

Appendix

FLAG STATE PERFORMANCE SELF-ASSESSMENT FORM

(Five Year Period: 2004 – 2008)

All questions relate to merchant ships flying the flag of the State concerned.

GENERAL	
<p>1. Name of State/Associate Member</p> <p><i>List the Administrations which you represent at IMO (a separate assessment form should be completed for each. Include all flag States, including those which are not Member States of IMO but are parties to IMO instruments).</i></p>	<p>The Republic of Liberia</p>
<p>2. Name of contact person responsible for the completion of this form</p> <p>Name of Administration</p> <p>Address</p> <p>Telephone Number</p> <p>Fax Number</p> <p>E-mail address</p>	<p>Captain David Pascoe</p> <p>Bureau of Maritime Affairs, Office of the Deputy Commissioner c/o Liberian International Ship & Corporate Registry</p> <p>8619 Westwood Center Drive Vienna, Virginia 22182, USA</p> <p>(703) 790-3434</p> <p>(703) 790-5655</p> <p>marops@liscr.com</p>

<p>3. Indicate to which of the following international instruments your State is a Party and which (optional) MARPOL 73/78 Annexes have been ratified.</p> <p style="text-align: center;"> <i>SOLAS 74</i> <i>SOLAS Protocol 78</i> <i>MARPOL 73/78</i> <i>Annex III</i> <i>Annex IV</i> <i>Annex V</i> <i>Annex VI</i> <i>LL 66</i> <i>TONNAGE 69</i> <i>COLREG 72</i> <i>UNCLOS</i> </p>	<p style="text-align: center;"> Yes Yes Yes Yes Yes Yes Yes Yes Yes Yes </p>
<p>4.1 How many merchant ships of 100 gross tonnage and upwards, subject to the relevant instruments you indicated in question 3, are currently flying the flag of your State?</p> <p>4.2 What is the total gross tonnage of merchant ships flying the flag of your State?</p>	<p style="text-align: center;">MS: 2,927</p> <p style="text-align: center;">86,718,034 GRT</p>
<p>INTERNAL CRITERIA</p>	
<p>Legal framework</p>	
<p>5. Does your Administration have the necessary laws in force to implement international maritime safety and pollution prevention instruments with regard to:</p> <p>.1 the construction, equipment and management of ships;</p> <p>.2 the prevention, reduction and control of pollution of the marine environment:</p> <p>.3 the safe loading of ships:</p> <p>.4 the manning of ships;</p> <p>.5 the safety of navigation (including taking part in mandatory reporting and routing systems), maintenance of communications and prevention of collisions?</p>	<p style="text-align: center;"> Yes Yes Yes Yes Yes </p>
<p>6. Does your Administration have the necessary laws in force to ensure the provision of penalties of adequate severity to discourage violation of international instruments to which your State is a Party?</p>	<p style="text-align: center;">Yes</p>

7. Does your Administration have the necessary laws in force to provide for ship inspections to ensure compliance with international maritime safety and pollution prevention standards, to which your state is a Party?	Yes																		
8. Does your Administration have the necessary laws in force to take legal action against ships which have been identified as not being in compliance with the international instruments to which your State is a Party?	Yes																		
9. Does your Administration have the necessary laws in force to carry out the required casualty investigations?	Yes																		
Enforcement																			
<p>10. Does your Administration have an infrastructure, including personnel with appropriate technical expertise and experience, to:</p> <ol style="list-style-type: none"> .1 identify ships flying the flag of your State which are not in compliance with international maritime safety and pollution prevention requirements? .2 take action against ships flying the flag of your State which have been identified as not being in compliance with international maritime safety and pollution prevention requirements? <p>If yes, against how many such ships was action taken for each of the previous 5 years*?</p> <p>TABLE 1:</p> <table border="1" data-bbox="313 1249 1143 1379"> <thead> <tr> <th></th> <th>2004</th> <th>2005</th> <th>2006</th> <th>2007</th> <th>2008</th> </tr> </thead> <tbody> <tr> <td>Safety</td> <td>72</td> <td>35</td> <td>86</td> <td>69</td> <td>142</td> </tr> <tr> <td>Pollution</td> <td>1</td> <td>7</td> <td>4</td> <td>0</td> <td>*2</td> </tr> </tbody> </table> <p>*One narrative report is pending review for a third incident.</p>		2004	2005	2006	2007	2008	Safety	72	35	86	69	142	Pollution	1	7	4	0	*2	<p>Yes</p> <p>Yes Follow-up Inspection Program and additional statutory surveys are required when considered necessary.</p> <p>(See Table 1)</p>
	2004	2005	2006	2007	2008														
Safety	72	35	86	69	142														
Pollution	1	7	4	0	*2														
<p>11. Did your Administration investigate detentions by port States of ships flying the flag of your State for each of the previous 5 years*? (See also question 28)</p> <ul style="list-style-type: none"> • If yes, indicate how many such detentions were investigated. <p>TABLE 2:</p> <table border="1" data-bbox="313 1667 1143 1751"> <thead> <tr> <th></th> <th>2004</th> <th>2005</th> <th>2006</th> <th>2007</th> <th>2008</th> </tr> </thead> <tbody> <tr> <td></td> <td>91</td> <td>81</td> <td>105</td> <td>108</td> <td>150</td> </tr> </tbody> </table>		2004	2005	2006	2007	2008		91	81	105	108	150	<p>Yes</p> <p>(See Table 2)</p>						
	2004	2005	2006	2007	2008														
	91	81	105	108	150														

* or from the date your Government became a Party to the relevant instrument, if that is later.

Recognized organizations acting on behalf of the Administration	
<p>12. Which organizations has your Administration recognized for the purpose of delegation of authority under the relevant instruments you indicate under question 3?</p> <ul style="list-style-type: none"> • American Bureau of Shipping (ABS) • Bureau Veritas (BV) • China Classification Society (CCS) • Det Norske Veritas (DNV) • Germanischer Lloyd (GL) • Korean Register of Shipping (KRS) • Lloyd's Register (LR) • Nippon Kaiji Kyokai (NK) • Polski Rejestr Statkow (PRS)** • Registro Italiano Navale (RINA) • Russian Maritime Register of Shipping (RS) 	<p style="text-align: center;">All IACS Full members</p> <p>(**The Administration has grandfathered Recognition to PRS for only one vessel which was registered when PRS was a full member of IACS)</p>
<p>13. When your Administration delegates authority to recognized organizations, does it follow resolutions A.739(18) and A.789(19) as minimum requirements, the requirements in SOLAS 74, regulation XI/I, and the analogous requirements in MARPOL 73/78 in any delegation of authority?</p>	<p style="text-align: center;">Yes</p>
<p>14. Has your Administration provided IMO with a copy of the formal agreement or equivalent legal arrangements with the recognized organizations listed in question 12?</p>	<p style="text-align: center;">Yes</p>
<p>15. Indicate which survey and/or certification functions your Administration has delegated to the recognized organizations referred to in question 12.</p> <p>The recognized organizations (ROs) listed under question 12 have been delegated the authority to carryout survey and/or certification functions for all of the relevant instruments listed under question 3. The ROs have not been delegated the authority to grant exemptions, extensions, dispensations, equivalencies, or waivers of any kind. Such action requires review and authorization from the Office of the Deputy Commissioner of Maritime Affairs on a case-by-case basis.</p>	<p style="text-align: center;">ALL</p>
<p>16. Indicate, for the instruments you listed under question 3, which survey and/or certification functions are carried out by your Administration.</p> <p>The Administration carries out survey and certification functions under the ISM Code and ISPS Code. The Administration also conducts an annual safety inspection of all registered ships and approves, SOPEP/SMPEP, VOC, Passenger Ship Emergency Plans, SAR Plan review and issues Minimum Safe Manning certificates and all Exemptions. The Administration also reviews and approves all Ship Security Plans.</p>	<p style="text-align: center;">See Comment in box 16.</p>
<p>17. Does your Administration carry out the verification and monitoring functions specified in resolution A.739(18)?</p>	<p style="text-align: center;">Yes</p>

18. How does your Administration carry out the verification and monitoring functions specified in resolution A.739(18)?

- **Each ship is inspected annually by qualified flag State inspectors and Auditors.**
- **Annual policy meeting with representatives of each class society.**
- **Review of survey reports and audit reports of all vessels involved in detentions or serious casualties and upon registration or re-registration into the flag.**
- **Review of survey summary data.**
- **Periodic Quality Audits are conducted at RO Offices.**

19. How often does your Administration verify and monitor the work of recognized organizations acting on its behalf?

- **Quality Audits conducted at minimum every 3 years.**
- **Continuous review and oversight of survey data issued, ship-by-ship.**
- **Each ship inspected and analysis of ship inspections.**
- **Random inspections of detained ships.**

20. How does your Administration take specific responsibility for international certificates issued on its behalf by dependent territories/second registers?

N/A

Casualty and incident investigation

21. Does your Administration have the means (financial and administrative) to ensure that thorough and prompt casualty and incident investigations into all cases of serious and very serious casualties, as defined in paragraph 4.2 and 4.3 of the Annex to resolution A.849(20) are carried out?

Yes

22. For each of the previous 5 years^{*}, for ships flying the flag of your State:

.1 How many serious and very serious casualties and incidents were investigated?

	2004	2005	2006	2007	2008
Serious	*13	17**	19**	30	23
Very Serious	3	6	2	3	3

.2 How many such casualties and incidents were reported to IMO?

	2004	2005	2006	2007	2008
IMO	14	17*	21	33	23

NOTE: *Nine (9) reports noted for 2005 that were pending had been submitted to IMO.

**Increase in the number of reported serious casualties for the years indicated is due to more aggressive collection of casualty reports and follow-up by the Flag Administration.

* or from the date your Government became a Party to the relevant instrument, if that is later.

23. Can your Administration provide to IMO, on request, evidence which shows that casualties and incidents on ships flying the flag of your State have been investigated? **Yes**

24. For each of the previous 5 years*, has your Administration provided IMO with the mandatory annual reporting required by Article 11.1(f) of MARPOL 73/78? **Yes**

Liberia submitted completed reports for 2004, 2005, 2006, 2007 and 2008 (including report for 2009) to the IMO.

25. How many allegations of violations, according to article 4 of MARPOL 73/78, have been made against ships flying the flag of your State in each of the previous 5 years*?

.1 How many investigations or legal proceedings has your Administration carried out in the previous 5 years* in accordance with articles 4 and 6 of MARPOL?

	2004	2005	2006	2007	2008
Alleged Violations	3	1*	4	2	3
Investigations	3	1*	4	2***	3

.2 In how many cases did your Administration report back to the reporting State or to IMO in each of the previous 5 years*?

	2004	2005	2006	2007	2008
Reporting State	1**	0	4	0	2
IMO	1	0	4	0	2
Total:	1	0	4	0	****2

* Report of contravention resulting from port state detention was made by the ship operators to the flag state for the 2005 incident. However, no confirmation/report of contravention was ever received directly from the port state to the flag state as required.

** Preliminary evidence indicated one (1) of three (3) incidents in 2004 did not have enough substance to proceed with any meaningful investigations. One report for a 2004 incident that was pending has been submitted.

*** The first incident is a claim by disgruntle crew which is the subject of pending prosecution/litigation in U.S. District Court in Philadelphia. The second incident was a Lesson Learned report (not by a State) but by the vessel Operator which required no reporting to IMO.

**** Contravention report for a third incident is being reviewed and pending submission.

EXTERNAL CRITERIA

26. For each of the previous 5 years*, how many ships flying the flag of your State:

- .1 have been involved in serious or very serious casualties?
- .2 have become total losses or constructive total losses?
- .3 have caused severe pollution**?
- .4 What casualty rate per 1000 ships does this represent?
- .5 What is the total tonnage involved as a percentage of the total fleet?

		2004	2005	2006	2007	2008
1a	Serious	13	17***	19***	30***	****23
.1b	Very Serious	3	6	2	3	3
.2a	Total Loss	0	1	0	1	1
.2b	Constructive Total Loss	0	0	1	0	0
.3	Severe Pollution	1	0	4	0	0
.4	Casualty Rate per 1,000 ships	8	10	9	12	8.9
.5	Tonnage % of Total Fleet	0.71	1.18	0.81	1.17	0.83

***Increase in the number of reported serious casualties was due to more aggressive collection and follow-up of casualty reports by the Flag Administration coupled with the increase in the number of vessels in the Registry.

**** The number of serious casualties for 2008 is much less compared to 2007 although relatively higher than the years preceding 2007.

* Or from the date your Government became a Party to the relevant instrument, if that is later.

** "Severe pollution" is a case of pollution which, as evaluated by the coastal State(s) affected or the flag State, as appropriate, produces a major deleterious effect upon the environment, or which would have produced such an effect without preventive action.

27. In each of the previous 5 years*, how many lives have been lost:

.1 in casualties involving ships flying the flag of your State?

		2004	2005	2006	2007	2008
.1	Casualties	3	0	0	0	1

.2 due to occupational accidents (i.e. other than from casualties to ships) on ships flying the flag of your State?

NB - Includes: falls, boarding or disembarking; accidents on deck and in machinery spaces; deaths in enclosed spaces; but does not include accidents ashore; homicide; suicide; or deaths from disease or natural causes.

		2004	2005	2006	2007	2008
.2	Occupational Accidents	14	14	21	22*	**30

* Includes three non-crew of shipyard/off-shore workers and 19 crew members.

** Includes 13 non-crew members and 17 crew members.

28.1 For each of the previous 5 years*, how many ships flying the flag of your State were detained, within the scope of SOLAS 74, MARPOL 73/78, LL 66 or COLREG 72, by port States?

(Answer same as question 11.) We investigate reported vessel detentions at 100%

	2004	2005	2006	2007	2008
Total Ships Inspected	3,060	3,226	3,315	3,673	5,615
Total Ships Detained	91	81	105	108	150

28.2 What detention rate per 1000 ship inspections does this represent? (See also question 11).

	2004	2005	2006	2007	2008
Rate Per 1000 inspected *	29.7	25.1	31.7	29.4	26.7

* or from the date your Government became a Party to the relevant instrument, if that is later.

** "Severe pollution" is a case of pollution which, as evaluated by the coastal State(s) affected or the flag State, as appropriate, produces a major deleterious effect upon the environment, or which would have produced such an effect without preventive action.