag state as the sole arbiter and implementer of maritime safety was brought into disrepute.

One obvious example is accident reporting - every flag state has a responsibility to investigate serious accidents to ships of its flag and make a public report on its findings. Responsible flag states do this to the best of their ability, rarely being more than a few reports behind. By contrast, Panama has never submitted a single report to the IMO (and it is by no means the only one).

The Amoco Cadiz loss in 1978 off the French coast led to massive pollution and strong pressure for greater intervention on maritime safety. This was at about the same time that European countries had been developing a set of rules to cover living and working conditions on board ship (the "Hague Memorandum"). As a result these rules were soon overtaken by a much more comprehensive agreement to harmonize inspection procedures and intended to make it more difficult for substandard ships to continue to sail with impunity. This agreement, signed in 1982 by 14 European countries (now 18 including Canada), was known as the Paris Memorandum on Port State Control.

A similar agreement was signed by countries in the Asia-Pacific region which became effective as the Tokyo Memorandum in April 1994; since then regional agreements have been concluded in the Caribbean, the Mediterranean and the Indian Ocean. The USA, although a major inspecting country, has not joined any regional grouping (it has observer status in the Tokyo Memorandum).

Gradually the inspections increased in number and ships began to be detained in significant quantities, although even as late as 1993 the detentions were not publicized and the maritime world was scarcely aware that anything was happening. This all changed when in 1994 three countries conducting port state inspections - the UK, Australia and the US - decided to publish the names of ships detained for failing port state inspections.

The fierce early objections from shipowners soon subsided, and the legal challenges feared by some countries failed to materialize. Other countries did not follow suit, concerned that publication of official data would be breaching their own confidentiality rules. One can understand that there were implications for inspecting authorities. For example, failure to find an obvious defect which was later shown to have led to a ferry disaster would be very embarrassing politically, though this information would probably become known in any event through official inquiries.

In 1996 data began to be published on the internet by these three countries, and Canada joined in; other countries joined in - the Paris Memorandum Secretariat also began publishing, though only the names of ships detained at least twice in two years. Now there are several sites with data freely available. Two of the most comprehensive - from the point of view of containing detentions from several countries - are among the most recent in their current form:

- the Tokyo Memorandum, where since the third quarter of 1998 all detentions within a number of countries of the group are published. China, Korea, New Zealand, and Singapore are shown only on this site, while data from Hong Kong, Russia (far east), Japan and Australia is also shown on the country's own site (additional information on their own detentions is carried by the Hong Kong and Australian sites).
- the Paris Memorandum, which since October's detentions has introduced monthly lists of all detentions for every member country, again without all the data available from individual countries' published lists, but at least all in one place and giving access to much more data than ever available before.

Although there are different regional groupings the PSC system has wide similarities in the places where it operates. For example, the Paris Memorandum coding system for defects is used by all countries (even by the United States, which as in so many other cases finds itself unable to participate fully in any of the regional MOUs). This will continue as more regional groups are established.

However, there are limits to the expansion possible. One of the main limits is the ability of a country to maintain a properly staffed, trained and paid inspection service; another, which is perhaps closely related, is the degree to which passing an inspection depends more on the quality of the ship than the inducements extracted by the inspectors. Even among the members of the Paris MOU some authorities' inspection service does not seem to function properly, so if a system is introduced in less developed countries the likelihood is that it will be haphazard and of limited effectiveness. It certainly will not impede what is already happening - that certain types of ship and owner are being driven away from countries or areas with relatively tough regimes into others such as Africa, Latin America and the Middle East.

**Table 1** gives information on website addresses and describes what data is carried. **Table 2** shows the current membership of each MOU; the map shows this graphically.

**Table 1 Port state control - information available from port state authorities**

Source	Internet address	Data available	Earliest detention published	Published detentions (& no. per month)
<b>MOUs</b>				
<b>Acuerdo de Viña del Mar</b>	<a href="http://www.sun-et.com.ar/ciala/iniciala.htm">http://www.sun-et.com.ar/ciala/iniciala.htm</a>	annual/six-monthly statistics	n/a	n/a
<b>Paris Memorandum</b>	<a href="http://www.parismou.org/">http://www.parismou.org/</a>	quarterly list of ships detained by members more than once in past 2 years; annual statistics	Jan 1997	1160 to October 98 (overlap with UK, Canada, Norway reports)
<b>Tokyo Memorandum</b>	<a href="http://www.ijnet.or.jp/tokyomou/">http://www.ijnet.or.jp/tokyomou/</a>	annual statistics; detentions for group members since July 1998	July 1998	276 to Sep 98 (overlap with Australia, Pacific Canada, Japan, Russia)
<b>Caribbean / Mediterranean/Indian Ocean Memoranda</b>	none	none yet - NB the Caribbean MOU seems likely to concentrate on inter-island shipping	n/a	n/a
<b>West &amp; Central Africa/ Persian Gulf/ Black Sea Memoranda</b>	still to be formed	none	n/a	n/a

Source	Internet address	Data available	Earliest detention published	Published detentions (& no. per month)
				countries
<b>Australian Marine Safety Agency</b>	<a href="http://www.amsa.gov.au/sp/shippdet/sdetlink.htm">http://www.amsa.gov.au/sp/shippdet/sdetlink.htm</a>	monthly lists (most recent 12 months only); statistics	Dec 94 (on web May 96)	900 to November 98 (19 per month)
<b>Transport Canada</b>	<a href="http://www.tc.gc.ca/">http://www.tc.gc.ca/</a>	quarterly lists (found among press releases); statistics	Jan 96	320 to September 98 (10 per month)
<b>Hong Kong Marine Department</b>	<a href="http://www.info.gov.hk/mardep/detention/dlist.htm">http://www.info.gov.hk/mardep/detention/dlist.htm</a>	monthly lists	Jan 98	122 to November 98 (10 per month)
<b>Japanese Maritime Safety Agency</b>	<a href="http://www.mot-net.go.jp/what/what.htm">http://www.mot-net.go.jp/what/what.htm</a>	monthly lists	July 98	160 to November 98 (32 per month)
<b>Norwegian Maritime Directorate</b>	in preparation	monthly list (circulated as printed media)	Jan 95	115 to December 98 (3 per month)
<b>Maritime Administration of the Russian Federation</b>	<a href="http://www.pma.ru/psc/">http://www.pma.ru/psc/</a>	quarterly list (far east only - identical data available on Tokyo site)	July 98	13 to October 98 (4 per month)
<b>UK Marine &amp; Coastguard Agency</b>	<a href="http://www.shipping.detr.gov.uk/mca">http://www.shipping.detr.gov.uk/mca</a>	monthly lists; statistics since Aug 96	Jun 94 (on web from Aug 96)	820 to November 98 (14 per month)
<b>US Coastguard</b>	<a href="http://www.uscg.mil/hq/g-m/p-sc/psc.htm">http://www.uscg.mil/hq/g-m/p-sc/psc.htm</a>	monthly lists (most recent 12 months only); statistics	Apr 94 (on web Nov 1996)	2220 to November 98 (40 per month)

**Table 2 Membership of regional memoranda of understanding**

Regional agreement	Members	Countries moving to full participation	Observers
<p><b>Paris MOU</b> (signed 1 July 1982)</p>	<p>Belgium, Canada, Croatia, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Netherlands, Norway, Poland, Portugal, Russian Federation, Spain, Sweden, United Kingdom, (European Commission represented on Council)</p>	<p>Iceland</p>	<p>Japan, USA, IMO, ILO, Tokyo MOU</p>
<p><b>Tokyo MOU</b> (signed 2 December 1993)</p>	<p>Australia, Canada, China, Fiji, Hong Kong, China (Special Administrative Region), Indonesia, Japan, Korea (S)</p>	<p>Vietnam, Solomon Islands</p>	<p>Paris MOU, IMO, ILO, USA</p>
<p><b>Acuerdo de Viña del Mar</b> (signed 5 November 1992)</p>	<p>Argentina, Brazil, Chile, Colombia, Cuba, Ecuador, Mexico, Panama, Peru, Uruguay, Venezuela</p>		<p>IMO, CEPAL</p>

<b>Regional agreement</b>	<b>Members</b>	<b>Countries moving to full participation</b>	<b>Observers</b>
<b>Caribbean MOU</b>  (signed 9 February 1996)	Antigua & Barbuda, Aruba, Bahamas, Barbados, Cayman Islands, Grenada, Jamaica, Netherlands , Antilles, Trinidad & Tobago	Anguilla, Bermuda, British Virgin Is, Dominica, Guyana, Montserrat, St Kitts & Nevis, St Lucia, St Vincent & Grenadines, Surinam, Turks & Caicos Is.	Canada, Netherlands, USA, CARICOM, ILO, IMO, Acuerdo de Viña del Mar, Paris MOU, Tokyo MOU
<b>Indian Ocean MOU</b>  (signed 5 June 1998)	Djibouti, Eritrea, Ethiopia, India, Iran, Kenya, Maldives, Mauritius, Mozambique, Seychelles, South Africa, Sri Lanka, Sudan, Tanzania, Yemen		IMO, PMAESA, ILO
<b>Mediterranean MOU</b>  (signed 11 July 1997)	Cyprus, Egypt, Malta, Lebanon, Tunisia, Turkey	Algeria, Israel, Morocco, Palestinian Authority	ILO, European Commission

*MLM/IUA/January 1999/source - IMO*

<sup>1</sup> See leading article 6 January 1999 and earlier news item 4 January 1999, which reported that RINA had successfully appealed against a detention which led to it appearing as the worst society in the Tokyo MOU list of ISM non-compliance.