The Improvement of Port State Control in Algeria

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Abstract

With a length of more than 1220 kilometers, the Algerian coastline includes 11 major ports. Each year, Algeria receives between 3000 and 7000 ships carrying its foreign trade. To ensure that shipping is efficient and safe, Algeria exercises port state control (PSC), which is performed by port state control officers (PSCOs). These officers are dispatched in stations coming under the administrative of the National Coast Guard Service (NCGS). Algeria decided to ratify the Mediterranean Memorandum of Understanding (MedMoU) in 2000, thus enacting an obligation to set up an efficient system of port state control. It has also to achieve an objective of inspecting 15% of ships calling at its ports by the year 2003. This study will analyse the available statistics for a period of 9 years (2005-2013) and come up with the findings and recommendations on how to improve and enhance the administration of port state control in Algeria.

Keyword: International convention, Education and training, Algerian’s PSC and PSCO, MedMoU

1. Background

With a length of more than 1220 kilometres, the Algerian coastline includes 11 major ports. Each year, Algeria receives between 3000 and 7000 ships carrying its foreign trade representing about $120,769 billion U.S. dollars for the year 2013. Through the Merchant Marine and Ports Directorate (MMPD), the Algerian government works to protect its waters against pollution and ensure that shipping is efficient and safe. One of the means used to achieve this objective is the port state control (PSC). This right is contained in international law and also in articles 61 and 62 of the Algerian maritime code (AMC).

Before 1995, the port state control and many other obligations contracted by Algeria in ratifying IMO and ILO conventions were poorly discharged. For this reason, in 1996 the Algerian government initiated a radical restructuration of the maritime administration.

In that year, the local maritime administration shifted from the ministry of transport to the ministry of national defence, or more precisely the Coast Guard National Service CGNS, which was created in 1973. In the year 2000, Algeria ratified the MedMoU, thus enacting an obligation to set up an efficient system of port state control. A main goal of the ratification was to achieve an annual total of inspections corresponding to 15% of foreign ships entered into its ports by the year 2003. This study will analyse the statistics of port state control performed by Algeria during 9 years starting in 2005.

Table 1. PSCs performed from 2005 to 2013

<table>
<thead>
<tr>
<th>Year</th>
<th>Ships entered</th>
<th>Ships inspected</th>
<th>Inspections %</th>
<th>With deficiencies</th>
<th>Without deficiencies</th>
<th>Deficiencies %</th>
<th>Detentions</th>
<th>Detentions %</th>
<th>Det class related</th>
</tr>
</thead>
<tbody>
<tr>
<td>2005</td>
<td>4657</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td>2006</td>
<td>4912</td>
<td>10</td>
<td>0.2</td>
<td>9</td>
<td>1</td>
<td>90</td>
<td>1</td>
<td>30</td>
<td>1</td>
</tr>
<tr>
<td>2007</td>
<td>4357</td>
<td>741</td>
<td>16.15</td>
<td>308</td>
<td>433</td>
<td>41.57</td>
<td>11</td>
<td>1.48</td>
<td>0</td>
</tr>
<tr>
<td>2008</td>
<td>4259</td>
<td>898</td>
<td>21.08</td>
<td>358</td>
<td>540</td>
<td>39.87</td>
<td>31</td>
<td>3.45</td>
<td>0</td>
</tr>
<tr>
<td>2009</td>
<td>3858</td>
<td>409</td>
<td>10.6</td>
<td>191</td>
<td>218</td>
<td>45.76</td>
<td>17</td>
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<tr>
<td>2010</td>
<td>3460</td>
<td>13</td>
<td>0.38</td>
<td>8</td>
<td>5</td>
<td>61.64</td>
<td>4</td>
<td>38.77</td>
<td>0</td>
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<tr>
<td>2011</td>
<td>3569</td>
<td>1</td>
<td>0.03</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>2012</td>
<td>3542</td>
<td>1</td>
<td>0.03</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>2013</td>
<td>3114</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

Source: MedMoU February 2014 and the Column Ships entered by MMPD.

2. PSC in Algeria

In Algeria, port state control is performed by 27 inspectors. They are dispatched in 24 marine stations administered under the umbrella of three maritime districts, which in turn are managed by the Department of Maritime Affairs (DMA) of the National Coast Guard Service (NCGS). Although this service is run by part of the Naval Forces of the Ministry of National Defence, it carries civilian missions such as port state control on behalf of the MMPD.
The port State does not charge the shipowner with the cost of the initial inspection of the port state control. The charges are only made if the vessel is subject to a detention and the inspector has to return on board for a re-inspection. A ship should not be unduly detained or delayed, otherwise she may be entitled to compensation for all the losses incurred.

The MedMoU has made an obligation for the members to provide an appeal procedure against the decisions of the port state control officers in case of detention. In Algeria, an owner or the shipmaster may send the appeal within 10 days of the detention to the President of the Central Safety Committee (CSC).

3. Issues of PSC in Algeria

Starting with zero inspection in 2005, Algeria achieved the highest total number of 898 inspections in 2008. The inspections figures showed a decreasing trend in the number of inspections of almost 100% in 2010 that continued in 2011, 2012 and 2013.

The MMPD raised the issue that the figures of the MedMoU do not correspond to reality. Algeria has performed inspections during 2005, 2010, 2011, 2012 and 2013; however they were not entered in the database of the MedMoU. The inspections have to be recorded in the database the same day and there is no Internet connection in the maritime stations.

The figure shows clearly that for the 9 years period, the target of 15% was achieved only in 2007 and 2008. The figure indicates that either the ships target factors are not appropriate or the procedures are not being followed appropriately. The data also shows that few vessels were detained and almost no ships were detained after 2010 due to the poor professionnal judgement, or perhaps out of fear for how the decision to detain may induce heavy consequences for the administration in case of improper detainment.

The aforementioned issues are closely linked with the communication equipment and recruitment, background and training of the PSCOs. The officers come with navy education and without seafaring experience. The specialized training in different conventions and port state control procedures was received during one-year of study at the High National Maritime School. Obviously, the theoretical education received is not enough to make a competent PSCO.

4. Conclusion

This study has identified many fields for improvement. To be efficient, the PSC needs means of communication with other member states and the Information Center of the MedMoU. It is a matter of urgency for the Algerian maritime administration to provide an Internet connection to the maritime stations. The PSCOs must be trained in how to properly use and maintain the database.

To better target high-risk ships, the MedMoU has to adopt factors based on the performance of the flag, the classification of the society and the owner, the type and age of the ship.

To achieve the inspection of at least 15 % of ships calling at its ports, Algeria has to build up a system of port state control managed by specialised personnel equipped with laptops and key internet connections, receive practical training in the different conventions of IMO and ILO, and learn the complexity of the different ship types. To be competent the PSCOs should have 5 years of experience at sea, and also have experience as flag state control officer s for at least 2 years. Above all, Algeria has to set up a clear policy that all involved parties are aware of, and is implemented in good faith.

5. Reference

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(4) Presidential Decree n° 2000-58 on 13/03/2000
(5) MedMoU annex in force 27/01/2007, section 1, &1.3