

**IN THE SECOND SESSION OF THE THIRD
PARLIAMENT OF THE FOURTH
REPUBLIC OF GHANA**

**REPORT OF THE SELECT COMMITTEE ON
ROADS AND TRANSPORT**

ON THE

**MEMORANDUM OF UNDERSTANDING
ON PORT STATE CONTROL
FOR WEST AND CENTRAL AFRICA –
ABUJA MOU**

DECEMBER 2002

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1.0 INTRODUCTION

1.1 The Memorandum of Understanding (MOU) on Port State Control for West and Central Africa – Abuja MOU was laid before the House on Wednesday, 16th October 2002 and subsequently referred to the Committee on Roads and Transport for consideration and report pursuant to Article 103(3) of the 1992 Constitution and Order 188 of the Standing Orders of the House.

1.2 In deliberating on the above MOU, the Committee had the benefit of further information from the Ag. Commissioner of the Shipping and Navigation Division of the Ministry of Roads and Transport and his technical team.

The Committee is grateful to them for attending upon the Committee to assist in its deliberations.

2.0 REFERENCE DOCUMENTS

In considering the referral, the Committee availed itself of the following documents:

- (1) The 1992 Constitution of the Republic of Ghana
- (2) The Standing Orders of the House
- (3) Memorandum of Understanding on Port State Control for the West and Central African Region.

3.0 BACKGROUND INFORMATION

Port State Control (PSC) is the inspection of foreign ships in national ports to verify whether the conditions of the ships and their equipment comply with the requirements of international regulations, and also whether such ships are safely manned and operated in compliance with international standards.

Safer shipping in a clear marine environment is one of the major aims of the International Maritime Organization (IMO), a United Nations (U.N.) specialized agency responsible for international shipping. Over the years, the organization, with the support of other maritime countries, has initiated series of programmes to check the rampant increase in the operation of sub-standard ships.

As a result, various regions of the world subsequently entered into MOUs on Port State Control with the view of ridding such regions of sub-standard vessels and other vices associated with their operations. The first of such MOUs, known as the Paris MOU was signed in 1982 to cover Europe and North Atlantic areas. Furthermore, other MOUs were also established to cover the Black Sea, the Asia, Pacific, Mediterranean and the Indian Ocean regions.

With all the major regions of the world having been covered by MOUs, the West and Central regions which were then not covered, became a dumping ground for sub-standard vessels. As a result, Ghana, Guinea and Nigeria in collaboration with the Maritime Organization of West and

Central Africa (MOWCA) sought the assistance of the IMO to establish a Port State Control regime for the West and Central Africa region.

4.0 PURPOSE OF THE MOU

As stated above, the purpose of the Port State Control is to ensure that all foreign ships calling at Port are inspected as to their seaworthiness as well as ensuring that their equipments and manning scales conform to the safety requirements of the IMO.

5.0 JUSTIFICATION OF PURPOSE

Ghana, a traditional maritime country, has over the years played a major role in maritime matters in the sub region. Consequently, the country is expected to initiate measures to safeguard the safety of life and property at sea, protect the marine environment against pollution and foster regional co-operation in maritime matters if Ghana accepts the Abuja MOU on Port State Control.

6.0 OBSERVATIONS

The Committee in its deliberations made a number of significant observations and these are submitted as follows:

- i. The Committee observed with satisfaction that the Abuja MOU is consistent with the 1992 Constitution. Acceptance of the MOU is in accordance with Article 36(9) which provides for the protection and safeguarding of the national and wider international environment, and sub-section 36(10), which provides for safeguarding the health, safety and welfare of persons in employment.

- ii. The Committee also noted that Ghana would be required to meet certain financial obligations upon the acceptance of the Abuja MOU by contributing towards the running of the Abuja MOU Secretariat in Lagos, Nigeria.
- iii. It was further observed that, the country will require technical assistance from the IMO to train Port State Control Officers (PSCOs) to enable them carry out their activities effectively. It will also be necessary to provide logistics support to such officers.
- iv. Each participating country including Ghana, would be obliged to nominate a representative to serve on the Committee of the MOU.
- v. Finally, the Committee noted that the MOU would require participating countries within three years of accepting the MOU to be able to conduct Port State Control inspections on at least 15% of foreign ships calling at their ports. In view of an institutional strengthening and capacity building initiatives currently underway in the Ministry of Roads and Transport, the Shipping and Navigation Division would be in a position to fulfill this obligation once Ghana takes the necessary steps to institute the process.

7.0 EXPECTED BENEFITS

Port State Control is extremely effective if organized on a regional basis. Hence, the Committee is of the view that Ghana will among other things be able to clear itself of the menace of sub-standard ships and the many

vices associated with it by accepting the Abuja MOU. The following benefits are likely to accrue to Ghana upon an effective implementation of the Abuja MOU:

- a. Cleaner oceans and safer shipping which will enhance competitive shipping would be achieved.
- b. Sharing of information on sub-standard ships in the region would be ensured.
- c. Eradication or reduction in the number of sub-standard ships, which ply the region, thereby reducing the risks of pollution incidents and marine accidents. This will safeguard marine resources and save the country wreck removal cost.
- d. Duplication in ship inspections and control which causes ship delays and creates port congestion would be avoided.
- e. Ghana will also be able to reduce implementation and enforcement costs as these would be shared with the other countries participating in the MOU.

8.0 RECOMMENDATIONS

The adoption of a Port State Control agreement for the region is long overdue. Ghana is one of the three countries in the region that initiated action in conjunction with MOWCA and the IMO to establish a Port State Control regime for West and Central Africa. It is therefore important that

Ghana formally accepts the regime following the adoption of the 1999 Abuja MOU.

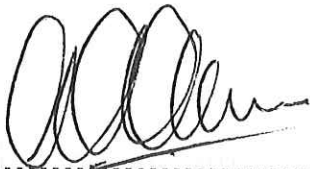
By this, the region would be able to free itself of sub-standard ships which are using the region as a safe haven in the absence of a Port State Control regime.

9.0 CONCLUSION

From the foregoing, it is crucial that Ghana, a leading maritime nation in the West and indeed the Africa region, accepts the 1999 Abuja MOU to ensure its effective implementation.

The Committee accordingly, recommends to the House, the approval of the Memorandum of Understanding on the Port State Control for West and Central Africa.

Respectfully submitted.



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ABIGAIL ABA ANSO (Ms.)
(CLERK TO THE COMMITTEE)



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HON. S. K. SARFOH
(CHAIRMAN, COMMITTEE ON
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