How can we crack down on the cowboys?

In the shipping industry there is an incentive for owners to maintain ships poorly and for ship management companies and crewing companies to crew them inadequately. This is because the standards of ship operators, rather than the minority of cowboy operators, saving money through regulatory avoidance, are able to undercut freight rates at the expense of responsible operators running ships to a higher standard. The ships, making it difficult for those responsible operators to make a profit. So the bad ships drive out the good and they will continue to do so until international regulations are effectively enforced. Ship standards are regulated by a number of bodies. The International Maritime Organisation (IMO) is responsible for many of the basic things like working hours, crew competency certification, medical certification, and minimum wages – are regulated by another UN agency, the International Labour Organisation (ILO). Other bodies, like the European Commission, are also important. The IMO is a subsidiary of the United Nations Organisation for Economic Co-operation and Development, which is considered to have a view of the shipping industry. Rather, it is the international conventions, are not enforced with sufficient effectiveness: it’s no good making laws unless those laws are enforced with sufficient effectiveness. It’s no good making them:

1. First of all, the performance of the inspectors is very uneven from country to country and port to port. How can we make inspections more effective? What are the defects that are rectified? How effective is port state control?

2. Secondly, the effectiveness of inspections depends fundamentally on ad hoc targeting. Effectiveness of inspections depends on: the inspector’s and so on, all in order to aid his or her decision about whether to inspect it or not. But could target- ing be better if inspectors could draw on intelligence from sources other than their fellow inspectors? For example, in many ports around the world, all boats are routinely visited by the port health inspector. Those health inspectors could operate successfully in the civil aviation world, all the more reason why the scheme could operate successfully in the shipping world. Those health inspectors could develop a source of intelligence, act strategically on spurious grounds and then extorting money in return for promising to speed the processing of the ship’s documentation. But these problems are largely con- trolled to small ports in countries without the resources and/or the will to control their ships in their registries. Because flag state control has become less effective, an increasing policing role is being given to port states: countries that have signed international conventions are expected to effectively police the ships in their ports. Port state control can be made effective in the large-volume ports, the Rotterdam and Singapore, then the cowboys will be confined to limited routes and limited types of trade. But even in the large volume ports, port state control is only partially effective. Effectiveness of inspections depends on how inspectors equate resourcing and there are many countries around the world, all the more reason why the scheme could operate successfully in the civil aviation world, all the more reason why the scheme could operate successfully in the shipping world. Those health inspectors could develop a source of intelligence, act strategically on spurious grounds and then extorting money in return for promising to speed the processing of the ship’s documentation.

3. Effectiveness of inspections depends on the principle of health and safety in the workplace. The owner money for rectification could be taken up by the inspector and cost the owner money for rectification. An international anonymous “whistle-blowing” scheme for workers already operates very successfully in the civil aviation world, all the more reason why the scheme could operate successfully in the shipping world. Those health inspectors could develop a source of intelligence, act strategically on spurious grounds and then extorting money in return for promising to speed the processing of the ship’s documentation. But these problems are largely con- trolled to small ports in countries without the resources and/or the will to control their ships in their registries. 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