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ABUJA MOU AS A FACILITATOR FOR THE IMPLEMENTATION OF IMO INSTRUMENTS IN THE WEST AND CENTRAL AFRICAN REGION

OCHULOR PAUL CHIKA

A dissertation submitted to the World Maritime University in partial fulfilment
of the requirements for the award of the degree of Master of Science in
Maritime Affairs (Maritime Law Policy)

2023

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Declaration

I certify that all the material in this dissertation that is not my own work has been identified and that no material is included for which a degree has previously been conferred on me.

The contents of this dissertation reflect my own personal views and are not necessarily endorsed by the University.



(Signature):

(Date): 25/09/2023

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Supervisor's affiliation: **Maritime Law & Policy**

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Abstract

Title of Dissertation: **Abuja MOU as a Facilitator for the Implementation of IMO Instruments in the West and Central African Region.**

Degree: **Master of Science**

This paper analyses Abuja MoU as a facilitator for the implementation of IMO instruments in the West and Central African regions.

The Memorandum of Understanding on Port State Control (PSC) for the West and Central African Region, commonly referred to as the Abuja Memorandum of Understanding, or Abuja MoU, is a legal document under which the countries of the West and Central African region have agreed to develop and implement a common mechanism for respective port State control activities. This is an agreement between the different maritime administrations of the West and Central Africa Region. The Abuja Memorandum of Understanding is yet to fully catch up in harmonising port State control procedures and practises across all of the region's nations. Abuja MoU is still struggling to end substandard shipping operations in the area, improve working and living conditions for ship crews, and ensure maritime safety and security.

This study identifies the opportunities and challenges Abuja MoU is faced with and highlights its effectiveness.

KEYWORDS: Abuja MoU, Agreement, Challenges, Opportunity, Effectiveness, Harmonisation, Port State Control, Safety, Security

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List of Abbreviations

AFS	Anti-Fouling Systems
APMIAS	Asia-Pacific Maritime Information and Advisory Services
BWM	Ballast Water Management
CDEM	Construction, Design, Equipment and Manning
CLC	Civil Liability Convention
COLREG	Convention on the International Regulations for Preventing Collisions at Sea
EEZ	Exclusive Economic Zone
EU	European Union
FAO	Food and Agricultural Organization
FMOT	Federal Ministry of Transportation
ILO	International Labour Organization
IMO	International Maritime Organization
ISM	International Safety Management
MARPOL	The International Convention for the Prevention of Pollution from Ships
MLC, 2006	Maritime Labour Convention, 2006
MOU	Memorandum of Understanding
NIMASA	Nigerian Maritime Administration and Safety Agency
NPA	Nigerian Port Authority
NSC	Nigerian Shippers Council
PSC	Port State Control
PSCO	Port State Control Officer
SOLAS	Safety of Life at Sea
STCW	Standards of Training, Certification and Watchkeeping
UNCLOS	United Nations Convention on the Law of the Sea
USCG	United State Coast Guard

TCC	Technical Cooperation Committee
WMU	World Maritime University

Chapter 1: Introduction

Port states have begun to participate in the Memoranda of Understanding on Port State Control to coordinate ship inspection operations in order to cover the enforcement gap created by flag States. In accordance with international maritime regulations and, more specifically, the International Maritime Organisation (IMO) instruments, port-States have the authority to inspect ships for compliance with Construction, Design, Equipment, and Manning (CDEM) and certification requirements. With the approval of the United Nations Convention on the Law of the Sea (UNCLOS) in 1982 (which came into effect in 1994), the jurisdiction of port States over ships has been significantly expanded. In addition to defining the territorial sea, the Exclusive Economic Zone (EEZ), and continental shelf, UNCLOS also establishes the port and coastline states' and the flag State's respective areas of jurisdiction. Port states have full jurisdiction over ships that enter their ports, whereas flag States always have unrestricted jurisdiction over the ships under their control. Port States are allowed to set conditions for the use of and entry into ports (Van Leeuwen, 2015).

Following the MARPOL Convention, UNCLOS reaffirmed port States' authority to examine and hold ships accountable for transgressions of international law (such as the IMO and ILO Conventions) while they are in port. France took the initiative to hold a conference on the enforcement efforts by port States after the tragedy with the massive tanker Amoco Cadiz in 1978 (which led to one of the greatest oil spills in global history). As a result, 14 European states adopted the Paris MoU in 1982, which now has 27 members, including Canada (Van Leeuwen, 2015).

The Memorandum of Understanding on Port State Control (PSC) for the West and Central African Region, commonly referred to as the Abuja Memorandum of Understanding, or Abuja MoU, is a legal document under which the countries of the West and Central African region have agreed to develop and implement a common mechanism for respective Port State Control activities. This is an agreement between

the different maritime administrations of the West and Central Africa Region (Maritime Africa, 2022).

According to Nwokedi et al. (2022), the Abuja MoU includes the PSC administration agreement of approximately nineteen maritime nations in the West and Central African sub-regions and is one of the nine (9) Memorandum of Understandings that compartmentalise the world's maritime regions, representing the harmonised system of PSC for different coastal states and sea regions.

The MoU facilitates regional cooperation among the PSCs of the participating nations, which, for any one nation, lessens the burden and requirement to individually inspect all ships calling at its ports (Nwokedi et al., 2022). Under the supervision of the IMO, as of June 14, 2023, the Democratic Republic of the Congo is the 19th Full Member State of the Abuja Memorandum of Understanding on Port State Control for the West and Central African Region (Abuja MoU), which is officially welcomed by the Abuja Memorandum of Understanding Secretariat. The nineteen (19) African states are Angola, Benin, Cameroon, Cape Verde, Congo, Cote d'Ivoire, Gabon, Ghana, Guinea Bissau, Guinea, Liberia, Nigeria, Sao Tome and Principe, Senegal, Sierra Leone, South Africa, the Gambia, Togo, and the Democratic Republic of Congo. The Abuja Memorandum of Understanding was signed on October 22, 1999, in Abuja, Nigeria (Maritime Africa, 2022).

The Abuja MoU aims to harmonise Port State Control procedures and practises across all of the region's nations. By doing so, it will be possible to end substandard shipping operations in the area, improve working and living conditions for ship crews, and ensure maritime safety and security (Maritime Africa, 2022).

The purpose of this study is to identify the challenges and opportunities and highlight ways the Abuja MoU will be ranked as a developed MoU in the implementation of IMO instruments. This research work will explore the institution of port state control

in the west and central African region, in which IMO and regionalization, the legal nature of MoUs, port states and their procedures, and the nine MoUs, including the US Coast Guard, will be examined.

In the following chapter, the study will evaluate the Abuja MoU, its work, relevance, structure, and objectives, some statistics, capacity building in the MoU, the use of technology in information and data sharing, its effectiveness, and its shortcomings.

Chapter 1.1: Problem Statement

It is well known that the shipowners, masters, and flag States of ships are in charge of ensuring that ships adhere to the terms of the relevant IMO instruments. Some flag States violate their obligations under ratified international legal agreements, causing some ships to sail in unsafe conditions, endangering both human lives and the marine environment. With the main goal of eventually eliminating substandard ships, Port State Control was set up as a standardised inspection method (Mediterranean MoU, 2014).

To harmonise PSC surveys, a regional Memorandum of Understanding (MoU) was established, supported by IMO resolution A.787 (19), as amended by resolution A.882 (21) (Mantoju, 2021).

The establishment of regional MOUs has as its goals balancing the demand for ports in the same region to enforce PSC inspection, exchanging data on ships inspected strictly, and harmonising standards for inspection, ship detention, and training of officers conducting inspections under Port State Control (Kara & Oksas, 2016).

The Abuja MoU is yet to fully catch up in harmonising port state control procedures and practises across all of the region's nations. She is still struggling to end substandard shipping operations in the area, improve working and living conditions for ship crews, and ensure maritime safety and security (Maritime Africa, 2022).

Chapter 1.2: Aims and Objectives

The research aims to determine whether Abuja MoU's resultant activities and services have been or remain relevant and effective in the growth and implementation of major IMO instruments within the West and Central African regions. To achieve the above-mentioned aim, the following objectives form the basis of the study:

- To understand IMO and its regionalization agenda,
- To explore the institution Port State Control in West and Central Africa,
- To determine ways to harmonise Abuja MoU port State inspection procedures and practise in line with global practise,
- To determine the effectiveness of Abuja MoU, by examining ways to improve information and data sharing through technology and capacity building,
- To identify and recommend ways the Abuja MoU can be more effective and continue to live up to its expectations.

Chapter 1.3: Research Questions

- How would an understanding of IMO and its regionalization agenda broaden knowledge of MoU?
- What is the institution of Port State Control in the West and Central African regions?
- What are the ways to harmonise Abuja MoU port State inspection procedures and practise in line with global accepted practise?
- How will technology improve and enhance information and data sharing?
- How will capacity building create a well-structured MoU?
- What recommendations would help Abuja MoU continue to be a relevant instrument of IMO in the West and Central African regions?

Chapter 1.4: Significance of the study

The significance of the research is to examine the state of Abuja MoU effectiveness and determine whether Abuja MoU resultant activities and services have been or

remain relevant and effective in the growth and implementation of major IMO instruments within the MoU.

Chapter 1.5: Dissertation structure

This dissertation is divided into four chapters. Chapter two focuses on the literature review of the PSC institution, including the opportunities and challenges of Abuja MoU and related details. Chapter three will describe the effectiveness of Abuja MoU, the research method, data collection, findings, and analysis Chapter four will conclude the research and provide recommendations.

Chapter 2: Literature review

This chapter will examine the understanding of IMO and its regionalisation, the MoUs and its legal nature will also be looked into. Port State Control as an institution, its inspection, procedures, and guidelines will also be looked into. The opportunities and challenges of Abuja MoU, relevant instruments, structure, objectives, and PSC 2021 report statistics of Abuja MoU will be discussed.

Chapter 2.1: Understanding IMO and its Regionalization agenda

In order to ensure that international shipping standards are effectively implemented by the member states, the International Maritime Organization (IMO) plays a critical role in their development and promotion. It is crucial to be able to assess how well IMO member nations are doing at implementing international maritime safety law into practise and enforcing it (Peppia, 2021).

However, as Van Leeuwen (2015) stated, the creation of the regional initiative has been prompted by dissatisfaction with the IMO's degree of ambition as well as the ineffective application and enforcement of IMO standards. As Mantoju (2021) puts it, to encourage regional agreements on ship control, the IMO adopted Resolution A.682 (17) on regional cooperation. Regional Memoranda of Understanding (MoU) were formed to achieve harmonisation of PSC surveys, backed by IMO in resolutions A.787 (19) as amended in resolution A.882 (21) (Mantoju, 2021).

Van Leeuwen (2015) defines regionalization as “the processes of the spatial ordering and organising of activities within regions and the specific governance arrangements needed to accompany these processes.”

In an ecosystem perspective, the regional level is highlighted since it makes it easier to design an ecosystem's integrated and comprehensive sustainability strategy. Additionally, the regional level enables bridging the implementation gap between the

development of international standards and their national application (Van Leeuwen, 2015).

In general, all MoUs share a structural architecture. It includes a preamble, sections on general commitments, relevant instruments, inspection procedures, rectification and detention, information provision, operational violations, training programmes and seminars, organisation, financial mechanism, amendments, administrative provisions, and relevant annexes (Kulchytsky, 2012).

However, regional MoUs and IMO guidelines fall within the category of soft law. In reality, regional Memoranda of Understanding are administrative agreements that do not impose internationally enforceable responsibilities on state parties. They aim to establish a framework of collaboration among maritime authorities in a region or group of governments with similar views on PSC. The regional MoUs provide uniformity and harmonisation for the application, among participating states, of a port State's right to ensure that calling ships comply with internationally agreed rules and standards, primarily on maritime safety and marine environment protection within their Port State Jurisdiction (Kulchytsky, 2012).

Thanks to its various conventions and resolutions to clean up the seas and oceans, the IMO has played a significant role in the development of Port State Control. A component of this reasoning for the cleaning of the marine environment is the Abuja MOU pertaining to the region of West and Central Africa.

Chapter 2.2: The nine international MoUs and one national coast guard

Ten regional PSC regimes that cover almost the entire world can be distinguished. Furthermore, grouping them into regional MOUs and domestic agreements between individual states is both possible and appropriate. According to this classification, there are nine regional PSC MOUs and a USCG PSC programme (Kulchytsky, 2012).

However, the MoU is an administrative agreement, not an international convention; therefore, the parties' obligations are not governed by any obligations that have legal effect elsewhere. The goal is to provide a framework for cooperation among maritime administrations in an area or a collection of states that share the same position on the PSC. The MoU enables the implementation of the right of a port state to verify that visiting ships are compliant with internationally recognised regulations and standards for maritime safety and the preservation of the marine environment within its territorial authority. In the language of the MoU, the word "commitment" is used in place of phrases like "obligation," "duty," and so forth to represent the mandatory nature of the clauses (Kulchytskyy, 2012).

The 1982 Paris MoU: The Paris MoU was the first modern regional MoU, evolving from the Hague MoU after the Amoco Cadiz incident catalysed the strengthening of PSC throughout Europe. The Paris MoU was approved in January 1982 and went into effect on July 1 of that same year. The Paris MoU was the first regional PSC MoU. The successful operation of the Paris MoU led to the creation of the other regional MoUs. The IMO Assembly's 1991 adoption of Resolution A.682(17), which dealt with regional cooperation in the control of ships and discharges, recognised the effectiveness of the Paris MoU in eradicating substandard ships and urged the IMO's parties to take additional regional agreements into consideration. The Memorandum has 27 member states and covers the waters of the European coastal States and the North Atlantic basin from North America to Europe. (Mantoju, 2021). ¹

The 1992 Viña del Mar Agreement: The Acuerdo de Via del Mar was the first of several MoUs that were signed that were modelled after the Paris MoU. The Vina del Mar Agreement, often known as the Latin American Agreement, was signed on

¹ The current member states of the Paris MOU are: Belgium, Bulgaria, Canada, Croatia, Cyprus, Denmark, Estonia, Finland, Germany, Greece, Iceland, Ireland, Italy, Latvia, Lithuania, Malta, the Netherlands, Norway, Poland, Portugal, Romania, Slovenia, Spain, Sweden, and the United Kingdom. The Russian Federation is currently suspended until further notice.

November 5, 1992, in Vina del Mar, Chile. It covers the continents of South and Central America and was ratified in 1992. ²

The 1993 Tokyo MOU: The Japanese Maritime Authority called a meeting in early 1992 to discuss the viability of creating a regional PSC MOU in the Far East. The MOU was signed on December 1, 1993, in Tokyo and went into effect on April 1, 1994 (Mantoju, 2021). ³

The 1996 Caribbean MoU: On February 9th, 1996, the Caribbean MoU was signed at Christ Church, Barbados. ⁴ **The 1997 Mediterranean MoU:** The Mediterranean MoU was created in response to the European Commission's announcement that it would fund a collaboration project backed by the IMO and ILO in an effort to improve maritime shipping safety and pollution control. In 1997, the MoU for the Mediterranean PSC was signed in Malta. ⁵

The 1998 Indian Ocean MoU: The Indian Ocean MoU was finalised in Pretoria in 1998 after an initial conference was held in Mumbai in October 1997 with assistance from India. The Memorandum became effective on April 1st, 1999. ⁶

² The organisation now has fifteen member states: Argentina, Bolivia (Pluractional State of), Brazil, Chile, Colombia, Cuba, Dominican Republic, Ecuador, Guatemala, Honduras, Mexico, Panama, Peru, Uruguay, and Venezuela (Bolivarian Republic of) (Mantoju, 2021).

³ At present, Tokyo MOU consists of twenty-one member authorities: Australia, Canada, Chile, China, Fiji, Hong Kong (China), Indonesia, Japan, Republic of Korea, Malaysia, Marshall Islands, New Zealand, Panama, Papua New Guinea, Peru, the Philippines, the Russian Federation, Singapore, Thailand, Vanuatu, and Vietnam

⁴ Twenty maritime authorities are part of it. Antigua & Barbuda, Aruba, the Bahamas, Barbados, Belize, Bermuda, the Cayman Islands, Cuba, Curacao (formerly the Netherlands Antilles), France, Grenada, Guyana, Jamaica, the Netherlands, St. Kitts and Nevis, St. Lucia, St. Vincent & the Grenadines, Sint Maarten, Suriname, and Trinidad and Tobago (Mantoju, 2021).

⁵ The MOU has 10 full members, and they are Algeria, Cyprus, Egypt, Israel, Jordan, Lebanon, Malta, Morocco, Tunisia, and Turkey (Mantoju, 2021).

⁶ As of December 2019, twenty countries had become parties to the memorandum. Australia, Eritrea, India, Sudan, South Africa, Tanzania, Mauritius, Sri Lanka, Iran, Kenya, the Maldives, Oman, Yemen, France, Bangladesh, Comoros, Mozambique, the Seychelles, Myanmar, and Madagascar (Mantoju, 2021).

The 1999 West and Central African MOU: On October 22, 1999, the Abuja MoU (for West and Central Africa) was signed in Abuja, Nigeria. From Mauritania to South Africa, it includes the waterways of the West, Central, and South African regions (Mantoju, 2021). ⁷

The 2000 Black Sea MoU: The Black Sea PSC MoU was concluded and signed by the representatives of six maritime authorities in Istanbul, Turkey, on April 7, 2000, following preliminary discussions that were funded and arranged by the IMO.⁸

The 2004 Riyadh MoU: Six maritime authorities signed the Memorandum of Understanding (MoU) on PSC for the States of the Cooperation Council for the Arab States of the Gulf in Riyadh in June 2005. ⁹

The 1994 United States Coast Guard PSC Programme: Given that the United States has a lengthy coastline, numerous ports, and a significant number of foreign ships dealing with it, the Coast Guard plays a significant role in the reduction of inferior ships. The fact that the U.S. PSC programme is a single state PSC sets it apart from the MoUs described above (Bang & Jang, 2012).

Almost every part of the world is covered by the MoUs. The United States Coast Guard (USCG) operates its own PSC programme even though the US is not a member authority under any regional MOU.

Chapter 2.3: The legal nature and basis of MoU on Port State Control

One must first define a treaty in order to comprehend the international legal nature of an MoSU. In accordance with Article 2(1)(a) of the Vienna Convention on the Law of

⁷ As of June 14, 2023, nineteen countries had become parties to the memorandum, including: Angola, Benin, Cameroon, Cape Verde, Congo, Cote d'Ivoire, Gabon, Ghana, Guinea Bissau, Guinea, Liberia, Nigeria, Sao Tome and Principe, Senegal, Sierra Leone, South Africa, the Gambia, Togo, and the Democratic Republic of the Congo.

⁸ The six member states are Bulgaria, Georgia, Romania, the Russian Federation, Turkey, and Ukraine (Mantoju, 2021).

⁹ The six are Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, and the United Arab Emirates (Mantoju, 2021).

Treaties from 1969, a "treaty" is defined as "an international agreement concluded between States in written form and governed by international law, whether in a single instrument or in two or more related instruments, and whatever its particular designation." A spoken act is not included when the phrase "in written form" is used. A crucial addition is the phrase "governed by international law," which demonstrates how a treaty creates legal rights and obligations under international law (Bang & Jang, 2012).

The United Nations Convention on the Law of the Sea (UNCLOS) stipulates in Article 218 (1), Enforcement by port state stipulates that, when a vessel enters voluntarily a port or an off-shore terminal of a State, that State may conduct investigations and, if the evidence merits, file procedures in relation to any discharge from the vessel outside the internal waters, in breach of appropriate international laws and standards established by the competent international organisation or general diplomatic conference in, that State's territorial sea or exclusive economic zone." (IMO, 2020).

Article 219: - Measures relating to the seaworthiness of vessels to avoid pollution states that "States that, on request or on their own initiative, have determined that a vessel within one of their ports or at one of their off-shore terminals is in violation of applicable international rules and standards relating to the seaworthiness of vessels and thereby endangers the marine environment shall, to the greatest extent possible, take administrative steps to prevent the vessel from sailing. Such states may allow the vessel to travel only to the nearest appropriate repair yard and, after the reasons for the infringement have been removed, should let the vessel continue immediately." (IMO, 2020).

The requirements contained in IMO conventions comprise SOLAS 1974 regulations I/19, IX/6.2, XI-1/4, and XI-2/9, as modified by SOLAS PROT 1988; articles 5 and 6, regulation 11 of Annex I, regulation 16.9 of Annex II, regulation 9 of Annex III, regulation 14 of Annex IV, regulation 9 of Annex V, and regulation 10 of Annex VI

of MARPOL; article X of STCW 1978; article 12 of TONNAGE 1969, article 11 of AFS 2001; and article 9 of BWM 2004, on control procedures to be followed by a Party of a relevant convention with relation to foreign ships visiting their ports. The effective application of these regulations by port State officials can help discover flaws onboard foreign ships that may render them substandard and guarantee that corrective steps are taken (IMO, 2020).

MoUs are not, however, enforceable contracts. It could be inferred when states make an effort to put some things in writing but do not want to do so in a way that will generate legal rights and duties under international law. An MoU does not create a formal commitment; rather, it simply communicates the parties' convergence of will and identifies a planned course of action in common. It is a more formal option than a gentleman's agreement, which usually refers to a trust-based arrangement rather than a contract with legal force (Bang & Jang, 2012). One of the benefits of an MoU over a treaty is that most states are not required to formally ratify an MoU before it can be put into effect. Additionally, compared to a treaty, an MoU is simpler to alter and adapt.

According to Section 1.1 of the Abuja MoU, “Each authority shall give effect to the provisions of this Memorandum and its annexes. And take the necessary steps to ratify or accede to the relevant instrument.” This component has two consequences that can be inferred. The text calls on States to ratify the pertinent documents first, then put them into effect. Compliance with the provisions of the applicable instruments is automatically implied by the ratification of those documents. As a result, they serve as the basis for controlling ships legally.

Additionally, they are required to respect the flag State, according to certain authors, and are a component of the generally accepted international norms. Article 94 of the Montego Bay Convention of 1982, which states that any State must effectively

exercise its jurisdiction and control in the administrative, technical, and social domains on the ships flying its flag, serves as an excellent reminder of these obligations.

Chapter 2.4: The institution of Port State Control in the West and central African regions

Port State Control (PSC) is the inspection of foreign ships in national ports to ensure that the manning and operation of the ship are in accordance with these instruments, that the condition of the ship and its equipment comply with the requirements of international regulations, and that the ship is operated in a manner that promotes maritime security and safety as well as the avoidance of pollution (IMO, 2020). When it comes to protecting the rights of seafarers, Port State Control becomes even more important. It is essential for maintaining maritime safety and the health of the marine environment.

The institution of Port State Control is not particularly new. It is true that ship control has been practised since ancient times. Since then, checks have been done on ships to make sure they are in good shape in order to prevent accidents, especially during the winter among the Romans. For instance, in Venice throughout the Middle Ages, a system of inspecting ships was used that involved marking with a cross the draft that was not to be exceeded. The Mediterranean port of Venice had the authority to take action against any ship, regardless of the flag it was flying, thanks to a regulation governing the distribution of products on board ships (Zinsou, 2008).

The Abuja MoU stipulates that "each authority shall establish and implement an effective port state control system with a view to ensuring, without regard to flag, that foreign commercial vessels visiting ports in his state are in compliance with the standards established in the relevant instrument." It is true that before the MoU from Abuja was signed, several states in the sub-region, such as the Congo, were already in charge of controlling ships. These regulations, nevertheless, varied widely and were not consistent throughout the sub-region. The signing of the MoU has the benefit of

unifying control, which should have been more effective and better coordinated due to collaboration and information sharing among all the countries included in the agreement (Zinsou, 2008).

What is the meaning of the term control of 'a ship'? As part of the Memorandum's implementation, "the Authorities will conduct inspections, which will include a visit on board a ship, in order to check the validity of certificates and other documents relevant for the Memorandum's purposes, as well as the conditions of the ship, its equipment, and crew, as well as the living and working conditions of the crew." But in order to execute this control, the MoU must often be formally accepted. Formal acceptance requires or implies that the "relevant instruments" in the area of maritime safety have already been ratified. In other words, ratification of the relevant laws and the ability for the port State to exercise control over ships are both legal outcomes of the Abuja MoU's formal acceptance. It must be acknowledged that the Memorandum's formal acceptance has the same results as when a treaty is ratified (Zinsou, 2008).

Van Leeuwen (2015) rightly stated that port states have begun to participate in Memoranda of Understanding on Port State Control to coordinate ship inspection operations in order to fill the enforcement gap created by flag States. The primary responsibility for ensuring that a ship flying its flag is seaworthy and complies with all applicable international treaties resides with the flag State.

Port State Control is an inspection regime designed to eradicate substandard shipping. PSC is not necessary if the flag nations perform their duties flawlessly, but in practise, this is not the case within the Abuja MoU. Of course, the region's seas are full of substandard ships that are dangerous to people, property, and the environment (Mantoju, 2021). The IMO Conventions established the Port States' authority to examine ships for compliance with CDEM and certification requirements. The 1982 passage of the United Nations Convention on the Law of the Sea (UNCLOS)

significantly expanded the jurisdiction of port States over ships (it entered into force in 1994). (Van Leeuwen, 2015).

As Mantoju (2021) puts it, PSC serves as a safety net to capture these substandard ships and protect all parties engaged in the maritime sector. With the main goal of eventually eliminating substandard ships, Port State Control is a set of standardised inspection methods (Mediterranean MoU, 2014).

In addition to achieving its primary goal of seizing vessels that are below standards and non-compliant, it also helps to promote the safety of marine life, property, and the environment. Additionally, it reveals certain flag states that fail to follow the IMO-required requirements and forces such ships to port locations where PSC inspections are less regular or less rigorous (Mantoju, 2021). Ships entering port States are completely under the control of port States. The inspection of foreign ships in national ports to determine the state of the ships and their equipment, as well as whether they are manned and operated in accordance with international norms, is the core function of port State Control (Jeremiah, 2021).

Chapter 2.5: Port State Control inspection

With the growth of shipping and globalisation, PSC inspection is receiving more attention as a crucial tool to safeguard maritime safety (Fan et al., 2022). PSC inspections are meant to be a "second line of defence" against substandard shipping, a backup to flag State implementation. Experience has proven that they can be very effective. Resolution A.682(17) on Regional Co-operation in the Control of Ships and Discharges Promoting the Conclusion of Regional Agreements was adopted by the IMO (IMO, 2022).

Many IMO conventions have clauses requiring governments to check the compliance of foreign ships entering their ports with IMO criteria set down in instruments to which the port State is a party, while also taking into account the principle of no-more-

favorable treatment. If not, they risk being targeted and may be held back or detained while repairs are made (IMO, 2022). The goal of port authorities' inspections is to quickly and effectively detect as many substandard vessels as possible in order to avoid accidents in their waters (Fan et al., 2022).

According to Nwokedi et al. (2022), inspections under Port State Control (PSC) are a crucial step in enhancing ship security and lowering the frequency of accidents. Some MoUs have started to apply the new inspection regime (NIR) in an effort to increase the efficacy of PSC inspections. By conducting thorough safety inspections on the ships in accordance with the provisions and guidelines of the International Maritime Organisation for PSC, coastal nations can exercise control and authority over foreign ships in their home ports through the implementation of Port State Control regimes.

Foreign ships at a nation's ports are inspected to confirm that they have the relevant certificates required under international conventions and that the condition of the ship is largely in accordance with the corresponding certificates. Ships found with faults or defects may be detained in port and may not be allowed to sail until the defects or deficiencies have been fixed. These steps are being taken to make sure that foreign ships are not a danger to the marine environment in the State's waters or a threat to the interests of the State with regard to the safety of life and property.

An inspection often consists of an initial inspection and a more thorough inspection. The purpose of the initial inspection is to ensure that the ship is operating in accordance with relevant international regulations and that its conditions and equipment comply with international treaties. The PSC officers will conduct a more thorough inspection if the ship lacks proper certificates or is thought to be substandard. A ship will be impounded until it no longer constitutes a hazard to maritime safety or the marine environment if it has any defects (Xiao, Wang, et al., 2021).

Port State Control visits onboard a ship will typically begin with the examination of a minimal number of documents, when appropriate (Lagdami, 2012).

- International Tonnage Certificate (1969);
- Passenger Ship Safety Certificate;
- Cargo Ship Safety Construction Certificate;
- Cargo Ship Safety Radio Certificate;
- Exemption Certificate;
- Cargo Ship Safety Certificate;
- Document of compliance (SOLAS 74, regulation II-2/54);
- Dangerous Goods Special List, Manifest, or Detailed Stowage Plan;
- International Certificate of Fitness for the carriage of liquid Gases in Bulk or the Certificate of Fitness for the Carriage of liquid Gases in Bulk, whichever is appropriate;
- International Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk, or the Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk, whichever is appropriate;
- International Oil Pollution Prevention Certificate;
- International Pollution Prevention Certificate for the Carriage of Noxious liquid substances in Bulk
- International Load Line Exemption Certificate;
- Oil Record Book, part I and II;
- Shipboard Oil Pollution Emergency Plan
- Cargo Record Book
- Minimum Safe Manning Document;
- Certificate of Competency;
- Medical Certificate (see ILO convention NO. 73);
- Stability information;
- Safety Management Certificate and copy of Document of Compliance (SOLAS chapter IX);

- Certificate as to the ship's hull strength and machinery installations issued by the classification society in question (only to be required if the ship maintains its class with a classification society);
- Survey Report Files (in case of bulk carriers or oil tankers, in accordance with resolution A. 744 (18));
- For ro-ro passenger ships, information on the A/A max ratio
- Document of authorization for the carriage of grain;
- Special Purpose Ship Safety Certificate;
- High-speed Craft safety Certificate and Permit to Operate High-speed Craft;
- Mobile offshore Drilling Unit Safety Certificate;
- For oil tankers, the record of oil discharge monitoring and control system for the last ballast voyage
- The muster list, fire control plan and damage control plan
- Ship Logbook with respect to the records of tests and drills and the log for records of inspection and maintenance of life-saving appliances and arrangements;
- Procedures and Arrangements Manual (chemical tankers);
- Cargo Securing Manual
- Certificate of Registry or other document of nationality;
- Garbage Management Plan;
- Garbage Record Book
- Bulk Carrier booklet (SOLAS chapter VI, regulation 7); and
- Report of previous Port State Control Inspections.”

When a PSC Officer (PSCO) inspects a foreign ship, the inspection should be restricted to making sure that there are valid certificates and other pertinent documentation on board, unless there are "clear grounds" to suspect that the state of the ship or its equipment does not substantially correspond with the particulars of the certificates (IMO, 2022).

The PSCO also does a general examination of a number of areas on board to ensure that the overall state of the ship--including the engine room, accommodations, and hygienic condition--is in compliance with the standards set forth by the various certificates. A more thorough inspection will be conducted if there are no valid certificates or documents on board or if there are “clear grounds” to suspect that a ship, its crew, or its equipment do not substantially comply with the provisions of a relevant convention. The PSCO will provide the ship’s master with a “clean” inspection report if the ship is judged to be in compliance. The information about the particular ship and the outcome of the inspection will then be entered into the main computer database for the MoU (Mediterranean M.O.U. 2014).

The following are some of the PSC regimes' goals, according to Nwokedi et al. (2022):

- To identify ships that do not adhere to the IMO conventions' internationally recognised safety criteria.
- To guarantee that ships operating under the territorial control of coastal states comply with the safety requirements and clauses in the IMO conventions governing the safety of ships and maritime activities.
- To determine the degree to which the ships adhere to the international treaties and standards governing marine pollution, maritime safety, and the working and living conditions of seafarer’s onboard ships.
- To support the flag state's initiatives to demand compliance from ships and promote successful implementation by flag states.

Chapter 2.6: Port State Control Procedures

The International Maritime Organisation (IMO) has long acknowledged that port States' efforts have significantly improved maritime safety, security, and the prevention of marine pollution. The Organisation adopted resolution A.1155(32) on Procedures for Port State Control, 2019, following successive revocations of resolutions A.1138(31), A.1052(27), A.882(21), A.787(19), A.742(18), A.597(15),

and A.466(XII), to provide basic guidance on the conduct of PSC inspections in support of the control provisions contained in relevant conventions and in the IMO Instruments Implementation Code (III Code) (resolution A.1070(28)) The application of PSC procedures, the conduct of these inspections, and the discovery of ship, equipment, or crew faults are all made consistent by PSC procedures An Assembly resolution containing an updated version of the Procedures for PSC is adopted every two years in response to the ongoing updating of the Procedures for PSC carried out by the Correspondence and Working Groups on Measures to Harmonise Port State Control (PSC) Activities and Procedures Worldwide. (IMO, 2022).

Chapter 2.7: IMO Port State Control (PSC) guidelines

According to Kulchytskyy (2012) in 1981, the first IMO effort to implement the PSC's recommendatory framework took place. There have been a few modifying resolutions since then, with the most recent one being enacted in 2011. The IMO PSC guidelines are gradually becoming more well-developed and complex. The new resolution encourages consistency in the execution of such inspections, offers basic instructions for conducting PSC inspections (though they are fairly detailed), and clarifies the process for assessing problems.

The most crucial aspect to emphasise when talking about the IMO decisions on PSC is that they are not legally binding. The PSC processes only have a persuasive nature, as opposed to some other IMO resolutions that are rendered necessary by explicit mention in the IMO regulatory conventions like SOLAS and MARPOL.

However, it will be demonstrated that a sizable portion of the IMO guidelines on PSC are included in the regional memoranda of understanding, indicating the notable success of the IMO in bringing about a globally consistent PSC regime. Eight instruments are covered by resolution A.1052 (27): SOLAS, SOLAS Protocol 1988, LOADLINE, LOADLINE Protocol 1988, MARPOL, STCW, TONNAGE, and AFS. The use of applicable instruments in regional MoUs varies greatly, ranging from 7 to

15 instruments. In fact, it is one of the main barriers to harmonising regional MoUs because it concerns regional policy among states, and the IMO's view reflects their approach to reaching a consensus in this area (Kulchytsky, 2012).

Two crucial ideas that are featured in all regional Memoranda of Understanding are embedded in the same section. In order to ensure that equal surveys and inspections are conducted, an equivalent level of safety is maintained, and the protection of the marine environment is ensured, the first principle is the no favourable treatment principle, which states that ships that are not Parties or that are smaller than the convention size should not be given any more favourable treatment. It must be determined that such a ship or crew does not pose a risk to the ship or those on board or an unreasonable threat to harm the marine environment when non-party ships to the IMO regulatory conventions lack the necessary certificates or crew members do not have STCW certificates. Another principle indicates that only the provisions of the agreements that are in effect and that the States have recognised should be used while exercising PSC (Kulchytsky, 2012).

As a result, multiple practises of applying instruments within a single regional PSC regime may exist, which is rather undesirable in terms of consistency, especially in those regions where PSC cooperation is poor. It must be stressed that the IMO decisions establishing the PSC guidelines are advisory in nature. However, a sizable number of IMO PSC guidelines have been included in regional MOUs, demonstrating the IMO's major accomplishment in bringing about a uniform worldwide PSC framework (Kulchytsky, 2012).

Chapter 2.8: Abuja MOU: Opportunities and challenges

Chapter 2.8.1: The work of Abuja MoU in the West and Central African regions

At a ministerial conference held in Abuja on October 22, 1999, some States in the West and Central African regions signed an MoU known as the Abuja MoU in

response to IMO Resolution A 682(17) of 1991, which called for a regional framework to deal with the inspection of ships at ports. The goal of this agreement is to end the operation of substandard ships in the region. A substandard ship is described in this context by IMO Resolution A11138(31) as "A ship whose hull, machinery, equipment, or operational safety is substantially below the standards required by the relevant convention or whose crew is not in conformity with the safe manning document." Eliminating substandard ships will improve seafarers' lives and working conditions and foster regional collaboration among member States, ensuring maritime safety (Azubike, 2021).

The Abuja MoU is not an international treaty, convention, or organisation. It is a non-binding administrative agreement between the different maritime administrations in the West and Central African sub-regions. It is a soft law (Zinsou, 2008).

Figure 1: Member States of Abuja MoU



Source: Abuja MOU report, 2021

There are 22 Central and West African States within the region of the Abuja MoU, and 18 have ratified and adopted the relevant international convention; four countries in the region are yet to do so (Abuja MoU, 2018). *In a press release from the secretariat of the Abuja MoU dated June 15, 2023, nineteen (19) countries have become parties to the memorandum, and they include: Angola, Benin, Cameroon,*

Cape Verde, Congo, Cote d'Ivoire, Gabon, Ghana, Guinea Bissau, Guinea, Liberia, Nigeria, Sao Tome and Principe, Senegal, Sierra Leone, South Africa, the Gambia, Togo, and the Democratic Republic of Congo.

Moreover, there are thirteen annexes and fifteen observers, to the Abuja MoU, eight existing MoUs on PSC observers, and other observers which include Burkina-Faso, Mali, the IMO, the Maritime Organisation of West and Central Africa (MOWCA), the ILO, Asia-Pacific Maritime Information and Advisory Services (APMIAS) of the Russian Federation, and Food and the Agricultural Organisation (FAO) (Abuja MoU, 2018).

Thanks to its various Conventions and Resolutions to clean up the seas and oceans, the IMO has played a significant role in the development of Port State Control. This justification for the cleaning of the marine environment includes the Abuja MOU for the region of West and Central Africa. Nigeria has greatly profited from this by implementing an effective maritime security strategy. Nigeria's entry into the maritime security management industry was officially made possible by the Abuja MOU (Zinsou, 2008).

Chapter 2.8.2: Abuja MOU relevant instruments

On the official page of the Abuja MOU, legal documents referred to as relevant instruments for the Abuja MoU region are International Maritime Conventions and Codes, namely:

1. The International Convention on Load Lines, 1966 (LOADLINE 66);
2. The International Convention for the Safety of Life at Sea 1974 (SOLAS 1974);
3. The Protocol of 1978 relating to the International Convention for Safety of Life at Sea, 1974;

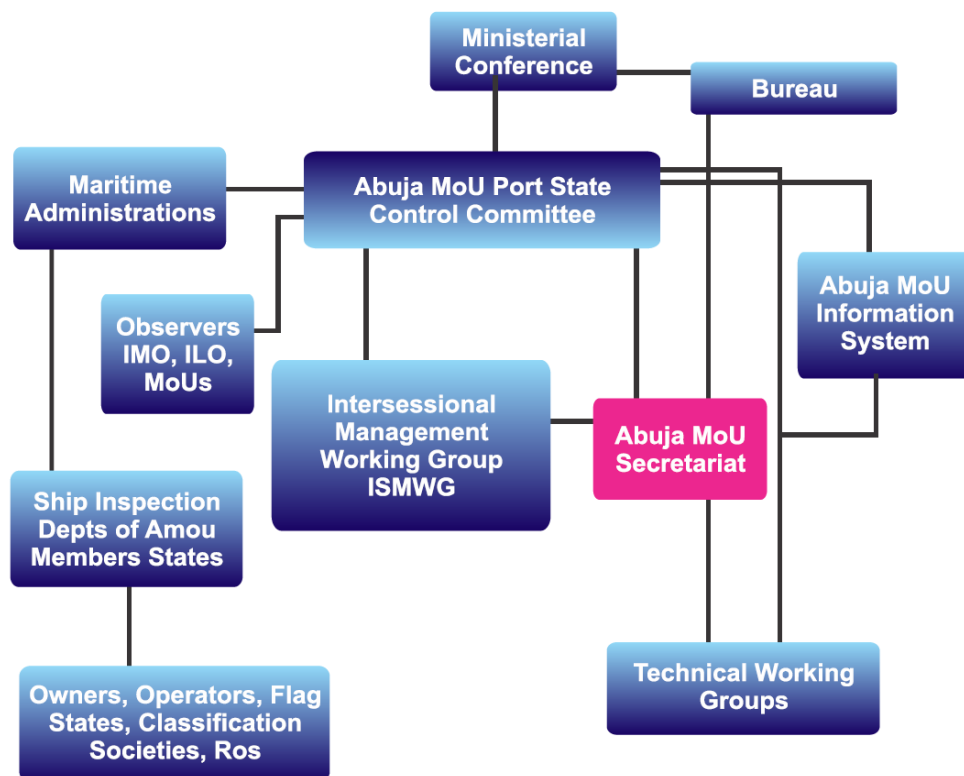
4. The International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relation thereto (MARPOL 73/78);
5. The International Convention on Standards of Training, Certification and Watchkeeping at Sea, 1978 (STCW 78);
6. The Convention on the International Regulations for preventing Collisions at Sea, 1972 (COLREG 72);
7. The International Convention on Tonnage Measurement of Ships, 1969 (TONNAGE 69);
8. The International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004 (BWM 2004);
9. The Bunker Pollution Convention 2001 (BUNKER 2001);
10. The Maritime Labour Convention, 2006 ("MLC, 2006") establishes minimum working and living standards for all seafarers working on ships flying the flags of ratifying countries.
11. International Convention on the Control of Harmful Anti-Fouling Systems on Ships, 2001 (AFS2001)
12. International Convention on Load Lines (LOAD LINE PROT. 88)
13. The International Convention on Civil Liability for Oil Pollution Damage, 1969 (CLC 1969)
14. CLC PROT 1992
15. SOLAS PROT 88

The relevant instruments to which the Abuja MOU refers are enforceable after a State has ratified them; however, the Abuja MOU itself is not enforceable by signatories. In this way, it is possible to determine the legal justification for the mention of these pertinent instruments. The relevant instruments have obvious legal legitimacy in international practise. The Abuja MOU did a great job of giving legal force to these instruments, which are an essential component of the stated language, rather than repeating them in the Memorandum, which would have made for an unattractive contrast. It will be pointless to try to create the world by stealing from others once there are international regulations governing maritime safety. Then, it is sufficient to

verify that the existing regulations are followed, especially since there is always a chance that they could be improved or updated when new issues occur (Zinsou, 2008).

Chapter 2.8.3: Structure and Objectives of the Abuja MOU

Figure 212: Structure of Abuja MOU



Source: Abuja MOU report, 2021

“According to a report on the Abuja MOU (2018), the Abuja Memorandum of Understanding aims to harmonise port state control procedures and practises across all of the region's nations in order to end substandard shipping operations in the area and, as a result, ensure maritime safety and security, the protection of the marine

environment from pollution, and an improvement in the living and working conditions of ship crews.”

Chapter 2.8.4: Port state control statistics of Abuja MOU for 2021

An essential tool for safeguarding the maritime environment is port state control. While some MOUs, like the Paris, Tokyo, and USCG MOUs, have greater experience with PSC inspections, others, like the Riyadh and Abuja MOUs, seem to still be in the developing stage. Substandard ships might eventually disappear if PSC inspections are thorough and productive. This will increase navigational safety and reduce maritime transportation-related dangers on all seas. (Kara & Oksas, 2016).

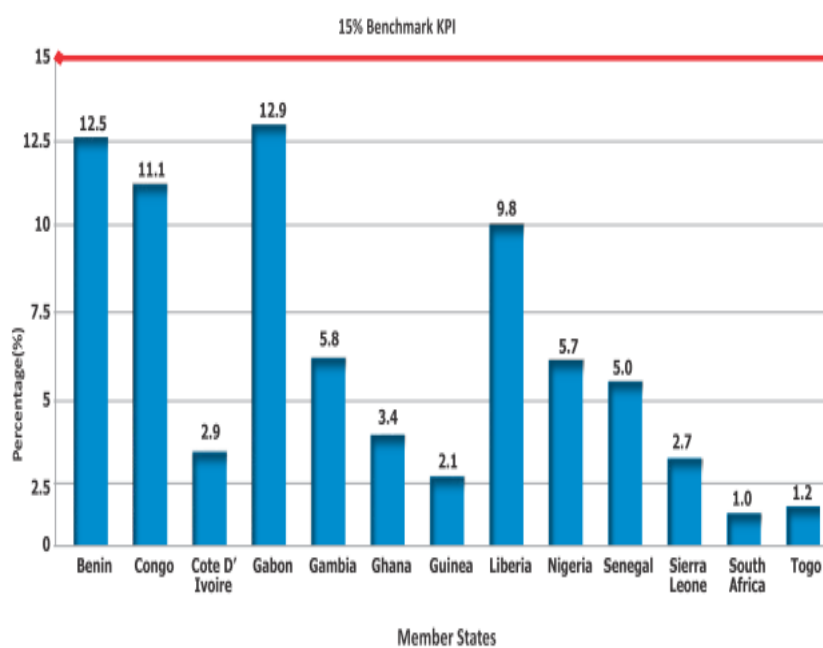
According to the annual report of the Abuja MOU for 2021, a total of 64,943 vessels called on the region, with 2,605 inspected and 23 detentions recorded.

Table 1: Statistics for 2021 port state control inspections

TABLE 1: Inspection Data by Authority							
TABLEAU 1: Données d'Inspection par Autorités							
Authority	No. of Inspections	No. of Detailed Inspections	No. of Inspections with Deficiencies	No. of deficiencies	Percentage of Inspections with Deficiencies	No. of detentions	Detention percentage
Benin	267						
Republic of Congo	258						
Cote d'Ivoire	149						
Gabon	221						
Gambia	26		2	9	7.69		
Ghana	180	5	107	606	59.44	5	2.78
Guinea	107						
Liberia	71	1	4	18	5.63	1	1.41
Nigeria	846	7	104	408	12.29	7	0.83
Senegal	229	6	19	101	8.3	6	2.62
Sierra Leone	41		4	9	9.76		
South Africa	147	4	32	123	21.77	4	2.72
Togo	63						
TOTAL	2605	23	272	1274	10.44	23	0.88

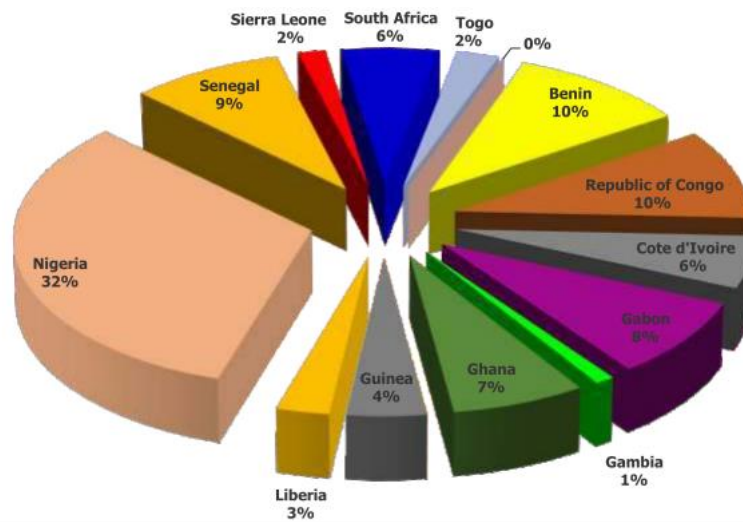
Source: Abuja MOU report, 2021

Table 2: Percentage of inspection by member states with commitment in 2021



Source: Abuja MOU report, 2021

Figure 3: Ratio of total inspections



Source: Abuja MOU report, 2021

Chapter 3: The Effectiveness of Abuja MoU

This section of this research will focus on data collection, research methodology, findings, and analysis that will guide the research on examining the effectiveness of the Abuja MoU. The rest of this chapter is organised as follows: shortcomings of the Abuja MOU, progress towards effective capacity building, enhanced technology for information and data sharing, the effectiveness of the Abuja MOU, and the results obtained from the questionnaire.

Chapter 3.1: Research methodology

The methodology employed in this research with a view to achieving its purpose is comprised of a quality research method. During this research, different sources of materials were used. They are textbooks and articles, PhD and master's theses, international conventions, IMO resolutions, the regional MOUs, EU and national legislation, the Abuja MOU annual reports, and others. Primary data will be collected through a questionnaire (See Appendix 1 on Abuja MoU as a facilitator of the implementation of IMO instruments in the West and Central African region) and secondary data will be collected through desktop research.

Chapter 3.2: Target population

The study will target the following stakeholders that form part of the institutional structure of the Abuja MoU:

Federal Ministry of Transportation (FMOT)

Nigerian Maritime Administration and Safety Agency (NIMASA)

Nigerian Port Authority (NPA)

Nigerian Shippers Council (NSC)

Office of the Abuja MOU

Chapter 3.3: Sampling strategy and sample size

The research will employ a non-probability sampling strategy that will use purposive sampling. Purposive sampling will allow the reader to select and identify respondents that will assist in achieving the study's objectives. This study will purposefully choose stakeholders that form a part of the institutional structure of the MoU under review. The sampling response from each institution will determine the resultant activities of the MoU. However, the aim is to examine the effectiveness of the Abuja MoU.

Chapter 3.4: Data collection

Data collection is the process of obtaining and analysing information on specific variables in a predetermined, systematic way, which subsequently makes it possible to respond to pertinent research questions and assess results. The integrity of the data must be upheld and safeguarded during data collection in order to allow for the identification of intentional or unintentional errors.

A self-administered survey that was produced on Google Forms and electronically sent to the participants was used to collect the data. According to the WMU Research Ethics Protocol, the researcher informed the participants of their identity, permission, and confidentiality.

The research questions were made to show that the Abuja MoU, which is a relevant administrative agreement in the West and Central African region, if adequately applied, makes it possible for the region to get rid of substandard vessels that cause a lot of harm to ships and the marine environment.

This study will make use of primary and secondary sources of information and data collection. The primary sources of information will include questionnaires and data from the Abuja MoU regional office in Nigeria.

The Abuja MoU website, newspaper publications, official documents, websites of international governments and nongovernmental organisations, journals, books, and articles will all be used as secondary sources for the data collection. The project will also use the WMU Library and Maritime Commons.

Chapter 3.5: Data usage and storage

Data collected will be protected, stored safely, and not shared with anyone. Compliance with the Research Ethics Committee will have to be ensured.

Chapter 3.6: Data analysis

The analysis of the collected data is a crucial element of all research undertaken. This research study will make use of the qualitative data analysis method. The data from a qualitative data method is a holistic approach that involves discovery, thus allowing the researcher to explore and better understand the complexity of the phenomenon.

Chapter 3.7: Reliability and validity

The reliability of the study will be maintained by the questions being phrased in such a manner that there will be no room for ambiguous responses.

The validity of the study will be determined by a pilot study of the survey done within the unit to rate it first before it is sent out to the target population. Only completed surveys will be used.

Chapter 3.8: Ethical clearance

The research will meet ethical standards, all participants will give their consent, and their rights and welfare will be protected

Chapter 3.9: Shortcomings of Abuja MoU

According to Kulchytsky (2012), the one and most significant shortcoming of the Abuja MOU in the plethora of PSC regimes is inspection overlap. Vessels trading on the tramp market typically travel from one place to another in response to charterer demand. If a ship is inspected in one MoU region and subsequently sails to another, it may be subject to another inspection in that region. The subject of whether too frequent

inspections lead to weariness among seafarers was legitimately raised. According to surveys with seafarers, they are overburdened with PSC inspections from various locations. Of course, there is a financial side to it as well. The delay of a ship creates additional costs in the transportation of goods. Another significant disadvantage is that PSC regimes are not synchronised with one another.

There is no single, complete database that would allow for the most accurate targeting system. If the PSC regimes in the Abuja MOU are not in a position of firm collaboration, the ship operator of a ship with some defects that need to be remedied in the next port of call, which is in another region, may fail to do so. Different criteria apply in different locations, posing a severe challenge for shipowners to comply with all of them. Especially given the different degrees of qualification of PSCO in each zone (Kulchytskyy, 2012).

Port State Control Rules should be adequate and strictly enforced. The manner in which inspections are carried out does not always allow inspectors to uncover specific faults. According to studies, there is a lack of consistency in inspections even across states that have signed the same MOU, let alone between states that have signed separate MoUs. This scenario is exacerbated by the fact that, despite the presence of MoUs, the substance of restrictions differs from state to state depending on maritime culture and, in some cases, business logic.

This lack of uniformity may cause traffic to be diverted to ports with a reputation for being kinder to visiting ships, allowing reckless shipowners to escape compliance. It is not enough to adopt and commit to following common standards; there must also be consistency in interpretation and implementation (Drame, 2005).

Another flaw of the Abuja Memorandum of Understanding for Reliable and Sound Port State Control is the issue of resources, particularly financial and human resources. Port State Control does not generate a lot of money; therefore, resources are always

going to be scarce. On the contrary, it necessitates the deployment of significant financial assets as well as a large number of highly qualified individuals who must be competent enough to execute the work properly. This has made the Abuja MoU unable to develop sophisticated and reliable Port State Control without external assistance. The Chairman of the Abuja MoU, Mr. Kweku Asiamah, has said the paucity of funds has become a major challenge for the operation of the MoU and called on member States to rise to the challenge (Jeremiah, 2021).

Furthermore, because of their reliance on foreign trade, developing countries may be unwilling to apply strict PSC measures, even if they have the means to do so, for fear of having to pay more for transportation or compromising the competitive position of their own ports. Substandard ships continue to exist because they are the most affordable to charter (Drame, 2005).

Abuja MoU's performance was unstable, which was mostly caused by instability in its investment level and operational management. All of the instability of MoUs applying various inspection regimes is mostly caused by inefficient operation management; however, it can occasionally be due to inefficient technological efficiency and investment scale (Xiao et al., 2021).

Chapter 3.10: Towards effective capacity building

The IMO Resolution A.1138(31) mandates that PSC be carried out by national agents; these duties must be carried out by a suitable number of skilled and trained officers who are authorized by the competent authorities (Azubike, 2021).

Most developing countries lack maritime competence, which has decreased their competitiveness and made it difficult to attract investment. However, a country's attempts to control maritime activity are hampered by its insufficient ability to oversee the maritime area and maritime affairs, which effectively renders maritime legislation

meaningless. Having insufficient capacity in a technical profession like the maritime sector undoubtedly presents appealing prospects for those looking to profit from the lack of effective enforcement of maritime legislation (Ida Ngo, 2019).

Due to their lack of expertise, awareness of what to check and what not to inspect, and understanding of the necessary legislation, which the ships are supposed to comply with, PSCOs in the Abuja MoU zone are occasionally unable to perform inspections. The results of this incompetence include inappropriate inspection, which can cause marine pollution, maritime safety risks, and problems with seafarers' safety (Azubike, 2021).

PSCOs are the cornerstones of conducting PSC. PSCOs should have a thorough understanding of the relevant convention provisions in addition to having a thorough understanding of the standards set out by international agreements and laws. Through regular regional seminars, the IMO Technical Assistance Division, the already-existing MOUs, and other parties can work together to achieve this (Ahmedou, 2000).

The training of PSCOs is essential for every maritime nation as a means of enhancing an effective PSC since the PSCO, whose effectiveness affects the kinds of faults found, determines the safety status of a vessel. The continual addition of new, higher certification criteria is one of the key issues encountered by Port State Control Officers (PSCO). Additionally, because of the high expense of capacity building due to the complexity of port State inspection and the various activities that PSCOs must carry out, nations in the Abuja MOU zone frequently cannot afford these trainings. The ability of several States to afford to train the inspectors individually depends on their economic development positions; this is unquestionably problematic for the Abuja MOU on PSC and its implementation (Azubike, 2021).

Additionally, PSCOs should have seagoing experience as well as qualifications from a recognised institution by the competent authority, specialised training, or experience

as experienced officers qualified as flag state surveyors, masters, naval architects, or chief engineers. PSCO should undertake controls in compliance with IMO Resolutions A.1138 (31) and A.1052 (27) during their education and training. It is crucial to highlight that PSCOs may visit relevant specialists to seek assistance in order to make proper decisions in difficult circumstances when an event or condition calls for a certain aptitude. Most importantly, PSCOs should be familiar with shipping practises, the terms of relevant international agreements, and national laws in order to fulfil their duties and conduct a PSC inspection. This includes taking into account the most recent IMO PSC courses, speaking English with the crew, and reviewing documents that are written in English (Azubike, 2021).

Moreover, PSCO must maintain their knowledge of relevant PSC-related instruments because this will affect how successful and efficient the PSC inspection is. PSCOs should be knowledgeable about all pertinent international conventions pertaining to PSC, such as the MLC 2006, ISM Code, and STCW conventions. Additionally, the IMO provides training to these PSCOs through its Technical Cooperation Committee (TCC), some of which is entirely sponsored by the IMO in coordination with beneficiary member States of the Abuja MoU and regional MOUs.

Chapter 3.11: Enhanced technology for information and data sharing

Information sharing is crucial. To identify and target substandard ships, it must permit unrestricted information and contact between member States. The best and most perfect approach to accomplishing this is by setting up a computer network.

Despite the difficulties that come with MOUs, which have as their goals the elimination of substandard ships and the reduction of unfair competition among ports in the same region, regional harmonisation and information sharing on the safety status of ships among member states are crucial tools in the elimination of substandard ships. There is a need for port authorities within the Abuja MoU to maintain and improve the use of technology for information and data sharing. With a database in place, it will

help to know which vessels need an inspection, which had previous deficiencies, which were recently inspected, and many other such elements that help to identify substandard vessels and make the work of PSCO more productive (Yan et al., 2021).

Records of ship inspections, including ship information (such as identity, type, certificates, dimension, operation information, and historical inspection records within the MoU) and inspection information (such as detailed deficiencies and detention conditions in an inspection) completed by all signatory states within the MoU, are made available to the public in a database. Additionally, it should be noted that different MoUs use different ship selection processes, onboard inspection standards and methods, and data fields (Yan et al., 2021).

A quick and trustworthy communication mechanism is necessary for effective regional cooperation. Creating a computer network is the optimal mechanism. Nevertheless, taking into account the financial status of many member nations, this alternative is very far from being a reality.

Chapter 3.12: The effectiveness of Abuja MoU

The vast maritime space of Africa offers both incredible prospects and notable obstacles. Effective maritime safety and security, as well as good governance, can be achieved by enhancing the region's maritime enforcement capabilities through additional resources, improved maritime domain awareness, strengthened regional cooperation, and ongoing capacity building efforts. As a result, the challenges will be transformed into enormous assets (Ida Ngo, 2019).

According to Emecen Kara et al. (2019), the risk level of maritime transportation is critical because an accident will result in large damages. Due to its fundamental nature, maritime shipping poses a variety of threats to human health and the marine environment. Ships contribute significantly to coastal pollutants, such as oil, sewage, and exhaust emissions. Similarly, ship ballast water causes irreparable biological damage to the maritime ecosystem by transferring alien organisms. In addition to

pollution from ordinary activities, maritime accidents have disastrous consequences for the marine ecosystem. Serious maritime mishaps have happened in the world's oceans over the years, resulting in massive coastal contamination and environmental disasters.

The International Maritime Organisation (IMO) and the International Labour Organisation (ILO) have legislated international conventions to address this issue in order to reduce the risks associated with maritime shipping on the world's seas and to protect both human lives and the marine environment.

These international treaties provide criteria for ship safety, marine environment preservation, cargo handling, and crew competency. Ships that do not meet these standards are labelled as substandard. Flag States are responsible under international law for ensuring that their registered ships' maintenance and operation comply with certain international requirements. Port States are also crucial in removing substandard ships. They check foreign-flagged ships that call on their ports in compliance with international norms, a procedure known as Port State Control (PSC); as a result, these calling ships are encouraged to adhere to international safety and pollution standards. Port States in the same region have come together and signed regional agreements on the PSC in order to develop an effective and durable control mechanism (Memorandum of Understanding on Port State Control—MOU) (Emecen Kara et al., 2019).

It is obvious that the Abuja MoU's implementation is reflected in the significant efforts made by its member countries to make the area a safe maritime environment. There have been significant improvements by member States in getting rid of substandard ships in their waters, as well as improvements in the welfare of seafarers and a dramatic decline in marine pollution in the region, according to a report on the Abuja MoU's performance in 2018 that evaluated its performance for the period between 2010 and 2018. According to the MOU, countries will work together to coordinate equipment

use for PSC inspection and to harmonise national legal systems so that they can jointly fulfil their international obligations (Azubike, 2021).

Abuja's MoU, like other MoUs, offers a lot of advantages. Among them, the development of uniform standards and practises for control and inspections, the gathering and sharing of information about substandard ships among participating maritime authorities, and, most importantly, the avoidance of needless duplication of effort and unjustified shipping delays all contribute to cost savings (Drame, 2005).

Another perspective to look at the effectiveness of the Abuja MoU is that its MoU is and will continue to be a relevant instrument because it clearly establishes Port State Control of ships in the West and Central African regions, and that the legal interest that emerges from the reference to the relevant instrument has a binding force, not forgetting the procedure of amendment of the MOU. The realisation of the effectiveness of the Abuja MOU in the West and Central African sub-region relies on port authority cooperation rather than competition, but competition still exists (Zinsou, 2008).

Countries in similar regions cooperate and abide by memoranda of understanding (MoUs) in order to share inspection information and increase PSC efficiency (Xiao et al., 2021). Like Ahmedou (2000) puts it, one benefit of signing a multilateral agreement is that it paves the way for advantageous member-state cooperation. Even though the control of ships could be carried out in accordance with the relevant international conventions, not all of the States in the sub-region exercise PSC, and those that do, do not employ the same system of control. They now understand how crucial it is for them to work together to encourage self-reliance among one another in order to achieve their development goals in the maritime sector.

As a result of regional cooperation, significant progress in developing their marine industries would be made, as it would improve relations between them in the various

fields of shipping and port-related concerns. These might be accomplished by combining their resources and forming cooperative systems, which would also provide them the opportunity to learn more about other member nations in the sub-region by utilising their maritime industry expertise.

Chapter 3.13: Findings and Data Analysis

The data was collected using the survey method. The electronic survey questionnaire was administered by circulating the survey using emails, introducing the audience to the research, and explaining why the research is being conducted. The advantage of using emails is that they allow the reader to complete the survey in their own free time, which is a better option at times when dealing with institutions. Telephonic interviews will be considered an alternative option to the telephone to maximise response rates.

The survey results from the respondents will be presented. A narrative and pictorial strategy is used in the qualitative research approach. The analysis will provide answers to the research questions given below.

- How would an understanding of IMO and its regionalization agenda broaden knowledge of MoU?
- What is the institution of port state control in the West and Central African regions?
- What are the ways to harmonise Abuja MoU port state inspection procedures and practise in line with global accepted practise?
- How will technology improve and enhance information and data sharing?
- How will capacity building create a well-structured MoU?
- What recommendations would help Abuja MoU continue to be a relevant instrument of IMO in the West and Central African regions?

Chapter 3.14: Questionnaire Survey and Analysis

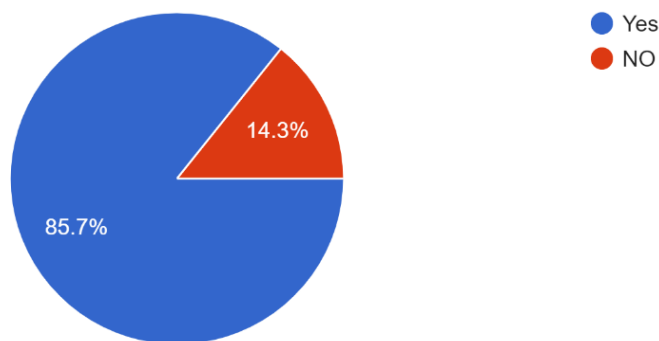
Around 21 participants out of 50 participated in the survey, from different regions of Africa. From the outcome of the survey, the regions of the respondents were very important in carrying out the survey: the majority of the respondents are from West Africa, and the respondents were almost equal in gender responses. This shows the importance of women in the maritime industry, as the newly elected Secretary General of the Abuja MoU is a woman.

The backgrounds of the respondents vary, ranging from maritime administration, port authority, seafarers, customs, and terminal operators. The respondents have been in the maritime industry ranging from 2 years down to 33 years, and almost all are familiar with the term Abuja MoU.

The following sections will show the results of the respondents:

The first question was if the respondent's country signed the Abuja MoU agreement. From the responses received, 85.7% said yes, while 14.3% said no. Figure 4 displays the percentages.

Figure 4: Countries in the region that have signed the Abuja MoU

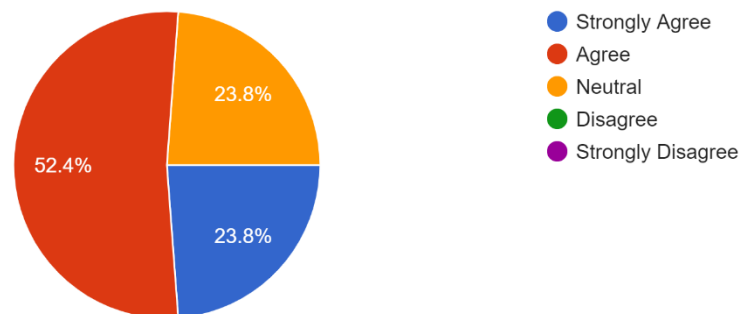


Source: Prepared by Author

To what extent do you agree that the existing inspection procedure be restructured? From the responses received, it is affirmative that there is a need for the existing inspection procedures to be restructured; 23.8% strongly agree, 52.4% agree, and 23.8% are neutral, as shown in Figure 5. Additionally, the manner in which inspections

are carried out does not always allow inspectors to uncover specific faults, which shows a lack of consistency in inspection.

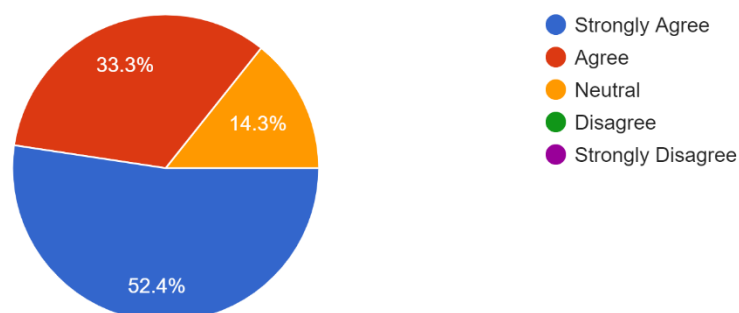
Figure 5: Opinion on the need for existing inspection procedures to be restructured



Source: Prepared by Author

On the question of whether Port State Control officers are made up of multi-disciplinary teams, the responses shows that having Port State Control officers from a multi-disciplinary team is ideal, as 52.4% of respondents strongly agree, 33.3% agree, and 14.3% are neutral. The responses affirm the fact that there is need for the deployment of significant number of highly qualified individuals. Figure 6 displays the result.

Figure 6: Opinion on the need for port state control officers to be made of multi-disciplinary teams

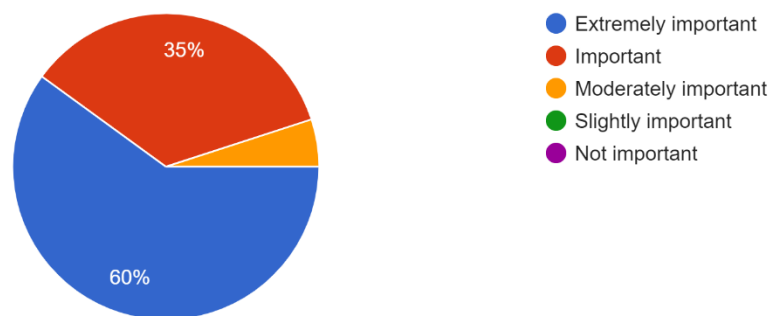


Source: Prepared by Author

On the question of the standard single training policy for Port State Control officers, the feedback received, shows the importance of single training policy for PSCO in order to make Abuja MoU effective and conform with other advanced MoUs. 60%

respondents say it is extremely important, 35% say it is important, and 5% say it is moderately important, as shown in Figure 7

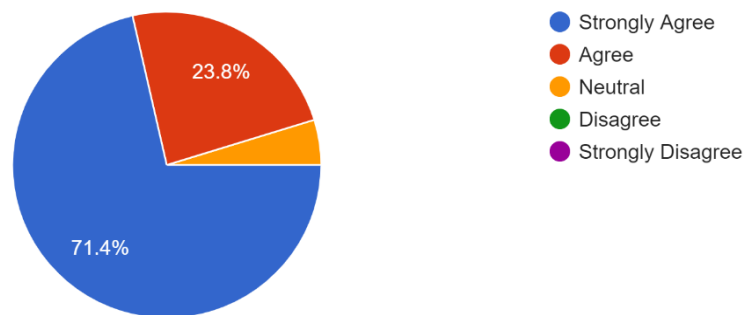
Figure 7: Opinion on the need for a Single Training Policy for port state control officers



Source: Prepared by Author

On the question of whether having proper logistical and operational capacity in place can help mitigate challenges and shortfalls in the Abuja MoU, from the responses, 71.4% strongly agreed, 23.8% agreed, and 4.8% were neutral. The responses show that lack of these in place is detrimental. As displayed in Figure 8,

Figure 8: Opinion on the need for proper logistics and operational capacity to be put in place



Source: Prepared by Author

On the question of whether the existing legal instruments are relevant in preventing substandard ships, protecting the marine environment, and improving the living conditions of seafarers, 30% strongly agree that the existing legal instruments are relevant, 40% agree, 25% are neutral, and 5% disagree. Figure 9 displays the percentages.

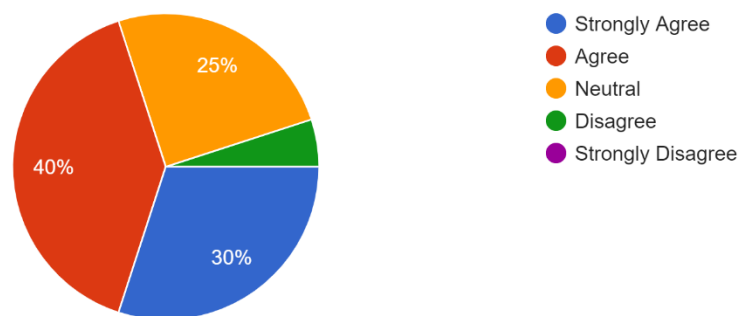
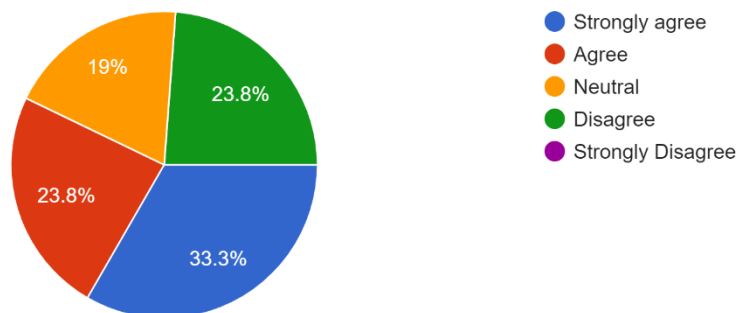


Figure 9: Opinion that the existing legal instruments are relevant

Source: Prepared by Author

Concerning the question of whether IMO and other international organisations are doing enough to assist and create awareness for the Abuja MoU, from the responses received, 33.3% strongly agree that IMO and other international organisations are doing enough to assist and create awareness for the Abuja MoU; 23.8% agree; 19% are neutral; and 23.8% disagree. Figure 10 shows the percentage of specific results.

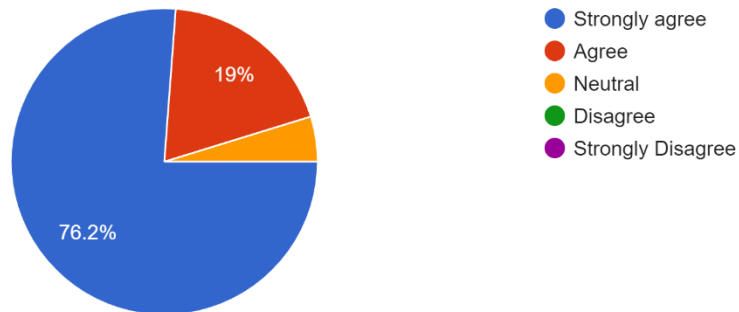
Figure 10: Opinion that IMO and ILO are doing enough to assist and create awareness for Abuja MoU



Source: Prepared by Author

On the question of whether cooperation rather than competition is needed within the MoU to realise its effectiveness, the result affirms that cooperation between and among member states is highly needed, as displayed in Figure 11.

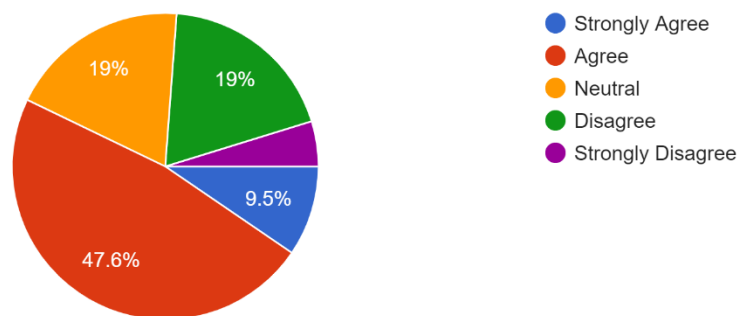
Figure 11: Opinion that cooperation rather than competition is needed within the MoU



Source: Prepared by Author

On the question concerning the effective performance of the Abuja MoU, from the responses, 9.5% strongly agreed, 47.6% agreed, 19% were neutral, another 19% disagreed, and 4.8% strongly disagreed, as shown in Figure 12.

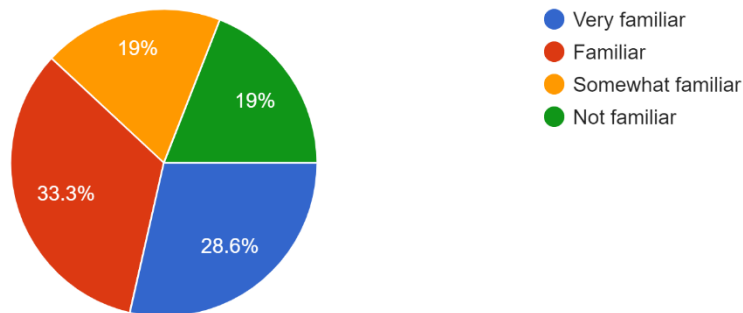
Figure 12: Opinion that Abuja MOU is performing



Source: Prepared by author

On the question of whether the respondents are familiar with the fact that poor information and data sharing are key challenges faced in implementing the Abuja MoU, from the responses, 28.6% are very familiar, 33.3% are familiar, 19% are neutral, and 19% are not familiar. Figure 13 shows their percentages.

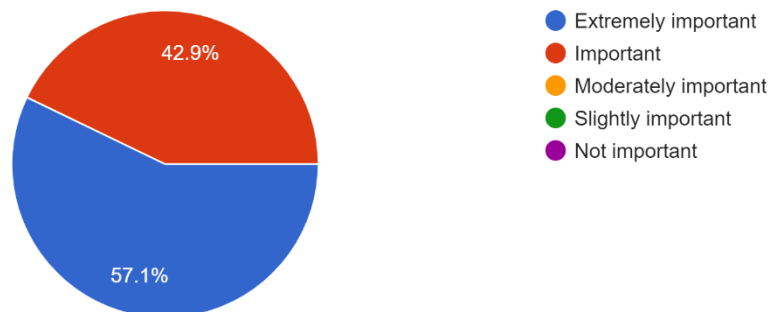
Figure 13: Opinion that poor information and data sharing are key challenges



Source: Prepared by Author

On the question, do the respondents believe that the Abuja MoU as a relevant administrative agreement is essential for the sustainable growth and development of the region? The responses show that 57.1% believe that it is extremely important that the Abuja MoU, as a relevant administrative agreement, is essential for the sustainable growth and development of the region, while 42.9% believe it is important. Figure 14 affirms it.

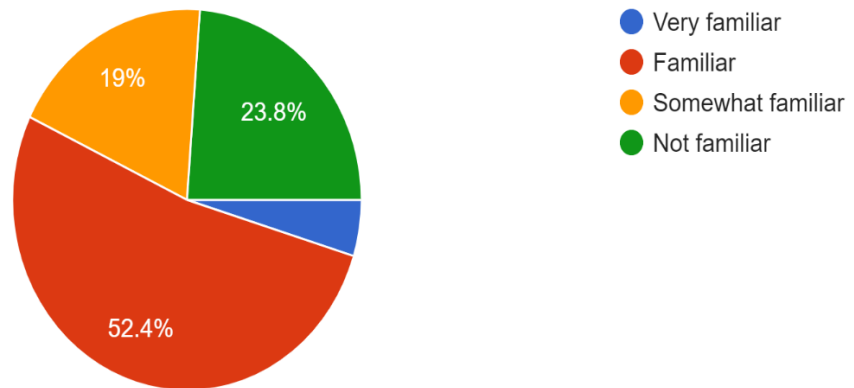
Figure 14: Opinion that Abuja MoU, as a relevant administrative agreement, is essential for sustainable growth and development in the region



Source: Prepared by Author

On the question where the respondents were asked how familiar they are with the notable notification benefits of the implementation of the Abuja MoU in their countries, the responses obtained show that 4.8% are very familiar, 52.4% are familiar, 19% are somewhat familiar, and 23.8% are not familiar, as displayed in Figure 15.

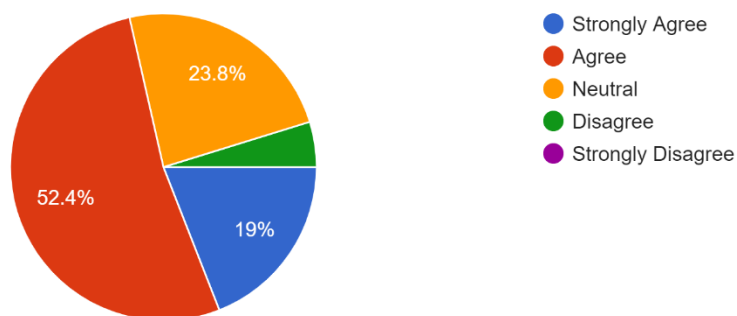
Figure 15: Opinion on notable benefits of the implementation of Abuja MoU



Source: Prepared by Author

In the question concerning the extent to which respondents agree that non-ratification and domestication of major IMO and ILO conventions are key challenges of the Abuja MoU, the following responses obtained show that 19% strongly agreed, 52.4% agreed, 23.8% were neutral, and 4.8% disagreed. Figure 16 displays the percentage.

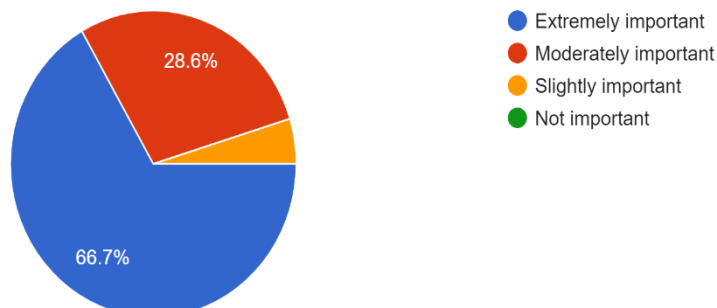
Figure 16: Opinion on non-ratification and domestication of major IMO and ILO conventions by member states



Source: Prepared by Author

From the responses to the question concerning the extent to which respondents believe that enhanced collaboration with other MoUs and seeking assistance when in need will help boost the Abuja MoU as a developed MoU, 66.7% of respondents believe that it is extremely important for enhanced collaboration to exist, 28.6% believe it is moderately important, and 4.8% believe it is slightly important, as shown in Figure 17.

Figure 17: Opinion that enhanced collaboration with other MoUs and seeking assistance will boost Abuja MoU



Source: Prepared by Author

Based on the survey that was made, there are countries in the West and Central African regions that have not yet signed the agreement. As a result, the existing inspection procedures in the region need to be restructured, the Port State Control officers should be made up of multi-disciplinary teams, and almost all the respondents agreed that there is a need to adopt a standard single training policy for Port State Control officers, where proper logistics and operational capacity should be in place.

On regulation policy, according to the results obtained from the analysis, all the existing legal instruments are relevant, and though the region is still a developing one, countries that have yet to ratify or accede to the relevant conventions are urged to do the needful. Special attention should be paid to the creation of suitable marine laws so that the terms of the international conventions can be effectively ratified, domesticated, and implemented. Countries in the region should not just join international accords without taking part in their development; this will enhance port state control officers' inspection activities in the region.

From the survey, it shows that IMO and ILO should do more and maintain activities to assist in developing MoUs like the Abuja MoU, with activities like joint ministerial meetings, annual meetings of all MoU PSC committees, and increased technical and financial assistance.

Still, the responses to the survey that was carried out show that cooperation rather than competition is needed within the Abuja MoU for her to perform effectively. In a situation where there is no cooperation within the MoU, it will result in a lack of information and data sharing, which the Abuja MoU is battling with.

The majority of the respondents believe that the Abuja MoU is a relevant administrative agreement and, thus, essential for the sustainable growth and development of the region, but still frown that notable notification benefits in the implementation of the agreement are low. For this reason, based on the survey conducted, enhanced collaboration with other advanced MoUs and seeking assistance when needed will help boost the Abuja MoU to a greater height.

Based on the recommendations obtained from the survey, the results show that there is a gap in the Abuja MoU as a facilitator for the continuous growth and implementation of major IMO instruments in the regions. The signing countries must show a significant commitment to the MoU's implementation, which includes providing the resources, finances, and administrative assistance required to carry out Port State Control activities successfully and investing in maritime authority, training, and capacity-building programmes.

The political willingness and readiness of the state's involved to domesticate relevant international conventions to have national law in place for effective implementation

Chapter 4: Conclusion and Recommendations

Since the signing of the Abuja memorandum of understanding in 1999, which is a written agreement among West and Central African states outlining their commitment to collaborate on a certain project or activity, though not a legally binding document, it is a declaration of intention of the terms and conditions of the agreement between the parties.

Although the use of PSC as a tool for maritime safety administration under the authority of the Abuja MoU on PSC has successfully accomplished a downward trend in the use and proliferation of unseaworthy and non-compliant vessels in the region, the Abuja MoU appears to be a developing MoU (Nwokedi et al., 2022).

Since PSC is not a formal inspection and the effectiveness of such restrictions largely depends on the authority examining the ships, there are challenges to creating an effective MoU in the West and Central African region. There are a variety of challenges facing the member states, all to varying degrees. These challenges include the state of ratification of international agreements, a shortage of qualified surveyors, linguistic difficulties, financial limitations, inadequate infrastructure, and congestion in some ports. Thanks to the work of the IMO, the situation regarding the ratification of international agreements has lately improved (Ahmedou, 2000).

The most effective regional MOUs, the Paris and Tokyo MoUs, have a large number of economically powerful governments, cover densely travelled vessel regions, have suffered vessel pollution disasters, and have self-initiated regional PSC MoUs. The parties to the Abuja MoU lack the infrastructure, technology, financial capacity, action plans, and policies required for the MoU to function effectively. The disparity in regional PSC MoUs poses an unavoidable dilemma. Vessels that are likely to encounter difficulties in a strong PSC regime will relocate to a place where being

targeted by a PSC regime is less likely to occur. Substandard vessels will essentially "region shop" (Bang & Jang, 2012).

This is an intractable challenge with the Abuja MoU and other developing MoUs because each location has different operating constraints, but advanced MoUs and the IMO should continue to collaborate and create solutions to solve circumstances in which substandard ships relocate to regions where PSC is used less aggressively. A structured mechanism in which more advanced regional MoUs support less advanced MoUs could eliminate regional MoU disparities (Bang & Jang, 2012).

Substandard ships may be removed over time in the West and Central African regions if PSC inspections are strict and effective. This improves navigation safety and reduces the dangers associated with maritime traffic on all seas (Kara & Oksas, 2016). To address certain shortcomings in the Abuja MoU, a few recommendations should be considered as a solution.

The role of the Maritime Administration: Maritime Administrations are important for the expansion of economies. However, it has consistently had to deal with issues including poor infrastructure development, a lack of human resources, inadequate training facilities, and a lack of funding. It is clear that the maritime industry is in desperate need of well-trained and qualified human resources who can raise the standard of services provided by maritime administrations as a result of the industry's continued growth, which makes it more challenging due to the growing obligations involved. Only a few institutions have developed the capacity to meet all obligations as required (Ida Ngo, 2019).

In the region, the majority of maritime administrations are still developing. They struggle with the absence of adequate organisational mechanisms that address all maritime issues. In this regard, special attention should be paid to the creation of suitable marine laws so that the terms of the international conventions can be

effectively implemented. In the hierarchy of these legal concerns' importance, a focus on Maritime Safety and Environmental Protection should be at the top.

In addition to the legal considerations, maritime administrations should take a proactive role as the primary entity in charge of defending the nation's interests; one illustration of this deficiency is their underwhelming involvement in the development of international legislation. In light of this, some countries' sole option is to ratify or join international accords without taking part in their development. Conventions that have been ratified or acceded to occasionally fall far short of actual national potential and capability. It is crucial to stress the significance of attending IMO meetings in this setting (Ahmedou, 2000). As more defective vessels violate the IMO conventions and safety standards, PSCO inspection activities within the purview of the Abuja MoU on PSC should be continuously increased (Nwokedi et al., 2022).

Training and education: The cornerstones of conducting PSC are PSCOs. PSCOs should have a thorough understanding of the relevant convention provisions in addition to having a thorough understanding of the standards set out by international agreements and regulations. Periodic regional seminars can be used to do this in conjunction with the already-existing MoUs and the IMO Technical Assistance Division. The study of English, which is becoming the primary international working language and language of maritime communication, should also be given special consideration (Ahmedou, 2000).

Co-operation and communication: An efficient and dependable communication mechanism is necessary for conducting PSC with effective regional cooperation. Creating a computer network is the optimal mechanism. Nevertheless, taking into account the economic position of many member nations, this alternative is very far from being a reality (Ahmedou, 2000).

The financial issues: The member states' level of financial commitment is a key factor in the success of multilateral organisations. The annual payment to the secretariat budget ought to be calculated based on the total annual gross tonnage of foreign ships calling at member ports. However, the majority of the region's nations are facing challenging economic circumstances. To resolve this issue, port authorities, which are typically in superior financial standing, should take on this duty in place of their respective maritime administrations. Additionally, governments of member states should make it easier for donor nations or groups to receive donations and subscriptions (Ahmedou, 2000).

Harmonisation: The Abuja MoU calls for regional harmonisation of the inspection, but the PSCO's work at this level is not simple. Member states of the Paris MoU have specifically opted against using checklists for inspections. This is done to promote the PSCOs' professional judgement while also reducing the rigidity and inflexibility of the inspections. Therefore, it is crucial that inspectors in the area come to a mutual understanding and consensus. Through regular PSCO seminars, this can be accomplished (Ahmedou, 2000). Joint ministerial meetings to improve information exchange, annual meetings of all the MOUs' PSC Committees, hosted by the IMO to coordinate activities, and an increase in technical and financial assistance, such as training inspectors, are ways developed state MoUs can help developing state MoUs. The IMO should think about creating PSC MoU management strategies. This might improve how well ships adhere to the minimum requirements set forth in international maritime agreements (Bang & Jang, 2012).

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Appendices

Appendix 1: Questionnaire on Abuja MoU as a facilitator of the implementation of the IMO instruments in the West and Central African region.

ABUJA MoU AS A FACILITATOR FOR THE IMPLEMENTATION OF IMO INSTRUMENTS IN THE WEST AND CENTRAL AFRICAN REGION

1. What region of Africa are you from?

Mark only one oval.

- ☐ Central Africa
☐ West Africa
☐ East Africa
☐ Southern Africa
☐ North Africa
☐ Option 6

2. What is your gender?

Mark only one oval.

- ☐ Male
☐ Female

3. What group do you represent?

Mark only one oval.

☐ Maritime Administration

☐ Port Authority

☐ Seafarer

☐ Customs

☐ Other: _____

4. How long have you been involved in Maritime related activities?

5. Do you understand the term Abuja MOU?

Mark only one oval.

☐ Yes

☐ No

6. Has your country signed the Abuja MOU agreement?

Mark only one oval.

☐ Yes

☐ NO

7. To what extent do you agree that the existing inspection procedure be re-structured

Mark only one oval.

- ☐ Strongly Agree
☐ Agree
☐ Neutral
☐ Disagree
☐ Strongly Disagree

8. To what extent do you agree that the Port State Control (PSCO) be made of multi disciplinary teams

Mark only one oval.

- ☐ Strongly Agree
☐ Agree
☐ Neutral
☐ Disagree
☐ Strongly Disagree
☐ Other: _____

9. To what extent do you believe that there should be a standard single training policy for PSCOs

Mark only one oval.

- ☐ Extremely important
☐ Important
☐ Moderately important
☐ Slightly important
☐ Not important

10. To what extent do you believe that proper logistic and operational capacity in place can help mitigate challenges and short comings in Abuja MOU

Mark only one oval.

- ☐ Strongly Agree
☐ Agree
☐ Neutral
☐ Disagree
☐ Strongly Disagree

11. To what extent do you agree that the existing legal instruments are relevant in preventing substandard ships, protect the ship and marine environment and improve the living and conditions of seafarers?

Mark only one oval.

- ☐ Strongly Agree
☐ Agree
☐ Neutral
☐ Disagree
☐ Strongly Disagree

12. To what extent do you agree that IMO and other International Organizations are doing enough to assist and create awareness for Abuja MOU

Mark only one oval.

- ☐ Strongly agree
☐ Agree
☐ Neutral
☐ Disagree
☐ Strongly Disagree

13. To what extent do you agree that cooperation rather than competition is needed within the MOU to realize its effectiveness

Mark only one oval.

- ☐ Strongly agree
☐ Agree
☐ Neutral
☐ Disagree
☐ Strongly Disagree

14. To what extent do you agree that the Abuja MOU is performing effectively?

Mark only one oval.

- ☐ Strongly Agree
☐ Agree
☐ Neutral
☐ Disagree
☐ Strongly Disagree

15. How familiar are you, that poor information and data sharing are key challenges faced in implementing the Abuja MOU?

Mark only one oval.

- ☐ Very familiar
☐ Familiar
☐ Somewhat familiar
☐ Not familiar

16. To what extent do you believe that the Abuja MOU as a relevant administrative agreement is essential for the sustainable growth and development of the region

Mark only one oval.

- ☐ Extremely important
☐ Important
☐ Moderately important
☐ Slightly important
☐ Not important

17. How familiar are you with the notable notification benefits in the implementation of Abuja MOU in your country?

Mark only one oval.

- ☐ Very familiar
☐ Familiar
☐ Somewhat familiar
☐ Not familiar

18. To what extent do you agree that there non-ratification and domestication of major IMO and ILO convention are key challenges of the Abuja MOU?

Mark only one oval.

- ☐ Strongly Agree
☐ Agree
☐ Neutral
☐ Disagree
☐ Strongly Disagree

19. To what extent do you believe that enhanced collaboration with other MOUs and seeking assistance when in need will help boost Abuja MOU as an important MOU

Mark only one oval.

- ☐ Extremely important
- ☐ Moderately important
- ☐ Slightly important
- ☐ Not important

20. What would you recommend, to be put in place, in order to make Abuja MOU effective?

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