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

SAFEGUARDING RESPONSIBLE AND SUSTAINABLE SHIPPING

JOINT EFFORTS FOR ENHANCED SAFETY, ENVIRONMENTAL PROTECTION, AND WORKING AND LIVING CONDITIONS FOR SEAFARERS

INTER-REGIONAL ACTION TO ELIMINATE
SUB-STANDARD SHIPPING AND PROMOTING A LEVEL PLAYING FIELD

VANCOUVER, BRITISH COLUMBIA
CANADA
3-4 MAY 2017
The Ministers responsible for maritime safety of the Governments of:

- the Kingdom of Belgium,
- the Republic of Croatia,
- the Republic of Cyprus,
- the Kingdom of Denmark,
- the Republic of Estonia,
- the Republic of Finland,
- the Republic of France,
- the Federal Republic of Germany,
- the Hellenic Republic,
- Iceland,
- Ireland,
- the Republic of Italy,
- the Republic of Latvia,
- the Republic of Lithuania,
- the Republic of Malta,
- the Netherlands,
- the Kingdom of Norway,
- the Republic of Poland,
- the Republic of Slovenia,
- the Kingdom of Sweden, and
- the United Kingdom of Great Britain and Northern Ireland,

whose maritime authorities are members of the Paris Memorandum of Understanding (MOU) on Port State Control (Paris Memorandum),
THE MINISTERS RESPONSIBLE FOR MARITIME SAFETY OF THE GOVERNMENTS OF:

- Australia,
- The Republic of Chile,
- The People's Republic of China,
- Hong Kong, China,
- The Republic of Indonesia,
- Japan,
- The Republic of Korea,
- The Republic of the Marshall Islands,
- New Zealand,
- The Independent State of Papua New Guinea,
- The Republic of Peru,
- The Republic of the Philippines,
- The Kingdom of Thailand, and
- The Socialist Republic of Vietnam,

whose maritime authorities are Members of the Memorandum of Understanding on Port State Control in the Asia-Pacific Region (Tokyo Memorandum),

THE MINISTERS RESPONSIBLE FOR MARITIME SAFETY OF THE GOVERNMENTS OF:

- Canada, and
- The Russian Federation,

whose maritime authorities are Members of the Paris Memorandum and the Tokyo Memorandum,

THE MINISTER RESPONSIBLE FOR THE MARITIME SAFETY OF THE GOVERNMENT OF:

- The Republic of Panama
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WHOSE MARITIME AUTHORITY IS A CO-OPERATING MEMBER OF THE TOKYO MOU,
hereinafter referred to as "THE MINISTERS", participated in the THIRD JOINT
Ministerial Conference of the Paris and Tokyo Memoranda of Understanding
on Port State Control "Safeguarding Responsible and Sustainable Shipping",
which was held in Vancouver, on 3-4 May 2017, upon the invitation of the
Government of Canada. The Paris and Tokyo Memoranda were represented by
the Chairmen and the Secretariats.

The Ministers responsible for maritime safety of the Governments of:

- THE UNITED STATES OF AMERICA,
- MACAO, CHINA, AND
- THE KINGDOM OF TONGA,

The Secretary-General of the International Maritime Organization,
The Director-General of the International Labour Office,
and representatives of Inter-Governmental Organizations:

- THE ABUJA MEMORANDUM OF UNDERSTANDING ON PORT STATE CONTROL,
- THE MEMORANDUM OF UNDERSTANDING ON PORT STATE CONTROL IN THE
  BLACK SEA REGION (BLACK SEA MOU),
- THE CARIBBEAN MEMORANDUM OF UNDERSTANDING ON PORT STATE
  CONTROL,
- THE MEDITERRANEAN MEMORANDUM OF UNDERSTANDING ON PORT STATE
  CONTROL, AND
- THE VIÑA DEL MAR AGREEMENT ON PORT STATE CONTROL,

And representatives of Non-Governmental Organizations:

- GREEN AWARD,
- THE INTERNATIONAL ASSOCIATION OF CLASSIFICATION SOCIETIES,
- THE INTERNATIONAL ASSOCIATION OF INDEPENDENT TANKER OWNERS,
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• THE INTERNATIONAL CHAMBER OF SHIPPING, AND

• THE INTERNATIONAL TRANSPORT WORKERS’ FEDERATION

ATTENDED THE CONFERENCE AS OBSERVERS.

The Ministers, recognizing that this, the Third Joint Ministerial Conference of the Paris and Tokyo Memoranda, will be instrumental in further reducing sub-standard shipping and promoting a level playing field by taking concerted action within and between both regions, declare as follows:

1. THE MINISTERS RECALL THAT:

1.1 The 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”, was held in Vancouver, British Columbia, Canada, on 24-25 March 1998.

1.2 The Second Joint Ministerial Conference of the Paris and Tokyo Memoranda of Understanding on Port State Control “Strengthening the Circle of Responsibility” was held in Vancouver, British Columbia, Canada, on 2-3 November 2004.

1.3 At these conferences, the Ministers agreed on actions that should be taken by the Paris and Tokyo Memoranda to improve maritime safety in these two regions and to help promote the elimination of sub-standard shipping.

1.4 While the primary responsibility for safeguarding the compliance of ships with the international standards for safety, security, ship-sourced pollution prevention and on-board living and working conditions lies with the Flag State, the Ministers demonstrated their determination to further develop and pursue
THEIR JOINT EFFORTS IN A HIGHLY EFFICIENT PORT STATE CONTROL SYSTEM
AS A SECOND LINE OF DEFENCE AGAINST SUBSTANDARD SHIPPING.

1.5 WITH THESE JOINT EFFORTS THEY DEMONSTRATE THEIR DETERMINATION
AND WILL TO CONTRIBUTE TO THE INTERNATIONAL MARITIME
ORGANIZATION’s (IMO) STATEMENT THAT “ONE OF THE MOST IMPORTANT
FEATURES REFLECTING THE EVOLUTION OF IMO’S WORK IN THE LAST THREE
DECADES IS THE PROGRESSIVE STRENGTHENING OF PORT STATE
JURISDICTION WITH A VIEW TO CORRECTING NON-COMPLIANCE WITH IMO
RULES AND STANDARDS BY FOREIGN SHIPS VOLUNTARILY IN PORT”.
(IMPlications OF THE UNITED NATIONS CONVENTION ON THE LAW OF THE
SEA FOR THE INTERNATIONAL MARITIME ORGANIZATION, LEG/MISC.8, 30
JANUARY 2014).

THE MINISTERS NOTE WITH SATISFACTION THAT SINCE THEIR LAST MEETING:

2.1 THE FOLLOWING CONVENTIONS HAVE ENTERED INTO FORCE OR WILL BE PUT
INTO EFFECT:

.1 THE MARITIME LABOUR CONVENTION 2006, (MLC 2006),

.2 THE INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING,
CERTIFICATION AND WATCHKEEPING FOR FISHING VESSEL
PERSONNEL, 1995 (STCW-F),

.3 THE INTERNATIONAL CONVENTION FOR THE CONTROL AND
MANAGEMENT OF SHIPS’ BALLAST WATER AND SEDIMENTS, 2004
(BWM 2004),

.4 THE INTERNATIONAL CONVENTION ON THE CONTROL OF HARMFUL
ANTI-FOULING SYSTEMS ON SHIPS, 2001 (AFS 2001),

.5 THE NAIROBI INTERNATIONAL CONVENTION ON THE REMOVAL OF
WRECKS, 2007 (NAIROBI WRC 2007),
.6 The Protocol of 2002 to the Athens Convention relating to the carriage of passengers and their luggage by sea, 1974 (PAL PROT 2002),

.7 Protocol 2003 to the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage. (FUND PROT 2003),

.8 Protocol to the Convention of the Prevention of the Marine Pollution by Dumping of Wastes and Other Matter. (LC PROT 1996),


2.2 The following important and substantial amendments to the Annexes to existing Conventions have entered into force or been put into effect:

.1 Annex VI of the MARPOL Convention and the later revision hereof, introducing new requirements for the sulphur content of fuel oil, for emission limits and energy efficiency,

.2 The IMO Instruments Implementation Code (III Code) and the associated mandatory IMO Member State Audit Scheme, as part of the SOLAS Convention,

.3 The International Code for Ships Operating in Polar Waters (Polar Code), as part of the SOLAS Convention and the MARPOL Convention,

.4 The International Code of Safety for Ships Using Gases or Other low-flashpoint Fuels (IGF Code), as part of the SOLAS Convention.
2.3 IN ADDITION, THERE HAS BEEN AN INCREASE IN THE NUMBER OF STATES ACCEDING TO MARPOL AND ITS ASSOCIATED ANNEXES.

2.4 THE IMO FAL COMMITTEE HAS APPROVED GUIDELINES FOR THE USE OF ELECTRONIC CERTIFICATES, ENCOURAGING ALL IMO MEMBER STATES TO SUPPORT THE USE AND ACCEPTANCE OF ELECTRONIC CERTIFICATES.

2.5 MEASURES THAT IDENTIFY HIGH-RISK SHIPS HAVE BEEN STRENGTHENED, INSPECTION PROCEDURES AND GUIDELINES FOR PORT STATE CONTROL HAVE BEEN ENHANCED AND THERE HAS BEEN SUBSTANTIALLY INCREASED TRAINING FOR PORT STATE CONTROL OFFICERS (PSCOS) INCLUDING DISTANCE LEARNING PROGRAMMES (DLP). THIS IS SHOWN IN THE REPORT ANNEXED TO THIS DECLARATION (ANNEX 1).

2.6 THE JOINT CONCENTRATED INSPECTION CAMPAIGNS (CICs) HAVE DEMONSTRATED THAT JOINT ACTION IS EFFECTIVE IN RAISING AWARENESS OF PROBLEM AREAS AND SHOULD CONTINUE UNDER THE GUIDANCE OF THE JOINT POLICY ON CONCENTRATED INSPECTIONS CAMPAIGNS APPROVED BY BOTH MEMORANDA IN 2013 AND IMPROVED DURING 2016.

2.7 THE MINISTERS’ DECISION TO MOVE AWAY FROM “QUANTITY-BASED” INSPECTION REGIMES TO “RISK-BASED” INSPECTION REGIMES HAS BEEN SUCCESSFULLY IMPLEMENTED.

2.8 BOTH MEMORANDA HAVE SUCCESSFULLY IMPLEMENTED THEIR LONG-TERM STRATEGIC PLANS AND ARE HARMONIZED IN THEIR MISSION STATEMENT TO ELIMINATE SUBSTANDARD SHIPPING IN THEIR RESPECTIVE REGIONS. TRENDS, DEVELOPMENTS AND CHALLENGES WHICH MAY HAVE AN IMPACT ON SAFETY, ENVIRONMENT, SECURITY, AND THE HUMAN ELEMENT HAVE BEEN IDENTIFIED FOR FUTURE ACTION. THESE PLANS ALSO INCLUDE STRATEGIC DIRECTIONS, AS WELL AS KEY PERFORMANCE INDICATORS WHICH HAVE PROVED TO BE A POWERFUL TOOL AND ARE USEFUL.
FOR IMPROVING THE RESULTS OF THE MEMBER AUTHORITIES OF THE MEMORANDA AND ALSO FOR ALLOCATING THE EFFORTS AND RESOURCES IN ACTIVITIES RELATED TO THE MAIN OBJECTIVES.

2.9 MEMBERS OF BOTH MEMORANDA AS A FLAG STATE NOW REPRESENT ALMOST 70% OF THE WORLD’S FLEET WHICH WILL CONTRIBUTE TO THE COMMUNICATION AND TRANSPARENCY BETWEEN FLAG STATES AND PORT STATES.

3. THE MINISTERS FURTHER NOTE THAT:

3.1 SUBSTANTIAL ACTIONS HAVE BEEN IMPLEMENTED BY BOTH MEMORANDA SINCE THE SECOND JOINT MINISTERIAL CONFERENCE IN 2004, AS SHOWN IN THE REPORT ANNEXED TO THIS DECLARATION (ANNEX 1) AND THAT THESE ACTIONS HAVE HAD A SIGNIFICANT POSITIVE EFFECT IN IMPROVING THE STANDARD OF SHIPPING IN THE TWO REGIONS.

3.2 THE INTRODUCTION OF A RISK BASED INSPECTION REGIME BY BOTH MEMORANDA HAS CONTRIBUTED TO THEIR EFFECTIVENESS OVER RECENT YEARS.

3.3 THE RISK BASED INSPECTION REGIME HAS BEEN IN PLACE FOR SEVERAL YEARS AND EXPERIENCE HAS BEEN GAINED.

3.4 THE FLAG STATES ARE RESPONSIBLE FOR THEIR SHIPS BEING IN COMPLIANCE WITH INTERNATIONALLY AGREED SAFETY, SECURITY, ENVIRONMENTAL STANDARDS AND WORKING AND LIVING CONDITIONS. PORT STATE CONTROL, IS THE SECOND LINE OF DEFENCE, AND PROVIDES A MEANS TO HELP CONTROL THAT FLAG STATES FULFILL THEIR OBLIGATIONS IN ACCORDANCE WITH INTERNATIONAL REGULATIONS.

3.5 SOME FLAG STATES AND RECOGNIZED ORGANIZATIONS (ROs) CONSISTENTLY UNDER-PERFORM.
3.6 The flag state oversight of their ROs is of the utmost importance due to the increasing number of statutory tasks that the ROs are authorised to perform on behalf of the flag state administrations. The mandatory IMO member state audit scheme contributes towards this.

3.7 There is in place a network of port state control regimes but as sub-standard shipping persists there is a need to work toward a harmonized system of inspections to improve implementation of standards.

3.8 As important port state control regimes, the Paris and Tokyo Memoranda should take the lead on this issue and take the necessary initiatives to demonstrate that the international regulations are effectively implemented by the flag state to the benefit of the environment.

3.9 Sub-standard ships still operate and that further action is necessary to ensure that ships comply with the international regulations.

3.10 Despite sub-standard ships being banned (the Paris MOU) or under-performing (the Tokyo MOU) in one region they can still operate in the other.

3.11 As some other port state control regimes have equivalent inspection standards, consideration should be given as to whether their inspections can be taken into consideration by other Memoranda.

3.12 There continues to be very serious marine casualties, including the losses of life, caused by the liquefaction of cargoes, the mis-declaration of cargoes and non-compliant stowage and
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CARRIAGE OF CARGOES. SUCH EVENTS HAVE CAUSED THE LOSS OF LIFE AND HARMFUL ENVIRONMENTAL OUTCOMES. THESE EVENTS HIGHLIGHT THE NEED FOR FURTHER ACTION TO ENHANCE SAFETY, AND ENVIRONMENTAL PROTECTION, THROUGH MORE STRINGENT AND EFFECTIVE PORT STATE CONTROL IN RESPECT OF CARGOES WITH RESPECT TO CHAPTERS VI AND VII OF SOLAS AND RELEVANT MANDATORY CODES.

3.13 THERE HAVE, IN RECENT YEARS, BEEN A NUMBER OF HIGH PROFILE INCIDENTS INVOLVING PASSENGER SHIPS.

3.14 CASUALTY INVESTIGATIONS SHOW THAT THE HUMAN ELEMENT CONTINUES TO BE THE PRIME CAUSE OF ACCIDENTS.

3.15 ENVIRONMENTAL ISSUES ARE GIVEN HIGH ATTENTION AT DIFFERENT HIGH LEVEL POLITICAL FORA, DRIVEN BY A GLOBALLY SHARED GROWING CONCERN AND CARE FOR OUR CLIMATE AND ENVIRONMENT. ALSO IN THE MARITIME FIELD, IMPORTANT ENVIRONMENTAL RELATED LEGISLATION HAS BEEN DEVELOPED AND HAS BEEN IMPLEMENTED RECENTLY OR WILL DO SO IN THE NEAR FUTURE.

3.16 BOTH MEMORANDA SHOULD TAKE APPROPRIATE ACTION TO ENSURE COMPLIANCE WITH THE ENVIRONMENTAL STANDARDS LAID DOWN IN THE RESPECTIVE CONVENTIONS IN ORDER TO MAKE SURE THAT THE MEASURES TO PROTECT THE MARITIME AND GLOBAL ENVIRONMENT ARE WELL IMPLEMENTED.

3.17 ISSUES RELATED TO SULPHUR EMISSIONS ARE HIGHLY PRIORITIZED ON THE AGENDA OF THE UN AND OF ALL GOVERNMENTS.

3.18 EFFECTIVE AND UNIFORM ENFORCEMENT OF RELEVANT MARPOL PROVISIONS IS A PREREQUISITE FOR ENSURING CLEANER AIR AND THE FULL ENVIRONMENTAL IMPACT OF THE REGULATION. IN PRACTICE, THIS REQUIRES
A HIGH PRIORITY ON ENFORCEMENT AND STRONG AND EFFECTIVE
COOPERATION BETWEEN NATIONAL PORT STATE CONTROL AUTHORITIES.

3.19 FURTHERMORE, SUBSTANTIAL EFFORTS ARE MADE BY THE SHIP OWNERS TO
FULFILL THE REQUIREMENTS FOR ENVIRONMENTAL LEGISLATION. IN VIEW
OF A LEVEL PLAYING FIELD A UNIFORM INSPECTION APPROACH IN BOTH
MEMORANDA AND OTHER REGIONS IS REQUIRED TO PREVENT THAT
NON-COMPLIANCE WOULD GIVE SHIPOWNERS A COMPETITIVE ADVANTAGE.

3.20 INCLUSION OF THE INTERNATIONAL LABOUR ORGANIZATION'S (ILO)
MARITIME LABOUR CONVENTION, 2006 AS A RELEVANT INSTRUMENT IN THE
PARIS AND TOKYO MEMORANDA, AND RELATED ACTIONS TO IMPROVE
TRAINING OF PSCOS ON INSPECTION OF MLC, 2006 REQUIREMENTS,
HAS CONTRIBUTED SUBSTANTIALLY TO IMPROVING WORKING AND LIVING
CONDITIONS AT SEA.

3.21 THE MEMBER AUTHORITIES OF BOTH MEMORANDA HAVE FACED
INCREASING WORKLOADS IN IMPLEMENTING THESE ACTIONS AND IT
CONTINUES TO PROVE CHALLENGING TO RECRUIT SUITABLY QUALIFIED
PERSONS.

3.22 TECHNOLOGICAL ADVANCES IN SHIPBOARD SYSTEMS FOR THE OPERATION
AND NAVIGATION OF THE SHIPS ARE POsing CHALLENGES NOTING THE NEED
FOR APPROPRIATE TRAINING AND PRACTICAL EXPERIENCE IN ORDER TO
ENSURE SEAFARERS CAN EFFECTIVELY AND EFFICIENTLY OPERATE SUCH
EQUIPMENT WHERE IT IS CRITICAL FOR THE SAFETY OF THE VESSEL. PSCOS
NEED TO HAVE SUFFICIENT TRAINING AND ADEQUATE KNOWLEDGE.

3.23 THE ADMINISTRATIVE BURDEN FOR PSCOS IS TO VERIFY THE
PROGRESSIVELY INCREASING NUMBER OF CERTIFICATES AND DOCUMENTS
DURING AN INSPECTION AND RECOGNIZE THE EMERGING USE OF ELECTRONIC
CERTIFICATES.
3.24 In some cases, the increasing complexity of international instruments might create difficulties for PSCOs striving to conduct effective Port State control inspections.

3.25 Technology is developing rapidly. Examples of these developments are electronic navigation, integrated systems, communication technology, information-sharing systems and data warehousing, all of which are used to manage and control ships and ship movements. Together with these useful developments, new risks also appear in safety, security, cyber security, environment and living and working conditions. These risks should be taken into account by Port State control.

3.26 Ship certificates are now being developed and issued in electronic form as a result of the IMO FAL Committee's approval of the Guidelines for the use of electronic certificates. This is an important step towards reducing the administrative burdens imposed on Administrations, PSCOs, ships' crews and other stakeholders.

There are no technological or legal obstacles to the recognition of electronic certificates. The established recognised set of features for using electronic certificates will help alleviate problems inherent in reliance on paper. The use of electronic certificates is safe and will ensure fast and efficient Port State control.

3.27 The Polar Regions are sensitive to marine casualties and pollution incidents which could have devastating environmental consequences.
3.28 The number of large passenger ships visiting the remote and isolated polar regions is increasing and an incident in these areas might result in the loss of a substantial number of lives, considering the obvious difficulties connected to the rescue action and the weather conditions, especially the low water temperature and large distances between search and rescue (SAR) facilities.

3.29 The continued and increased exchange of data between both regimes and external parties is a valuable tool when used for promoting safety, security, the environment as well as working and living conditions at sea.

3.30 Although both Memoranda include conventions as relevant international regulations, not all members have yet ratified these conventions, which prevents an effective enforcement, since non-parties cannot perform port state control in accordance with the conventions concerned.

3.31 Today, port state control inspections are used by the industry as an indicator of the performance of companies and ships. Transparency on port state control should be continued.

4. The Ministers recognize that:

4.1 Whilst fishing vessels are subject to safety provisions in SOLAS Chapter V, as well as standards for fishers in STCW-F and environmental provisions within MARPOL and its Annexes there are a very serious number of casualties, and marine pollution incidents involving fishing vessels.
4.2 Illegal, unregulated and unreported (IUU) fishing is of concern and the Joint FAO/IMO working group meetings are supported. Information on the outcome of these meetings is welcomed.

4.3 The ILO Work in Fishing Convention, 2007 (No. 188), which will enter into force in November 2017, aims to improve living and working conditions on fishing vessels.

4.4 Member authorities inspecting fishing vessels may wish to share their experience with each other.

5. The Ministers stress that:

5.1 All parties concerned, flag states, ROS, owners, operators, shippers, pilots, and classification societies need to continue to work together to improve the performance of the shipping industry with respect to safety, security, on-board working and living conditions and ship sourced pollution in a circle of responsibility and to foster transparency between flag and port states. Other important parties are seafarers and their representative organizations, industry organizations, charterers, and coastal states.

5.2 Cooperation with financial institutions, insurance companies, ship builders, marine equipment manufacturers, recognized security organizations, port authorities, maritime training and education establishments and seafarer welfare organizations should form an extended circle of responsibility which will highlight deficient areas and simplify rectification.
5.3 **Actions should be taken by all relevant parties in the circle of responsibility toward the goal of eliminating sub-standard shipping and promoting a level playing field.**

5.4 **The conduct of PSCOs is of the utmost importance and should be maintained at the highest level. Continuous training, integrity, professionalism and transparency are key issues in this context.**

5.5 **The need for cooperation by all parties whilst accepting, acknowledging, and respecting each other’s area of responsibility is necessary to ensure high levels of safety, security, environmental protection and on-board working and living conditions are achieved.**

5.6 **States should meet their obligations as flag States while having the right to exercise port State control. Flag States should ensure the safety for ships flying their flag including ships exempted from Convention requirements.**

5.7 **Inspection elements, particularly the environmental aspects covered under the MARPOL Convention, have become more diversified leading to a need for specialization in many areas. The Memoranda should incorporate within their inspection guidelines that PSCOs can refer to, or are accompanied by, an appropriately qualified specialist if necessary.**

5.8 **Both Memoranda should give high importance to the new environmental legislation (MARPOL Annex VI, BWM, energy efficiency). A common approach (inspection policy, common guidelines and actions) over both Memoranda should contribute to a common level playing field.**
SOME NEW TECHNOLOGY USED TO MEET THE ENVIRONMENTAL LEGISLATION IS SPECIALIZED AND THEREFORE AN EFFECTIVE COOPERATION WITH THE MARITIME INDUSTRIAL STAKEHOLDERS (MANUFACTURERS) IS NEEDED TO WORK OUT EFFECTIVE METHODS OF VERIFYING COMPLIANCE OF THE ENVIRONMENTAL REQUIREMENTS.

5.9 BOTH MEMORANDA SHOULD CONTRIBUTE TO ESTABLISHING THE LEVEL OF COMPLIANCE WITH THE REQUIREMENTS OF MARPOL ANNEX VI WITHIN THE SHIPPING INDUSTRY.

PORT STATE CONTROL INSPECTIONS SHOULD CREATE AWARENESS AMONGST SHIP CREWS AND SHIP OWNERS WITH REGARDS TO THE IMPORTANCE OF COMPLIANCE WITH THE PROVISIONS OF MARPOL ANNEX VI AND THE PREVENTION OF AIR POLLUTION AND SEND A SIGNAL TO THE INDUSTRY THAT PREVENTION OF AIR POLLUTION AND ENFORCEMENT OF COMPLIANCE WITH APPLICABLE REQUIREMENTS IS HIGH ON THE AGENDA OF THE MEMBER AUTHORITIES OF BOTH MEMORANDA.

THE RESPONSIBILITY OF THE PORT STATE CONTROL REGIME WITH REGARDS TO ENFORCEMENT OF COMPLIANCE WITH THE REQUIREMENTS OF MARPOL ANNEX VI IS TO BE UNDERLINED, THUS IMPROVING THE LEVEL OF COMPLIANCE AND ENSURING A FAIR LEVEL PLAYING FIELD.

5.10 BOTH MEMORANDA SHOULD WORK TOWARD, IN CONJUNCTION WITH IMO AND THE ILO, THE RECOGNITION OF ELECTRONIC CERTIFICATES.

5.11 CONTROL REGIMES IN THE PORT OF LOADING NEED TO ENSURE THAT THE SHIPPER OF THE CARGO COMPLIES WITH THE OBLIGATIONS UNDER MANDATORY INSTRUMENTS AND PORT STATE AUTHORITIES NEED TO EXERCISE WELL QUALIFIED AND EFFICIENT PORT STATE CONTROL OVER THE SHIP. MECHANISMS FOR BETTER SUPERVISION OF SHIPPERS SHOULD BE ESTABLISHED TO ENSURE THE SAFETY OF SHIPS.
5.12 Although the detention percentage rate has decreased since the last conference, as well as the number of ships refused access to the Paris MoU region and under-performing ships in the Tokyo MoU region, further steps should be considered to strengthen the system to eliminate sub-standard shipping.

5.13 Member authorities in both Memoranda should take the necessary steps to ratify all international regulations included in the Memoranda in order to carry out effective port state control and contribute to a harmonized enforcement of international instruments.

5.14 Whilst the "Circle of Responsibility" has been tightened, it could be strengthened further and measures should be implemented to provide enhanced oversight on other entities. The member authorities should consider engaging the maritime community as the field for their information exchange and harmonization to encourage them to achieve their effective role for maritime safety and pollution prevention. From this point of view, each Memorandum would be expected to be the platform to provide PSC information using its databases and responding to inquiries.

5.15 Feedback from the PSC Memoranda to the IMO and ILO can contribute to the process of drafting legislation. Cooperation within these organizations should be strengthened towards this goal.

5.16 Marine safety investigation reports should be evaluated in conjunction with the Casualty Investigation Code to identify the casualty factors. The Memoranda should take note of these casualty investigation reports and where relevant determine if
CIC's are appropriate or other action is warranted and be subject to systematic analysis to determine if further concentrated inspection campaigns are necessary or other action is warranted.

5.17 More focus should be placed on operational control during inspections. Furthermore, it should be encouraged to promote the training of high-quality seafarers, analyzing the results of PSC including operational requirements and emphasizing the importance of operational requirements.

5.18 The Port State control regimes should continue to take a proactive role towards safety of shipping and environmental protection in the Polar Regions by implementing the guidelines that have been developed by both Memoranda.

5.19 The Memoranda should continue to recognize the importance of the inspection of passenger ships.

5.20 Transparency and communication between Flag States and Port States should be fostered to improve governance of safe, secure, and environmentally responsible operation of ships.

5.21 Continue efforts to improve the training of PSCOs with regard to new requirements entering into force.

5.22 The member Authorities need to be encouraged to achieve the number of inspections required by the Risk Based Inspection Regime.

5.23 Both Memoranda should keep in mind the importance of the Flag States' oversight of their ROs.

6. The Ministers express their determination:

6.1 That whilst acknowledging the different challenges and needs within the areas of both Memoranda they should further
STRENGTHEN COMPLIANCE WITH IMO AND ILO STANDARDS BY ENHANCING THE APPLICATION OF PORT STATE CONTROL IN BOTH REGIONS AND ENSURING THAT APPROPRIATE ACTION IS TAKEN IN THE FOLLOWING INITIATIVES:

.1 TO EVALUATE THE RISK-BASED INSPECTION REGIME FOR THE PURPOSE OF ENSURING ITS EFFECTIVENESS AND EFFICIENCY.

.2 TO EVALUATE THE FORMULA FOR CALCULATING FLAG STATE PERFORMANCE.

.3 TO ANALYZE THE RESULTS OF PORT STATE CONTROL INSPECTIONS FOR EDUCATION AND TRAINING OF SEAFARERS.

.4 TO EVALUATE THE FORMULA FOR ROS’ PERFORMANCE.

.5 TO REWARD SHIPS AND COMPANIES THAT HAVE MADE NOTEWORTHY ADVANCEMENTS IN THE IMPROVEMENT OF SAFETY, ENVIRONMENTAL PROTECTION, AND WORKING AND LIVING CONDITIONS TAKING INTO ACCOUNT THE RISK-BASED CALCULATION.

.6 TO ENDEAVOR TO IMPLEMENT MEASURES WHERE REFUSAL OF ACCESS OR UNDER-PERFORMING SHIPS WILL BE APPLICABLE ON ALL SHIPS FOLLOWING MULTIPLE DETENTIONS, REGARDLESS OF THE POSITION OF THEIR FLAG STATE ON THE MEMORANDA PERFORMANCE LIST.

.7 TO CONTINUE TO VIGOROUSLY ENFORCE THE PORT STATE CONTROL ASPECTS, OF ALL INTERNATIONAL REGULATIONS LISTED IN THE MEMORANDA.

.8 TO CARRY OUT AN IN-DEPTH ANALYSIS OF SHIP DEFICIENCIES IN ORDER TO DETERMINE THEIR ROOT CAUSE, TO CONDUCT FURTHER JOINT CICs BASED ON THE ANALYSIS, ENCOURAGE OTHER REGIONS TO PARTICIPATE TO AIM TOWARD GLOBAL COVERAGE, AND SUBMIT
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REPORTS TO IMO AND ILO ON THE OUTCOMES THAT MIGHT IMPACT THEIR INSTRUMENTS, IF APPROPRIATE.

.9 TO CONDUCT PORT STATE CONTROL INSPECTIONS TO MAKE THE FLAG STATE ENSURE THE SAFETY OF SHIPS FLYING ITS FLAG THAT ARE EXEMPTED FROM CONVENTION REQUIREMENTS.

.10 TO CONTINUE TO PUBLISH INFORMATION, ON A REGULAR BASIS, ON SHIPS DETAINED AND TO INCLUDE, IF APPLICABLE, INFORMATION ON ROs AND IF FEASIBLE ON RELEVANT INSTITUTIONS, ORGANISATIONS OR COMPANIES.

.11 TO INCREASE DIALOGUE WITH OTHER REGIONAL PORT STATE CONTROL REGIMES IN AN EFFORT TO HARMONIZE PORT STATE CONTROL PRACTICES GLOBALLY AND TO PROVIDE TECHNICAL CO-OPERATION TO OTHER PORT STATE CONTROL REGIONS AND ADMINISTRATIONS, IN CO-OPERATION WITH IMO FOR FUNDING, AS APPROPRIATE.

.12 TO ENHANCE CO-OPERATION IN ORDER TO ELIMINATE SUB-STANDARD SHIPS AND ENSURE A LEVEL PLAYING FIELD FOR THE OPERATORS IN BOTH REGIONS.

.13 TO CONSIDER WHICH MEASURES SHOULD BE TAKEN TO PREVENT MARITIME CASUALTIES, SUCH AS CASUALTIES CAUSED BY CARGOES THAT POSE A SPECIAL SAFETY RISK.

.14 TO EVALUATE HOW RESULTS FROM ACCIDENT INVESTIGATION, WHEN RELEVANT, CAN BE TAKEN INTO ACCOUNT WHEN MAKING GUIDELINES FOR PORT STATE CONTROL AND DECISIONS ON CICs.

.15 TO ENHANCE HARMONIZATION BETWEEN BOTH MEMORANDA WITH THE AIM TO USE THE REGIONAL RESOURCES EFFECTIVELY AND
EFFICIENTLY, SUCH AS TAKING EACH OTHER'S INSPECTION RESULTS INTO ACCOUNT.

.16 TO CONTINUE REGIONAL TRAINING PROGRAMMES FOR PSCOs AND TO INVITE PARTICIPATION FROM OTHER PSC REGIMES.

.17 TO ENHANCE COOPERATION ON TRAINING AND EDUCATION AND BENEFIT FROM NEW TECHNOLOGY AND DISTANCE LEARNING PROGRAMMES (DLP).

.18 TO TAKE APPROPRIATE ACTIONS IF SUBSTANDARD LIVING AND WORKING CONDITIONS FOR SEAFARERS ARE FOUND UNACCEPTABLE DURING PORT STATE CONTROL INSPECTIONS.

.19 TO ANALYZE THE IMPACT OF TECHNOLOGICAL INNOVATION ON THE ROLE OF PORT STATE CONTROL AND SPECIFICALLY THE PORT STATE CONTROL OFFICER IN ORDER TO KEEP THE PORT STATE CONTROL SYSTEM SUSTAINABLE.

.20 TO CONTINUE EFFORTS TO ENSURE COMPLIANCE WITH THE CODE OF GOOD PRACTICE BY THE PSCOs.

.21 TO EXPLORE MEANS OF REDUCING THE ADMINISTRATIVE BURDEN FOR PSCOs IN ORDER TO BETTER FOCUS ON INSPECTION OF TECHNICAL AND OPERATIONAL AREAS SO AS TO FURTHER IMPROVE THE QUALITY AND EFFICIENCY OF INSPECTIONS AND DECREASE THE INSPECTION BURDEN FOR SHIPS AND THEIR CREWS.

.22 TO EXPLORE THE RECOGNITION OF SHIPS BANNED OR UNDER-PERFORMING IN THE OTHER REGION.

.23 TO PROMOTE SMARTER USE OF INFORMATION INCLUDING A FULL EXCHANGE OF INFORMATION BETWEEN EACH REGION, WITH OTHER REGIONAL PORT STATE CONTROL REGIMES AND THE UNITED STATES.
COAST GUARD (USCG), including making more effective use of the information systems of the Memoranda including ILO, GISIS and EQUASIS.

.24 To ensure that the Polar Code requirements will be effectively enforced.

.25 To continue and increase exchange of data between both Memoranda and external parties when useful for promoting safety, security, the environment as well as working and living conditions at sea.

.26 To ratify or accede to all relevant instruments listed in both Memoranda.

.27 To continue transparency on Port State Control.

6.2 To support the efforts of the ILO and IMO to enhance the standards of shipping and for those working on ships, and the ratification of or accession to the Conventions which aim to improve living and working conditions on board ships, maritime safety, security and protection of the marine environment should be considered.

6.3 To encourage participation in ILO and IMO initiatives that address the human element, and to enrich the contents of education to train higher quality seafarers, focusing on the human elements of accidents and developing the system to reflect the results of PSC inspections.

6.4 To encourage member authorities of both Memoranda to attract, recruit and train qualified persons to become PSCOs and to encourage port states to make their PSCOs achieve the integrity and accountability for their confidence, employing a sufficient
NUMBER OF PSCOs AND REINFORCING THEIR PSC REGIMES TO ELIMINATE
SUBSTANDARD SHIPS.

6.5 TO INVESTIGATE ANY ALLEGATIONS OF CORRUPTION AND TO TAKE
APPROPRIATE ACTION IF DISCOVERED.

7. THE MINISTERS CONFIRM AND STRESS THAT:

7.1 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 ARE URGED TO 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. BILATERAL COMMUNICATION AND COOPERATION BY THE
MEMBER AUTHORITIES OF THE TWO MEMORANDA SHOULD BE
STRENGTHENED.

7.2 THEY WILL MAKE AVAILABLE SUFFICIENT RESOURCES TO MAINTAIN A
COMPETENT, EFFECTIVE AND ADEQUATELY FUNDED NATIONAL MARITIME
INFRASTRUCTURE, WHICH THEY RECOGNIZE AS A PREREQUISITE FOR AN
EFFECTIVE PORT STATE CONTROL EFFORT.

7.3 THEY ADHERE TO THEIR RESPONSIBILITIES FOR "SAFEGUARDING
RESPONSIBLE AND SUSTAINABLE SHIPPING" WHEREBY THEY REAFFIRM
THEIR COMMITMENT TO A SAFE, SECURE AND ENVIRONMENTALLY FRIENDLY
MARINE TRANSPORTATION SYSTEM IN ORDER TO SAFEGUARD HUMAN LIVES,
MAINTAIN PROTECTION OF THE ENVIRONMENT, ENSURE COMPLIANCE WITH
INTERNATIONAL STANDARDS FOR SEAFARERS’ WORKING AND LIVING
CONDITIONS AND THE PROMOTION OF A LEVEL PLAYING FIELD.

8. THE MINISTERS:

8.1 ACKNOWLEDGE THAT, IN VIEW OF THE CONTINUING PROCESS OF UPDATING
THE RELEVANT INTERNATIONAL MARITIME INSTRUMENTS, THE TASK OF
PSCOS HAS BECOME INCREASINGLY COMPLEX.

8.2 RECOGNIZE THAT THE PUBLIC ACCEPTANCE AND CREDIBILITY OF PORT STATE
CONTROL DEPENDS GREATLY ON THE PROFESSIONAL ATTITUDE AND SKILLS
OF PSCOS.

8.3 EXPRESS THEIR DEEP APPRECIATION FOR THE CONSIDERABLE EFFORTS MADE
BY THE PSCOS IN THEIR DAILY WORK IN IMPLEMENTING BOTH THE PARIS
AND TOKYO MEMORANDA.

8.4 EMPHASIZE THAT PORT STATE CONTROL PLAYS AN IMPORTANT ROLE IN
ELIMINATING SUBSTANDARD SHIPPING BUT THAT ALL PARTIES INVOLVED IN
SHIPPING MUST COOPERATE AND WORK TOGETHER TOWARDS
“SAFEGUARDING RESPONSIBLE AND SUSTAINABLE SHIPPING”
IN ORDER TO ENHANCE SAFETY, ENVIRONMENTAL PROTECTION AND
WORKING AND LIVING CONDITIONS FOR SEAFARERS.
9. **The Ministers:**

Warmly thank their Canadian colleague for taking the initiative for this Third Joint Ministerial 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 fourth day of May, Two Thousand and Seventeen.
Mr. Michael Kinley
On behalf of the Minister for Infrastructure and Transport
Australia

Mr. Bart Heybroeck
On behalf of the Minister of Federal Public Service Mobility and Transport
Kingdom of Belgium

Mr. Donald Roussel
On behalf of the Minister of Transport
Canada

Vice Admiral Osvaldo Schwarzengen
Director General of the Maritime Territory and Merchant Marine
Republic of Chile

Mr. Jianzhong He
On behalf of the Minister of Transport
People's Republic of China

Mr. Siniša Orlić
On behalf of the Minister of Sea Transport and Infrastructure
Republic of Croatia
Mr. Lazaros Chanoumidis
On behalf of the Minister for Maritime Affairs and Insular Policy

Ms. Mei Sze Maisie Cheng
On behalf of the Secretary for Transport and Housing

Hon. Jón Gunnarsson
Minister of Transport and Local Government

Hon. Jon Gunnarsson
Minister of Transport and Local Government

Iceland

Mr. Saptandri Widyanto
On behalf of the Minister of Communications

Republic of Indonesia

Dr. Deirdre O'Keeffe
On behalf of the Minister for Transport, Tourism and Sport

Rear Admiral (ITCG) Luigi Giardino
On behalf of the Minister of Infrastructure and Transport

Republic of Italy
MR. YASUTADA OHNO
PARLIAMENTARY VICE-MINISTER OF LAND, INFRASTRUCTURE, TRANSPORT AND TOURISM
JAPAN

MR. KWANG-YOUL PARK
ON BEHALF OF THE MINISTER OF OCEANS AND FISHERIES
REPUBLIC OF KOREA

MRS. LAIMA RITUMA
ON BEHALF OF THE MINISTER OF TRANSPORT
REPUBLIC OF LATVIA

MR. ARTURAS KUNGYS
ON BEHALF OF THE MINISTER OF TRANSPORT AND COMMUNICATIONS
REPUBLIC OF LITHUANIA

CAPT. MARK A. CHAPELLE
ON BEHALF OF MINISTER FOR TRANSPORT AND INFRASTRUCTURE
REPUBLIC OF MALTA

MR. JOSEPH BIGLER
ON BEHALF OF THE MINISTER OF TRANSPORTATION AND COMMUNICATIONS
REPUBLIC OF MARshall ISLANDS
Mr. Mark Frequn

On behalf of the Minister of Infrastructure and the Environment

Netherlands

Mrs. Birgit Loyland

On behalf of the Minister of Trade and Industry

Kingdom of Norway

VADM. Manuel Santiago Vascones Morey

General Director of Captaincies and Coastguards

Republic of Peru

Mr. Keith Manch

On behalf of the Minister of Transport

New Zealand

Mr. Paul M. Unas

On behalf of the Minister for Transport

Independent State of Papua New Guinea

Dr. Marcial Quirico C. Amaro III

On behalf of

Republic of the Philippines
MR. MARCIN TRZCIŃSKI
ON BEHALF OF THE MINISTER OF MARITIME ECONOMY AND INLAND NAVIGATION
REPUBLIC OF POLAND

MR. VICTOR OLERSKIY
DEPUTY MINISTER OF TRANSPORT
RUSSIAN FEDERATION

HON. PETER GAŠPERŠIČ
MINISTER OF INFRASTRUCTURE
REPUBLIC OF SLOVENIA

MR. PER SJÖGREN
ON BEHALF OF THE MINISTER FOR INFRASTRUCTURE
KINGDOM OF SWEDEN

MR. PICHIT AKRATHIT
DEPUTY MINISTER OF TRANSPORT
KINGDOM OF THAILAND

MR. PATRICK DOLBY
ON BEHALF OF THE MARITIME AND COASTGUARD AGENCY
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
Mr. Nguyen Hoang

On behalf of the Ministry of Transport

Socialist Republic of Vietnam

Mr. Richard W.J. Schiferli

Secretary General

Paris Memorandum of Understanding on Port State Control

Mr. Hideo Kubota

Secretary

Tokyo Memorandum of Understanding on Port State Control

Mr. Fernando A. Solorzano

On behalf of the Panama Maritime Authority

Panama
THE FOLLOWING OBSERVERS WHOSE SIGNATURES FOLLOW, HAVE
PARTICIPATED IN THIS CONFERENCE:

MS. SOI MAN WONG
ON BEHALF OF THE SECRETARY FOR
TRANSPORT AND PUBLIC WORKS
MACAO, CHINA

HON. SEMISI KIOA LAFU SIKA
MINISTER OF INFRASTRUCTURE AND
TOURISM
KINGDOM OF TONGA

REAR ADMIRAL LINDA FAGAN
ON BEHALF OF THE UNITED STATES
COAST GUARD
UNITED STATES OF AMERICA

MR. BRANDT WAGNER
ON BEHALF OF THE DIRECTOR-GENERAL
INTERNATIONAL LABOUR OFFICE
MR. KITACK LIM
SECRETARY-GENERAL
INTERNATIONAL MARITIME ORGANIZATION

MRS. Mfon Ekong Usoro
SECRETARY GENERAL
ABUJA MEMORANDUM OF UNDERSTANDING ON PORT STATE CONTROL

MR. HUSEYIN YUCE
SECRETARY
MEMORANDUM OF UNDERSTANDING ON PORT STATE CONTROL IN THE BLACK SEA REGION

MRS. JODI BARROW
SECRETARY GENERAL
CARIBBEAN MEMORANDUM OF UNDERSTANDING ON PORT STATE CONTROL

CAPT. MARK A. CHAPELLE
ON BEHALF OF THE SECRETARY
MEDITERRANEAN MEMORANDUM OF UNDERSTANDING ON PORT STATE CONTROL

CAPTAIN MANUEL COFRÉ
ON BEHALF OF THE SECRETARY
VIÑA DEL MAR AGREEMENT ON PORT STATE CONTROL
MR. JOSEPH RIVA
ON BEHALF OF THE SECRETARY GENERAL
INTERNATIONAL ASSOCIATION OF CLASSIFICATION SOCIETIES

MR. BRANKO BERLAN
ON BEHALF OF THE
INTERNATIONAL TRANSPORT WORKERS’ FEDERATION

MR. PETER HINCHLIFFE
SECRETARY GENERAL
INTERNATIONAL CHAMBER OF SHIPPING

[Signature]