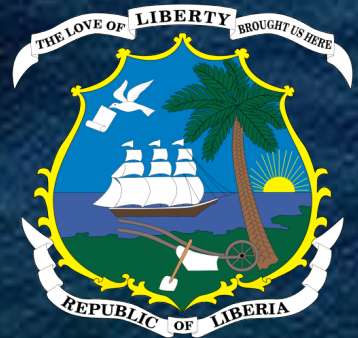


# National Maritime Strategy

2024-2028

*Collaboration, Innovation and Partnerships*



## **Executive Summary**

Liberia's position as a major global flag State, as well as a port and coastal State, demands a long-term strategic vision for ensuring compliance with international maritime instruments (treaties, conventions, protocols, agreements and codes) to which Liberia is a State Party. This is essential for our international maritime interests, the national economy and the continuance of Liberia's image as a major flag State.

This National Maritime Strategy is a long-term strategic roadmap for developing, enhancing and maintaining our maritime culture, whilst ensuring continual and effective implementation and enforcement of those international maritime instruments to which Liberia is a State Party. This Strategy has six main goals, namely:

- Cooperating to ensure a safe and environmentally friendly maritime sector;
- Fully incorporating international maritime instruments into national legislation;
- Improving maritime safety and security;
- Enhancing marine environmental protection;
- Ensuring a vibrant and progressive maritime sector; and
- Establishing a robust monitoring and evaluation program that seeks continual improvement.

The key objective of this Strategy is to provide an administrative, technical and legal framework for the ratification, domestication and enforcement of IMO and other maritime related instruments to which Liberia is a State Party. This will facilitate many issues, among which are the following:

- Provide a framework to adequately incorporate international instruments into national legislations by developing comprehensive maritime laws and regulations that encompass the standards as enshrined in those instruments.
- Continuously enhance the effectiveness of our performance as a flag, port and coastal State through improved inspection and survey programs.
- Strengthen strategic partnerships with relevant participating national institutions in the maritime administration and stakeholders to effectuate clear delegation and assignment of authority and responsibilities consistent with the statutory mandate of said institutions, with a view to ensuring coordination of efforts and effective utilization of resources to meet the State's national and international obligations and responsibilities.

The Strategy highlights the importance of innovation and collaboration amongst relevant government institutions. This is essential for the achievement of the strategic goals, which rely on genuine and functional cooperation amongst the relevant stakeholders of the government. This is further detailed in the process areas, which requires the whole Government approach, in particular the participating entities to bring this Strategy to fruition through a committed and sustained partnership between all concerned parties.

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# **I NATIONAL MARITIME STRATEGY**

## **Introduction**

1.1 The significance of international trade to the Liberian economy cannot be over emphasized, considering that Liberia is about 54 percent dependent on maritime activities and 90 percent of its imports are transported by sea. This has made Liberia heavily dependent on maritime transport and shipping in general for its economic development and prosperity. All of this is partly due to its strategic geographic location in the middle of the Gulf of Guinea, and its role as a major flag State.

1.2 The country has a coastline of 450 miles, with about 60 percent of its population dependent on the sea for their livelihood. Furthermore, Liberia has the largest ship registry in the world with a total fleet of over 5,000 vessels amounting to more than 200 million gross tons. Accounting for 14 percent of the world's ocean-going fleet. This dominant position comes with significant responsibilities and accountability to other States under various international instruments (treaties, conventions, protocols, agreements and codes). Therefore, it puts Liberia in a special and strategically significant position in terms of the ratification, implementation and enforcement of international conventions.

1.3 Having a 450-mile coastline also gives Liberia significant coastal State obligations, which include protecting the marine environment, ensuring safety of navigation and rendering assistance to those in distress. Additionally, Liberia has four seaports which come with the associated port State responsibilities, obligations and rights.

1.4 The National Maritime Strategy provides the administrative, legal and technical framework for the effective and efficient ratification, implementation and enforcement of international maritime instruments for the Republic of Liberia. The Strategy presents the main strategic goals to ensure Liberia fully meets its international obligations and responsibilities with respect to those maritime instruments to which it is a State Party and as listed in Annex 1 to this Strategy.

1.5 It identifies the collaborating entities, stakeholders, and actors involved in the maritime sector of Liberia. It specifies their roles and responsibilities in the implementation and enforcement of international maritime instruments, with a focus on developing a safe, secured and efficient shipping environment. All of these are done taking into consideration the traditional maritime activities of Liberia, such as the registration of ships, commercial shipping, fisheries management, port operations, among others.

## **Vision Statement**

1.6 To become a vibrant maritime nation for the development and implementation of a robust regulatory regime to promote safe, secure and cleaner oceans while delivering quality services in making shipping more efficient and sustainable.

## **Mission**

1.7 To ensure that Liberia is in full compliance with its obligations and responsibilities that are derived from applicable international maritime instruments for the promotion of safe navigation, safety of life at sea, prevention and control of pollution from ships and the welfare of seafarers.

## **Goals**

1.8 The goals of the Strategy are:

- .1 cooperating to ensure a safe and environmentally friendly maritime sector;
- .2 fully incorporating maritime instruments into national legislation;
- .3 improving maritime safety and security;
- .4 enhancing marine environmental protection;
- .5 ensuring a vibrant and progressive maritime sector; and
- .6 establishing a robust monitoring and evaluation program that seeks continual improvement.

## **Objective**

1.9 The objective of this National Maritime Strategy is to provide administrative, technical and legal framework for the ratification, implementation and enforcement of international maritime instruments to which Liberia intends to become a Party or a State Party. In doing so, this framework will support the attainment of quality shipping and provide a systematic and documented methodology to facilitate the following:

- .1 establishing a committee named and styled the National Maritime Committee that will collaboratively facilitate the smooth running of the maritime sector of Liberia;
- .2 strengthening strategic partnerships with national institutions and stakeholders to ensure clear delegation of authority and responsibility to ensure effective coordination of efforts and utilization of resources;
- .3 providing a documented process to adequately incorporate international instruments into national legislations by developing relevant and comprehensive maritime laws and regulations;
- .4 implementing maritime instruments effectively through the development of robust programs that seek to ensure safety of navigation and safety of life at sea;

- .5 enforcing marine environmental regulations that seek to prevent and control pollution from ships and promote regional and international cooperation in terms of emergency oil spill response;
- .6 continuously enhancing the effectiveness of our performance as a port, coastal and flag State through improved survey and inspection programs;
- .7 establishing a national process for local training and assessment of seafarers; and
- .8 establishing an effective system for meeting the reporting requirements and other relevant information through GISIS and to other relevant authorities.

### **Actions**

1.10 Strategic actions, as contained in this document, will be implemented following the below systematic procedures in order to make informed decisions and to achieve the desired results.

1.11 A framework for collaboration will guide the relevant stakeholders to make pertinent decisions in a coordinated and integrated manner in the various areas of responsibility as will be outlined in areas for collaboration contained in Annex 2 to ensure the attainment of the goals and objectives of this Strategy.

1.12 To ensure that the Strategy is executed and accounted for in a structured and formal manner, and to achieve uniformity in the implementation of strategic actions, the below five core elements will be cardinal to the success of the Strategy:



**REVIEW**

Constantly review progress of the country's obligations to international maritime treaties

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**ACHIEVE**

Work towards achieving the requirements of international conventions and ensure Liberia remains in compliance and competitive as a flag, port, and coastal state

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**MAINTAIN**

Cooperate with stakeholders to maintain a stable regulatory framework

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**IMPROVE**

Develop a post audit manual that will provide guidance for continuous improvements. Have in place measures that will identify gaps and non-compliance and take corrective actions.

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**MONITOR &  
EVALUATE**

Setup an effective monitoring and evaluation mechanism to ensure that implementation and enforcement exercises are in compliance with international and national instruments

*Figure 1: framework for Strategic Actions*

## II COLLABORATION, INNOVATION AND PARTNERSHIPS

### Promoting Innovation and Strategic Partnerships

2.1 Innovation and strategic partnerships are key components of collaboration in a dynamic sector such as maritime and international shipping. The constant development of new technologies and the assimilation of new ideas to deal with them necessitate the regular updating of the regulatory framework and the development of new ones. In this regard and for Liberia to remain current with international shipping the evolving maritime governance paradigm, collaboration amongst all relevant stakeholders in the maritime sector is essential. To this end, this collaborative framework has captured those stakeholders, their roles and responsibilities in the delivery of this National Maritime Strategy.

### LiMA and the National Maritime Strategy

2.2 The Liberia Maritime Authority (LiMA) is the agency of the Liberian Government that is responsible to monitor, coordinate and regulate the maritime sector of the country. It was established in 2010 as a body corporate by an Act of the National Legislature. It was previously the Bureau of Maritime Affairs, which was established in 1948 for the administration of the Liberia Maritime Program. LiMA was established to:

*“(1) Administer, secure, promote, regulate, enforce, design and execute policies, strategies, laws and regulations, plans and programs relating, directly and indirectly to the functioning, growth and development of the maritime sector and national maritime awareness;*

*(2) Collaborate, coordinate, and consult with the Ministry of National Defense (specifically the Coast Guard), The Ministry of Justice (Police, Immigration, and other relevant law enforcement agencies), the Ministry of Finance (Customs), the National Port Authority (the "NPA"), the Ministry of Agriculture (the Bureau of Fisheries) [now National Fisheries & Aquaculture Authority (NaFAA)], the National Oil Company of Liberia (NOCAL), the Ministry of Transport ("MOT"), and other government institutions engaged in activities related to the maritime sector which exist or may be established in the future, with a view to working together to promote the country's social and economic development associated with or growing out of the national maritime, marine and related programs and activities;*

*(3) Introduce and promote the enactment of national legislations in the exercise of the rights and discharge of the responsibilities of the Republic of Liberia under the United Nations Convention on the Law of the Sea of 1982 and any other maritime related international conventions, agreements and instruments.*

*In furtherance of its objectives, the Liberia Maritime Authority performs the following functions:*



*(1) Administers the Liberia Maritime Authority Act and all of the provisions contained therein and the maritime affairs of the Republic. In that connection, the Authority shall have limited law enforcement powers connected to the maritime and marine programs and activities to ensure strict adherence to any regulations and rules promulgated under the Act or pursuant thereto, including developing and implementing policies and measures, performing administrative acts, and enforcing the laws and regulations applicable to the maritime sector, in coordination with other relevant government agencies and institutions, which by law have national and specific law enforcement powers;*

***(2) Develops, coordinates and implements the National Maritime Strategy;***

*(3) Promotes, facilitates and encourages the development of the maritime administration and sector of Liberia;*

*(4) Regulates, controls and administers all regulatory matters related to the standards for merchant shipping, and all foreign and domestic water-borne commercial and noncommercial activities as provided for under the Liberia Maritime Law or any other related law in keeping with Section 4(2) herein above, and consistent with prevailing Liberian laws, so to avoid duplication of or conflict with the functions of other Government Agencies;*

*(5) Participates in and represents the Government at international organizations, conferences, seminars, workshops and other meetings dealing with maritime-related matters;*

*(6) Carries out, operates and participates in any maritime project or undertaking;*

*(7) Coordinates and assists in the growth and development of the maritime sector and other maritime related industries in Liberia;*

*(8) Expands and creates maritime employment opportunities for Liberian seafarers, to include training and certification;*

*(9) Advises the Government on any matters relating to maritime affairs and any other matters relating to the functions and duties of the Authority; and*

*(10) Provides the President of Liberia, and the appropriate Government authorities, with information of audited accounts, reports and any and all records of activities of the Authority. If requested by the President of Liberia and other appropriate authority, the Authority shall provide all other information relating to assets, liabilities and the functioning of the Authority consistent with the requirements of prevailing laws.”*

## **The National Maritime Committee**

2.3 In order to develop inter-agency collaboration, the National Maritime Committee will promote innovation and strategic partnerships amongst those entities of the Government of Liberia as stipulated in Section 4(2) of the Liberia Maritime Act of 2010, which collectively shall be named and styled as the “maritime administration”. Membership of the Committee will be extended to other entities with vested interest as may be determined from-time-to-time.

2.4 LiMA, as the lead government agency responsible for administering and regulating maritime activities in the Republic of Liberia, will coordinate the functions of the National Maritime Committee, with a view to enhancing the implementation of international, regional, and national regulations geared towards ensuring a safe, secure and environmentally friendly maritime sector.

2.5 The National Maritime Committee, in collaboration with other stakeholders, will work concertedly to enhance the sharing of information and knowledge through a well-defined communication and reporting system.

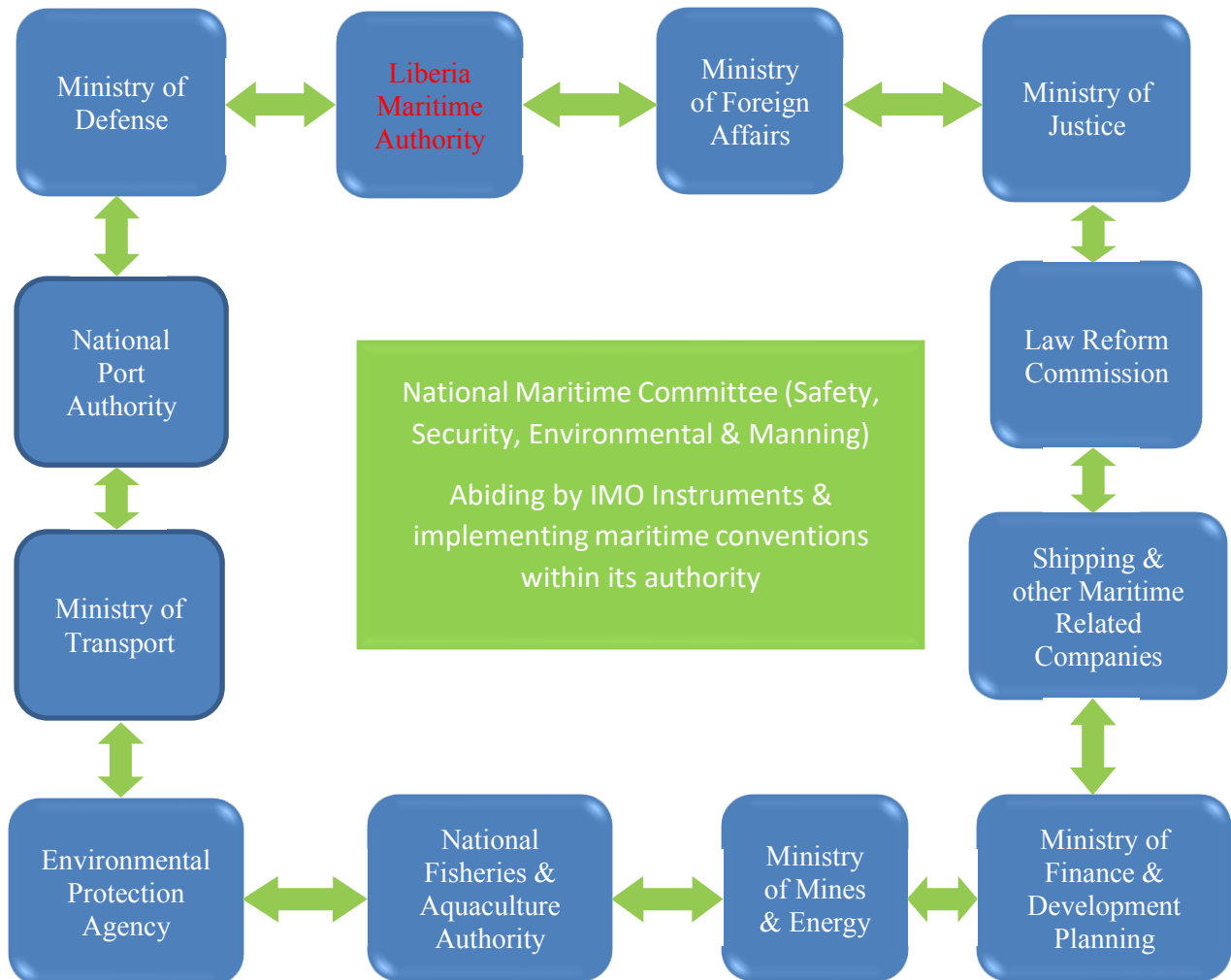
2.6 All stakeholders will constantly take steps towards developing an effective and efficient coordination system for monitoring and tracking measures used in enhancing maritime safety, security and protection of the marine environment, which will facilitate the Government meeting its reporting obligations under the various international maritime instruments to which the State is Party.

2.7 The National Maritime Committee will develop and ensure the implementation of the Strategy, with particular focus on achieving the objectives contained herein. The Committee will, from time to time consider the National Maritime Strategy and policies, and receive other proposals from various entities and agencies for consideration.

## **Meetings and Decisions of the National Maritime Committee**

2.8 The Committee shall convene meetings biannually at the headquarters of LiMA. Meetings of the Committee will be Chaired by LiMA. All decisions shall preferably be made by consensus. The Committee will establish its full rules of procedures for the conduct of its work.

Figure 2 below is a diagram depicting inter-agency collaboration:



### Collaborating Agencies of the Maritime Administration

#### Liberia Maritime Authority

2.9 LiMA is the principal government agency responsible for administering and regulating maritime affairs of the Republic of Liberia. The Commissioner of LiMA, appointed by the President of Liberia, administers all matters pertaining to domestic and foreign water-borne commercial and non-commercial activities of Liberia, by and through LiMA. The administrative duties of the Commissioner are performed by Deputy Commissioners, also appointed by the President of Liberia. There are currently three Deputy Commissioners who carry out key functions such as granting exemptions and signing statutory certificates on behalf of Liberia. The Deputy Commissioners form a critical part of the organization and

create the fundamental link and oversight between LiMA and the Agent designated to administer the Ship and Corporate Registry on behalf of the Republic of Liberia.

2.10 The Liberian International Ship & Corporate Registry (LISCR) is the designated Agent of the Government of Liberia for the purpose of aiding the Commissioner in the effective administration of Title 21 of the Laws of the Republic of Liberia relating to ships engaged in international voyages and entitled to fly the flag of the State. Notices to Mariners are promulgated from time to time to give effect to any Regulations and Rules made by the Commissioner, as well as those relating to any international obligation attendant to those relevant instruments to which the State is a Party. These Notices have force and effect under Liberia Maritime Law.

2.11 By way of a statutory agreement between the Government of Liberia and LISCR, vessel registration and the implementation and enforcement of those obligations and responsibilities attendant to the flag State are executed by LISCR by virtue of the latter being recognized to do so under Liberian Statutes. LISCR maintains its Head Office in Dulles, Virginia, USA, which encompasses the Offices of the Deputy Commissioner of Maritime Affairs of the Republic of Liberia.

2.12 In accordance with the provisions of the various international instruments to which Liberia is a Party, LiMA develops rules and regulations to enhance safety and security of ships, ports, and other offshore installations, as appropriate, and the prevention of marine pollution. As the lead maritime agency of the State, LiMA develops programs to work with other government agencies and stakeholders in ensuring that regulations are implemented and enforced.

2.13 LiMA was established primarily for the administration of maritime safety and security, standards of training and watch keeping, maritime labor, other shipping regulations, promotion of commercial shipping, and the prevention and control of ship source pollution in the marine environment. The Authority also attends to the domestication of all relevant instruments of the International Maritime Organization (IMO), International Labor Organization (ILO) and the United Nations, such as the United Nations Convention on the Laws of the Sea.

### **Ministry of Foreign Affairs**

2.14 The Ministry of Foreign Affairs of the Republic of Liberia is charged with the mandate of administering foreign relations for the government of Liberia and managing all of Liberia's diplomatic missions overseas. In this regard, it works with the LiMA for diplomatic representation globally on matters affecting ships entitled to fly the flag of the State on other matters of maritime interests.

2.15 At the IMO, maritime instruments are formulated and adopted for onward ratification by States for subsequent domestication into national laws. In this regard, the Ministry is responsible to lead the ratification process of any international maritime treaty or instrument that Liberia desires to be a Party to. The Ministry also publishes Acts of the Legislature that have been Signed by the President of the Republic as part of the process to give full and complete effect to the legislation contained in the Act.

## **Ministry of National Defense**

2.16 The Ministry of National Defense (MOD) is responsible to ensure the protection of Liberia's territorial integrity, and to protect the citizens and residents within the borders of Liberia from internal and external aggression and extremism, and to respond to natural emergencies as may be directed.

2.17 As part of its functions, the MOD maintains general oversight of the Armed Forces of Liberia, which includes the Liberia Coast Guard. The Coast Guard is responsible for safeguarding the internal, territorial, coastal waters, exclusive economic zone and all waters which fall within the jurisdiction of Liberia. The Coast Guard serves as the primary naval force.

2.18 It has law enforcement functions which relate to protecting the coastlines of Liberia. The Liberia Coast Guard is empowered to make inquiries such as examinations, inspections, searches, seizures and arrests on the high seas as may be necessary under the laws of the Republic of Liberia and internationally accepted principles.

2.19 As part of its functions, it provides protection and surveillance in conjunction with other ministries and agencies to enforce the laws within our maritime jurisdiction and helps in search and rescue efforts for vessels and crafts in distress. Additionally, it helps to prevent and combat armed robbery at sea, piracy, terrorism, illegal trafficking of drugs and persons and illegal, unregulated and unreported (IUU) activities within Liberia waters.

2.20 The Coast Guard is a key stakeholder in enforcing IMO instruments and as such, works concertedly with the LiMA to ensure the safety, security, and protection of ships, maritime infrastructures, and the marine environment.

2.21 It also assists in hydrographic surveys and the protection of hydrocarbon resources. Furthermore, it assists in dealing with the effects of natural disasters and marine pollution.

## **Ministry of Justice**

2.22 The Ministry of Justice is clothed with the statutory prerogative to institute all legal proceedings on behalf of the Government of Liberia, necessary for law enforcement. In keeping with such obligation, it procures the proper evidence for, and conduct, prosecute, or defend all suits and proceedings in the courts in which the Republic of Liberia or any officer of the Republic of Liberia, may be interested.

2.23 The Ministry of Justice is also the supreme legal adviser to all ministries and agencies of the Government of Liberia. Pursuant to this role, ministries and agencies of Government are statutorily mandated to seek legal counsel or advice from the Ministry of Justice prior to entering into any agreement or legal document affecting the interest of the Government. Further, the Ministry of Justice is obliged to codify all laws of the republic, including judge-made laws (opinions of the Supreme Court).

2.24 As chief legal adviser, chief prosecutor, chief legal defender, and law codifier of the Executive Branch (sometimes the Legislative Branch), the Ministry of Justice is without

doubt a central figure within the Executive Branch, with cross-cutting responsibilities in all sectors, including the Maritime sector.

### **Ministry of Finance & Development Planning**

2.25 The Ministry of Finance & Development Planning is responsible to formulate, institutionalize and administer economic development and fiscal and tax policies for the promotion of sound and efficient management of financial resources of the country. As the custodian of the country's economy, the MFDP combines public finance, development planning and economic management expertise and experience to effectively manage the economy.

2.26 As a major stakeholder in the National Maritime Strategy for the implementation of IMO instruments, the Ministry shall ensure that the funding required for the development of maritime infrastructure, human resource and technical capacities are made available.

### **Ministry of Transport**

2.27 The Ministry of Transport formulates and administers the transport, insurance and maritime policies and regulations of Liberia. These include the oversight responsibility for the execution of policies relating to land, sea and air transport services operating within the country. It is also mandated to ensure strict adherence to insurance standards and regulations in collaboration with insurance agencies operating in the country.

2.28 The Ministry of Transport shall collaborate with various maritime stakeholders, including LiMA and NPA, to ensure that the National Maritime Strategy is taken into account in any national integrated transport framework of Liberia. The Ministry shall also assist in making available maritime transport data and statistics to help inform the formulation of safety, security, and environmental regulations and policies, especially those that are concerned with coastal and inland water transport.

### **Ministry of Mines & Energy**

2.29 The Ministry of Mines & Energy is a government entity responsible for the administration of the mining sector. It has statutory control and oversight for the energy, mineral, and water sectors. The Ministry also sets policy directions and coordinates activities in the upstream and downstream petroleum sector through the National Oil Company of Liberia and the Liberia Petroleum Refining Company.

2.30 For the purpose of implementing the relevant IMO instruments, the Ministry shall collaborate with key stakeholders to establish an organization of hydrographic services, and shall structure the National Hydrographic Committee of Liberia.

2.31 The Ministry will assist in formulating guidelines and procedures for conducting hydrographic surveys, and the updating of current hydrographic charts to meet up with the IHO standards. It shall assist in the regulation of hydrographic surveys in Liberian waters including the dredging activities of ports and harbours in an effort to maintain a real time database of hydrographic information.

2.32 Furthermore, the Ministry shall work to establish a national hydrographic data registry that shows survey areas, survey methods, dates of surveys, originators of the surveys and repositories, such that this vital national data could be used to its fullest extent and possibly without the need for expensive resurveys. Additionally, the Ministry will develop policies and procedures for the collection, storing and sharing of data with United Kingdom Hydrographic Office and other concern party for analysis.

2.33 The Ministry shall work with LiMA to ensure that Liberia becomes a member of the Eastern Atlantic Hydrographic Commission (EAHC) and the International Hydrographic Organization (IHO) in order to ensure that the standard of hydrographic services in Liberia is uniformed with global standards and for Liberia to benefit fully from the Capacity Building Programme for Provision of Hydrography Services.

### **National Port Authority**

2.34 The National Port Authority (NPA) is a State-owned corporation responsible for managing, planning and building all public seaports in the Republic of Liberia, and is headed by a Managing Director. Its marine, environmental, and security departments are directly involved with the implementation and enforcement of IMO instruments.

2.35 As a stakeholder within the maritime sector, the NPA works to ensure that ships calling at the seaports of Liberia are provided with safe, secure efficient and environmentally sound access to and from berths within the Ports of Liberia. This entails among others, maintaining the seaports at an ISPS compliance (level 1) at all times, periodic dredging of the harbors, basins and approach channels, maintaining aids to navigation, pilotage services, etc. Additionally, it ensures the provision of adequate reception facilities.

2.36 The National Port Authority plays a pivotal role in the sector, which includes establishing policies for the management and provision of reception facilities at seaports within Liberia.

### **Environmental Protection Agency**

2.37 The Environmental Protection Agency (EPA) is the principal authority for implementing the national environmental policy and sustainable management law for the protection of natural resources in Liberia. The mandate of the EPA is to protect the environment and conserve biodiversity by implementing policies that ensure the long-term economic prosperity of Liberia through sustainable, social and economic development, thereby meeting the needs of the present generation without compromising the potential of future generations.

2.38 It is the lead agency for regulating matters affecting the environment. As such, it is responsible for adopting, developing and enforcing international environmental instruments to which Liberia is a State Party or Signatory. The EPA conducts environmental compliance monitoring, research, and education. It has the responsibility of maintaining and enforcing national standards under a variety of environmental laws, in consultation with State, municipal authorities and local governments.

2.39 The EPA works with LiMA to ensure that regulations emanating from international environmental treaties are domesticated into national laws and integrated policies are developed for their subsequent implementation. The EPA maintains significant interests in the following instruments: the International Convention on the Prevention of Pollution from Ships (MARPOL) 73/78; Ballast Water Convention; BASEL Convention on Control of Hazardous Wastes; Convention on Biological Diversity; Montreal Protocol on Ozone Protection; UN Framework Convention on Climate Change; Convention on International Trade in Endangered Species; and the implementation of the SDG goals 14 and 13, among others. The Agency employs such efforts through programs such as oil spill prevention, control, and counter measures.

2.40 The EPA is also the waste management authority. It reviews and approves waste -management plans for disposal of ship sourced wastes.

### **Law Reform Commission of the Republic of Liberia**

2.41 The Law Reform Commission is an independent body established by an act of the national legislature known as The Law Reform Commission Act (2011). It is responsible for supervising the law reform process of the country and serves as the coordinating arm of the Government for various law reforms desired or undertaken by various ministries, agencies, political sub-divisions, authorities, public corporations and other institutions of the Government.

2.42 The Commission advises on any legislation proposed by any branch of the Government, groups, persons, organizations, institutions or with regard to reform or amendment of any branch of the law to ensure that new laws or amendment do not conflict with existing laws.

2.43 The Commission receives, considers, reviews, and advances on its own initiative proposals for the reform and modernization of the laws of Liberia. It compiles, researches, and undertakes the examination of particular branches of the law, and the formulation of proposals for their reform, including conducting workshops, seminars, conferences, and public meetings for the purpose of formulating and advancing reform of the laws of Liberia. In this regard, the Commission is assisting the Liberia Maritime Authority in promulgating and drafting its national maritime legislation considering the domestication of mandatory IMO instruments to which Liberia is a Party.

### **National Fisheries & Aquaculture Authority**

2.44 The National Fisheries & Aquaculture Authority (NaFAA) promotes the sustainable development of the fishery sector in Liberia, balancing food security, economic growth, social development and the health of the ecosystem within a framework of good governance. This includes combatting illegal, unreported and unregulated (IUU) fishing at the national, regional and international levels.

2.45 The National Fisheries & Aquaculture Authority is expected to work jointly with the Liberia Maritime Authority in developing regulations to govern the registration and operation of non-conventional vessels which includes fishing vessels.



## **Areas for collaborative action of the Maritime Administration**

2.43 The detailed work and process areas for collaborative action of the maritime administration that are necessary to give full and complete effect to the provisions of the international maritime treaties and instruments to which Liberia is a State Party, and to ensure the successful attainment of the objectives of the National Maritime Strategy are set out in Annex 2 to this Strategy.

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## Annex 1

### **LIST OF IMO TREATIES RATIFIED BY THE REPUBLIC OF LIBERIA**

- 1 Convention on the International Maritime Organization, 1948 (IMO CONVENTION)
- 2 International Convention for the Safety of Life at Sea, 1974, as amended (SOLAS 1974)
- 3 Protocol of 1978 relating to the International Convention for the Safety of Life at Sea, 1974 (SOLAS PROT 1978)
- 4 Protocol of 1988 relating to the International Convention for the Safety of Life at Sea 1974 (SOLAS PROT 1988)
- 5 International Convention of Load Line, 1966 (LL 1966)
- 6 Protocol of 1988 relating to the International Convention of Load Line, 1966 (LL PROT 1988)
- 7 International Convention on Tonnage Measurement of Ships, 1969 (TONNAGE 1969)
- 8 Convention of the International Regulations for Preventing Collisions at Sea, 1972 as amended (COLREG 1972)
- 9 The International Convention for Safe Containers 1972, (CSC 1972)
- 10 Protocol of 1993 relating to the Convention for the Safety of Fishing Vessels (SFV PROT 1993)
- 11 International Convention on Standards of Training Certification and Watch-keeping for seafarers, 1978 (STCW 1978)
- 12 International Convention on Maritime Search and Rescue, 1979 (SAR 1979)
- 13 Convention on the International Mobile Satellite Organization, 1976, as amended (IMOS C 1976)
- 14 Operating Agreement on the International Mobile Satellite Organization, as amended, (INMARSAT OA 1976)
- 15 Convention on Facilitation of International Maritime Traffic 1965 as amended (FAL 1965)
- 16 The International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 (MARPOL 1973/1978)
- 17 The Protocol of 1997 to Amend the International Convention for the Prevention of Pollution from Ships, as modified by the Protocol of 1978 (MARPOL PROT 1997)

- 18 International Convention relating to Intervention on the High Seas in cases of Oil Pollution Casualties 1969 (INTERVENTION 1969)
- 19 Protocol relating to Intervention on High Seas in cases of pollution by substances other than oil 1973 (INTERVENTION PROT 1973)
- 20 Protocol to the International Convention on Civil Liability for Oil Pollution Damage, 1969 (CLC PROT 1976)
- 21 Protocol of 1992 to Amend the International Convention on Civil Liability for Oil Pollution Damage 1969 (CLC PROT 1992)
- 22 Protocol of 1976 to Amend the International Convention on the Establishment of an International Fund for the compensation of Oil Pollution Damage 1971(FUND PROT 1976)
- 23 Protocol of 1992 to Amend the International Convention on the Establishment of an International Fund for the compensation of Oil Pollution Damage 1971(FUND PROT 1992)
- 24 Athens Convention relating to the Carriage of Passengers and their Luggage by Sea 1974 (PAL) 1974
- 25 Protocol to the Athens Convention relating to the Carriage of Passengers and their luggage by Sea 1974 (PAL PROT 1976)
- 26 Convention on Limitation of Liability for Maritime Claims 1976 (LLMC 1976)
- 27 1996 Protocol to the 1976 Convention on Limitation of Liability for Maritime Claims (LLMC 1976)
- 28 Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation, 1988 (SUA 1988)
- 29 Protocol for the Suppression of Unlawful Acts Against the Safety of Fixed Platforms Located on the Continental Shelf, 1988 (SUA PROT 1988)
- 30 International Convention on Salvage 1989 (SALVAGE 1989)
- 31 The International Convention on Oil Pollution Preparedness, Response and Co-operation 1990 (OPRC 90)
- 32 International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea 1996 (HNS 1996)
- 33 Protocol on Preparedness, Response and Co-operation to pollution Incidents by Hazardous and Noxious Substances, 2000 (OPRC-HNS Protocol)
- 34 International Convention on Civil Liability for Bunker Oil Pollution Damage 2001 (BUNKER 2001)
- 35 International Convention on the Control of Harmful Anti-Fouling Systems on Ships, 2001(AFS2001)

- 36 The International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004 (BWM 2004)
- 37 The Nairobi International Convention on the Removal of Wrecks, 2007 (NAROB I WRC 2007)

***Note: The instruments listed above make the below listed 27 Codes mandatory for parties to them.***

## CODES MADE MANDATORY BY THE ABOVE LISTED IMO INSTRUMENTS

| NO | SOLAS 1974 |  |
|----|------------|--|
| 1  |            | Code on Noise Levels on Board Ships (Noise Code)   |
| 2  |            | International Code on Intact Stability, 2008 (2008 IS Code)  |
| 3  |            | Fire Safety Systems (FSS) Code   |
| 4  |            | International Code for the Application of Fire Test Procedures, 2010 (FTP Code)  |
| 5  |            | International Life-Saving Appliances (LSA) Code  |
| 6  |            | International Maritime Solid Bulk Cargoes (IMSBC Code)   |
| 7  |            | Code of Safe Practice for Cargo Stowage and Securing (CSS) Code  |
| 8  |            | International Code for the Safe Carriage of Grain in Bulk (International Grain Code)   |
| 9  |            | International Maritime Dangerous Goods (IMDG) Code   |
| 10 |            | International Code for the Construction and Equipment of Ships carrying Dangerous Chemicals in Bulk (IBC Code)   |
| 11 |            | International Code of the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk (IGC Code)  |
| 12 |            | International Code for the Safe Carriage of Packaged Irradiated Nuclear Fuel, Plutonium and High-Level Radioactive Wastes on Board Ships (INF Code)              |
| 13 |            | International Safety Management (ISM) Code   |
| 14 |            | International Ship and Port Facility Security Code (ISPS Code)   |
| 15 |            | International Code of Safety for High-Speed Craft 1994 (1994 HSC Code)   |
| 16 |            | International Codes of Safety for High-Speed Craft 2000 High Speed Craft (2000 HSC Code)   |
| 17 |            | Code for Recognize Organization (RO Code)  |
| 18 |            | International Code on the Enhanced Programme of Inspections During Surveys of Bulk Carriers and Oil Tankers, 2011 (2011 ESP Code)                                |
| 19 |            | Code of the International Standards and Recommended Practices for a Safety Investigation into a Marine Casualty or Marine Incident (Casualty Investigation Code) |
| 20 |            | IMO Instruments Implementation (III) Code  |
| 21 |            | International Code for Ships Operating in Polar Waters (Polar Code)  |
| 22 |            | International Code of Safety for Ships Using Gases or Other Low-flashpoint Fuels (IGF Code)  |
| 23 |            | International Code of Safety for Ships Carrying Industrial Personnel (IP Code)   |

|    |                     |   |
|----|---------------------|---|
|    | <b>MARPOL</b>       |   |
|    |                     | RO Code   |
|    |                     | IBC Code  |
| 24 |                     | International Code for the Construction and Equipment of Ships carrying Dangerous Chemicals in Bulk (BCH Code)                    |
| 25 |                     | Technical Code on Control of Emission of Nitrogen Oxides from Marine Diesel Engines ( <i>NO<sub>x</sub> Technical Code 2008</i> ) |
|    |                     | III Code  |
|    |                     | Polar Code  |
|    | <b>STCW 1978</b>    |   |
| 26 |                     | Standards of Training, Certification and Watchkeeping (STCW) Code   |
|    |                     | III Code  |
|    | <b>LL PROT 1988</b> |   |
|    |                     | 2008 IS Code  |
|    |                     | RO Code   |
|    |                     | III Code  |
|    | <b>TONNAGE 1969</b> |   |
|    |                     | III Code  |
|    | <b>COLREG 1972</b>  |   |
|    |                     | III Code  |
|    | <b>BWM 2004</b>     |   |
| 27 |                     | Ballast Water Management Systems Approval Code (BWMS Code)  |

**Annex 2**

**Process areas for collaborative action of  
the maritime administration in support of  
the National Maritime Strategy**

*Collaboration, Innovation and Partnerships*

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## **Abbreviations**

|        |   |
|--------|---|
| AIS    | Automatic Identification System   |
| AtoN   | Aids to Navigation  |
| EPA    | Environmental Protection Agency   |
| GISIS  | Global Integrated Shipping Information System                                     |
| IALA   | International Association of Marine Aids to Navigation and Lighthouse Authorities |
| IHO    | International Hydrographic Organization   |
| IMO    | International Maritime Organization   |
| LiMA   | Liberia Maritime Authority  |
| LMTI   | Liberia Maritime Training Institute   |
| LRA    | Liberia Revenue Authority   |
| LRIT   | Long Range Identification and Tracking  |
| MFA    | Ministry of Foreign Affairs   |
| MOD    | Ministry of National Defense  |
| MOH    | Ministry of Health  |
| MOJ    | Ministry of Justice   |
| MNE    | Ministry of Mines and Energy  |
| MOT    | Ministry of Transport   |
| NaFAA  | National Fisheries & Aquaculture Authority  |
| NPA    | National Port Authority   |
| PSC    | Port State Control  |
| UNCLOS | United Nations Convention on the Law of the Sea                                   |

## Definitions

For the purpose of the National Maritime Strategy and its annexes, the following shall apply unless expressly provided otherwise:

**Coast** means the land part of the coastal zone adjacent to the high-water line. The land area of the coast depends on the public use assigned to it in a program of integrated coastal management, in accordance with such criteria as control of residential, tourism (sea, marine, etc.), commercial and industrial development; protection of vulnerable species and habitats; aesthetic protection of the coastline; protection of water quality; and prevention of erosion and degradation of coastal resources.

**Coastal Zone** means the interface or transitional space between two environmental realms: the land and the sea:

**Commissioner** (also referred to as Chief Executive Officer) is the administrative head of the Liberia Maritime Authority heretofore appointed under Section 11 of the Liberian Maritime Law and under Part II, Section 7 of this Act.

**Instrument** means any treaty, convention, agreement or code, with the latter two being of international character and mandatory for State Parties.

**Integrated Coastal Management Program** means a process uniting Government and communities, science and management, and public and private interests in the preparation and implementation of an integrated plan for the conservation and development of coastal resources and ecosystems.

**Maritime Administration** refers to the assemblage of all relevant government entities collaborating and participating to deliver the National Maritime Strategy.

**Maritime Domain** or **Maritime Jurisdiction** means the responsibility to carry out the maritime laws and regulations, both domestic and international, in Liberian territorial waters and on vessels registered in Liberia or plying the seas under the Liberian flag. The definition also includes the administration of human resources engaged in the activities of the Maritime Authority.

**Maritime Zones and Internal Waters** mean the zones and waters defined by the Law of the Sea, signed on 10 December 1982 at Montego Bay, Jamaica. The Maritime and other laws of the Republic of Liberia, pursuant to the United Nations Convention on terms include but are not limited to the territorial sea, the contiguous zone, the internal waters, the exclusive economic zone and the continental shelf of the Republic of Liberia;

**National Maritime Strategy** means the policies, plans, programs and guidelines adopted as or within the maritime policy by the Republic of Liberia and set out in a

strategic enunciation of the Government of Liberia in order to promote the continued development of the maritime sector.

**Vessel** means all watercrafts, including boats, pleasure crafts and ships.

## **CHAPTER 1: INCORPORATING INTERNATIONAL MARITIME INSTRUMENTS INTO NATIONAL LEGISLATION**

### **Rationale and benefits of incorporating international instruments into national laws and regulations**

1.1 The United Nations Convention on the Laws of the Sea, 1982 (UNCLOS) requires parties to exercise their rights and obligations in accordance with the rules and general principles of international organizations. Liberia, as a Party to UNCLOS and as a member of the International Maritime Organization (IMO), has obligations to comply with in terms of conventions and instruments it is Party to. Liberia is Party to 37 IMO treaties as listed in Annex 1 to the National Maritime Strategy,

1.2 As a treaty obligation enshrined in most IMO conventions, UNCLOS, Vienna Convention on the Law of Treaties and summarized in IMO Instrument Implementation (III) Code Part 1.4), a party must give full and complete effect to the provisions of these conventions by promulgating laws and regulations to ensure their full implementation and enforcement within its territory and onboard ship entitled to fly its flag. Additionally, developing regulations and guidelines in accordance with these conventions strengthens and enforces globally harmonized standards. This would promote the safety of life at sea and the protection of the marine environment.

1.3 In meeting the broad goals established by those treaties, the following key objectives have been identified to support the Strategy:

- .1 To define clear objectives and regulatory frameworks governing the conduct of maritime activities in Liberian waters and onboard Liberian vessels to ensure a safer, cleaner and a more secure maritime environment.
- .2 To develop a robust regulatory framework in which the Liberia maritime economy can strive effectively and efficiently.
- .3 To evaluate the impact of maritime regulations and to ascertain their overall benefit to Liberia's maritime interest thereby conducting a review of such regulations to ensure that their intended objectives are achieved.
- .4 To develop both technical and legal frameworks for adopting, ratifying and domesticating IMO instruments.

- .5 To enhance the scope of policies and regulatory processes that ensure the effectiveness and efficiency of implementation and enforcement that would enhance economic efficiency and maintain flagship and port competitiveness.

### **Legal requirements for incorporating IMO instruments into National Laws**

1.4 Article 57 of the Liberian Constitution of 1986 gives the President of the Republic of Liberia the power to conclude treaties, conventions and similar international agreements with the concurrence of a majority of each House of the National Legislature.

1.5 Article 34(f) gives the Legislature power to approve treaties, conventions and such other international agreements negotiated or signed on behalf of the Republic.

1.6 Also, Article 80 of the Foreign Relations Laws of Liberia makes all international conventions of which Liberia is party a law from the date of their publication, and any person violating their provisions shall be guilty of a misdemeanor. That makes the Liberian legal regime in ratifying international conventions dualist.

1.7 Section 4.3 of the Liberia Maritime Authority Act empowers the Authority to introduce and promote the enactment of national legislations in the exercise of the rights and discharge of the responsibilities of the Republic of Liberia under the United Nations Convention on the Law of the Sea of 1982 and any other maritime related international conventions, agreements and instruments.

1.8 Furthermore, Section 5.4 of the Liberia Maritime Authority Act empowers the Authority to regulate, control and administer all regulatory matters related to the standards for merchant shipping and all foreign and domestic water-borne commercial and noncommercial activities as provided for under the Liberia Maritime Law or any other related law in keeping with Section 4(2) of the act, and consistent with prevailing Liberian laws, so as to avoid duplication of or conflict with the functions of other Government Agencies. Therefore, in keeping with section 4(2), the Authority shall collaborate, coordinate, and consult with other Government Agencies when administering regulatory matters pertaining to Liberia Maritime domain.

1.9 Section 6.6 of the Act gives the Authority power to establish regulations for commercial and noncommercial vessels, including foreign and Liberia flag vessels plying the waterways of Liberia, to conform to international best practices.

## **Current status of Liberian Maritime Laws and Regulations as at January 2023**

1.10 Liberia has a dualist legal system, for which international conventions when ratified and published, become laws from the date of publication and do not necessarily need appertaining national law before having full effect. However, most IMO instruments are non-executing and contain no implementing or enforcement mechanisms (ex. No sanction is included for any contravention or guidance for implementation). In fact, included in most IMO instruments is the provision obliging parties to give full and complete effect to the provisions of such instruments through the promulgation of national laws.

1.11 Meanwhile, Title 21 of the Liberian Code of Laws of 1956, known as “The Liberia Maritime Laws (RLM 107)” is the national maritime law governing ships entitled to fly the flag of Liberia. It includes subsidiary legislations RLM 108 and Marine Notices, which contain regulations and guidance on technical and administrative requirements regarding implementation and enforcement of international maritime instruments.

1.12 However, all these national laws, regulations and guidance are not extensive. Mostly, they lack specificity on a number of provisions relating to State actions and relation with other parties and technical details of the conventions. Notably, Liberia Maritime Laws are predominantly focused on Liberia -flagged vessels. It addresses, to a certain extent, the State’s obligations and responsibilities that are derived from the multitudes of international maritime instruments and to a greater extent, the generality of the applicability of the technical provisions of those international instruments. In so doing, Liberia Maritime Laws empower the Commissioner to issue relevant regulations to give the technical provisions of those instruments full and complete effect. In most cases, such regulatory authority is executed with reference to the provisions of the international instrument concerned. As a result only Liberia’s flag State obligations are covered, without much legislation on port and coastal State obligations and responsibilities. Hence, Liberia as a flag, port and coastal State, needs to develop national laws to regulate these three State obligations and responsibilities, specifically those that are derived from the applicable international instruments.

### **Collaboration and Stakeholders engagement in developing comprehensive Liberia Maritime Law**

1.13 Based on the current status of Liberia Maritime Law as mentioned supra, the Liberia Maritime Authority, in collaboration with relevant stakeholders, will develop national laws and regulations that will give full and complete effect to those international maritime instruments that Liberia is a Party. This would include revising the current Liberia Maritime Law. In order for this process to be conclusive and effective, the following “**Administrative framework for the incorporation of international maritime instruments into national laws**”, which will promote collaboration and stakeholders engagement will be implemented:

- .1 review all applicable international maritime instruments to determine the need to develop laws and/or regulations;

- .2 review RLM 107 and 108 to determine the adequacy and completeness of laws addressing the provisions of the relevant international maritime instruments
- .3 based on the outcome of .2 above, organize and commence drafting appropriate laws and/or amendments to existing provisions of the national maritime laws, ensuring that there is effective participation by the legal and technical teams responsible for flag, port and coastal State activities;
- .4 during the drafting process, make certain that the LiMA collaborates and consults with all relevant stakeholders and other competent authorities who are also responsible for implementing and enforcing international maritime instruments, with a view to fully utilizing expertise, harmonizing resources and integrating policies to ensure all of Liberia’s obligations are met; and
- .5 consult with the Law Reform Commission and the Ministry of Justice during the process to ensure that any proposed amendments to the laws do not contravene existing laws, thereby ensuring harmonization.

1.14 Following the completion of the above process, commence the legislative process as stipulated in the Constitution, leading to the enactment, approval and publication of new and/or amended national maritime law.

1.15 The below flow chart depicts the administrative framework for incorporating international maritime instruments into national laws.

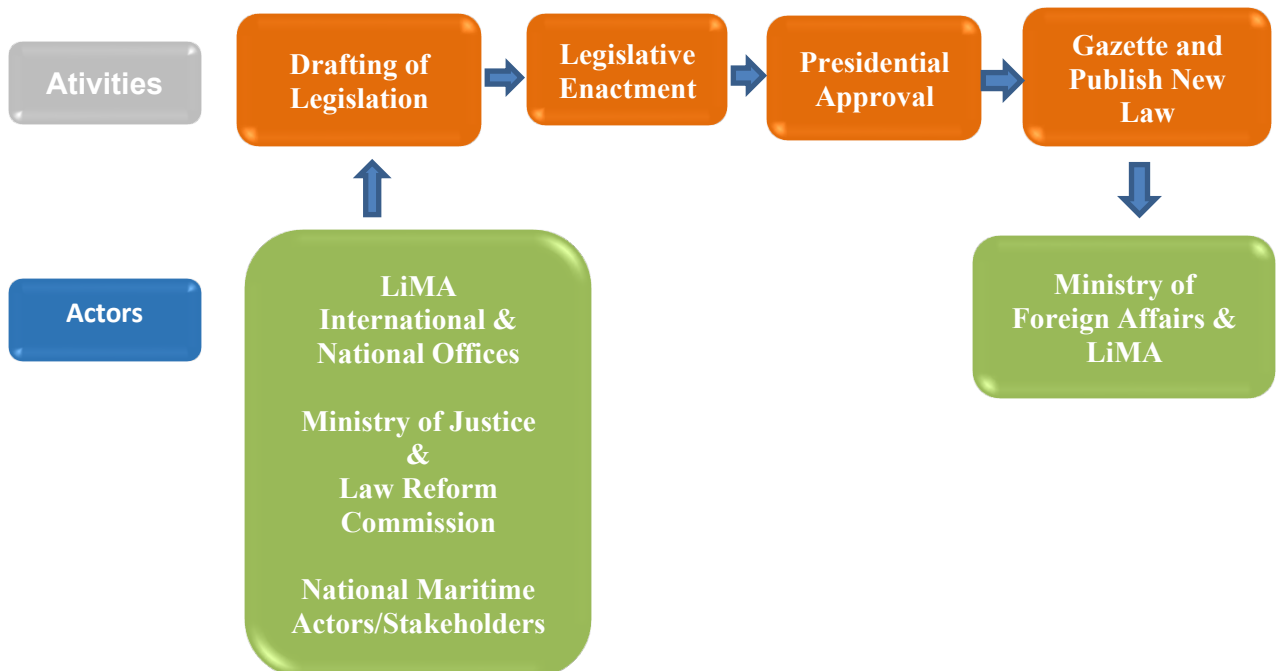


Figure 1: Flow chart depicting administrative framework for incorporating ratified international maritime instruments into national laws



## The Law Making Process

1.16 The following gives a brief idea about the important steps of the legislative process:

- .1 **Idea Developed:** A legislator decides to sponsor a bill at the suggestion of the executive branch, of a constituent, interest group, public official, or for other political needs. The legislator may ask other legislators in the same House to join as co-sponsors. According to Senate Rules all bills and resolutions, whether originating from the Executive Branch of Government, a member of the Senate, the President of Liberia, or of private nature, shall be sponsored as a matter of procedure by a member or members of the Senate.
- .2 **Bill Drafted:** If the drafting is done by the Legislature, a research unit and drafting center shall provide research and drafting assistance and prepares the bill in proper technical form. Legislative ideas may also reach the legislators in form of an already prepared draft. In any case, the sponsor of new legislation has to check and review the draft before its introduction.
- .3 **Bill Introduced:** A member who wishes to introduce a bill shall announce it in session and give it to the Senate Secretary (Senate) or Chief Clerk House of Representatives (HoR). The bill is included in the Journal. The next day, at least the title of the bill is read aloud. This is known as the first reading for presentation and distribution of the bill. The bill shall be printed and distributed.
- .4 **Committee Reference:** The President of the Senate or the Speaker of the HoR usually refers the bill to one or more committees for review, but may send the bill directly to the second reading in order to speed its consideration.
- .5 **Committee Action:** When scheduled by the chair, the committee considers the bill at a meeting open to the public. The committee may report the bill to the House as is, with amendments, or by a substitute bill. If not considered or reported, the bill remains in committee.
- .6 **Second Reading:** When the bill is reported to the floor (or referred directly without committee review), its title is read aloud for the second reading. The bill is eligible for amendment on the floor. After the bill is given a third reading, the House must vote to return it to the second reading for any further amendments.
- .7 **Third Reading:** When scheduled by the President or Speaker, the bill is given a third reading and considered on the floor. The bill may not go through the second and third reading on the same day, except by an emergency vote of 3/4 of the members. When read for the third time, the bill must not be amended or debated.
- .8 **House Vote:** The bill passes when approved by a majority of the authorized members and is sent to the other House. If a final vote is not taken, the bill may be considered at another time or may be returned to a committee by a vote of the House.

- .9 **Second House:** The bill is delivered to the second House where it goes through the same process. If the second House amends the bill, it is returned to the first House for a vote on the changes. A bill receives final legislative approval when it passes both Houses in identical form.
- .10 **President's Action:** After final passage, the bill is sent to the President. The President may sign it, conditionally veto it (returning it for changes) or veto it absolutely.
- .11 **Law:** A bill becomes law upon the President's signature or after 20 days if no action is taken. If vetoed, a bill may become law if the Legislature overrides the veto by a 2/3 vote. A law takes effect on the day specified in its text or, if unspecified, according to the Constitution (there currently is no provision in the Liberian Constitution regulating the effective date of laws).
- .12 **Publication:** The law must be published immediately after adoption in a publication like the Official Gazette (there is currently no such thing as properly kept Official Gazette in Liberia; its establishment is highly recommended)

### **Updating regulations and administrative policies for effective implementation and enforcement of Liberia Maritime Law**

1.17 In many cases, primary laws do not contain administrative procedures, processes and guidance as to how a convention should be implemented and enforced. Considering the nature of the law-making process in Liberia, it is essential and a cardinal aspect that regulations and administrative policies are developed on a regular basis to keep on the dynamic international regulatory regime with respect to the technical regulations affecting shipping. This has been recognized in the powers and authority granted to the Commissioner in the primary legislation relating to international maritime instruments. This power and authority are to be used to buttress the legislated law without fail.

1.18 To guarantee effective implementation and enforcement of the Liberia Maritime Law, LiMA and pertinent partners will take the following actions:

- .1 update regulations and policies for the implementation and enforcement of Liberia Maritime Laws (ex. the number of lifeboats required for a passenger ship);
- .2 develop, document and provide administration's guidance for requirement contained in applicable, international instruments which are left "to the satisfaction of the Administration" or, where available and applicable recommend the use of recognized rules;
- .3 insist on the highest adherence to national and international regulations, code of conduct and standards of practice in the shipping industry;
- .4 develop a mechanism for evaluation and monitoring of governance and

compliance;

- .5 institute measures to address the outcome of .4 above with a view to improving safety, environmental protection, standard of seafarer's living and working conditions and security, as appropriate, to enhance the quality and competitiveness of the Liberian Ship Registry and Liberian ports; and
- .6 provide adequate resources for the attainment and maintenance of all the processes mentioned in this Chapter.

### **Performance indicators**

1.19 The success of the various elements as described in this Chapter will be set against the following key performance indicators (KPIs), which will be considered in the overall performance of the State and is germane to the attainment of strategic goal 1:

- .1 the number of international maritime instruments that have been fully domesticated through appropriate legislative enactment;
- .2 issuance of attendant regulations and administrative policies to support the full implementation and enforcement of the provisions of those international maritime instruments that have been domesticated; and
- .3 enforcement and other administrative actions taken as a measure of compliance with the above.

## **CHAPTER 2: ENHANCING MARITIME SAFETY**

2.1 Enhancing the maritime safety regime is very vital to sustaining the quality of vessels in the Liberian Ship Registry and enhancing the safety of maritime transport. A vigorous maritime safety regime, where safety standards are developed, implemented and enforced effectively can minimize the causes of accidents and phase out substandard vessels.

2.2 Considering that human error contributes significantly to maritime accidents, a proactive policy addressing national training, qualification and competency of seafarers that meets the requirements of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 (STCW 1978).

2.3 In accordance with international maritime law, ships navigating Liberian waters must always maintain safety on board by having functional navigational equipment, qualified personnel and safety procedures. International law also mandates that Liberia, as a coastal and a port State, assist transiting vessels by providing functional aids to navigation, coastal up-to-date hydrographic information, meteorological services, vessel traffic services (if necessary), search and rescue services, and adequate warning of any danger to navigation in its territorial sea.

2.4 As a port State, Liberia has rights and obligations under various international instruments. When exercising those rights, there need to be appropriate legal basis in national law to do so whilst also providing a mechanism for legal redress to aggrieved parties, in particular shipowners whose vessels are subject to port State control.

2.5 Facilitation of the arrival, stay and departure of ships, their crew, passenger and cargo has an economic impact on ships' operating costs. It is therefore important for Liberia to implement the provisions of the 1965 FAL Convention.

2.6 At the other end of maritime safety and facilitation of maritime traffic is the issue of maritime security. Having in place effective maritime security measures to counter security threats such as terrorism, piracy and smuggling amongst others, would enhance security in Liberian waters and onboard Liberia flag vessels.

## **FLAG STATE ACTIVITIES**

2.7 Liberia is a major flag State and has a reputation for implementing and enforcing high standards on vessels that are entitled to fly the flag of the State. The Maritime Program of Liberia, headed by the Commissioner, is assisted in the administration of the provisions of the Maritime Law by an agent of the Government of Liberia. Liberia International Ship and Corporate Registry (LISCR) is the legally designated and appointed agent by the Government of the Republic of Liberia as provided for in Title 21 of the Liberian Code of Laws Revised, which is known and cited as the Maritime Law. Excerpt of the Maritime Law relating to the designation, appointment and mandate of the agent is as follows:

*“§13. Administration of Maritime Program.*

*(1) The Maritime Program of the Republic of Liberia established by the provisions of this Title and Regulations and Rules made by the Commissioner pursuant to the provisions of Section 11 of this Chapter shall be administered by an agent of the Liberian Government, to be designated and appointed by the Government of the Republic of Liberia for the purpose of aiding the Commissioner in the effective administration of the provisions of the Maritime Law.*

*(2) The agent designated and appointed under this section shall promulgate such Notices as may be necessary from time to time to give effect to this Act and any Regulations and Rules made by the Commissioner and, to the extent that such Notices are not inconsistent with this Act or Regulations and Rules made by the Commissioner or with any international obligation of the Government of the Republic in respect of any relevant convention to which the Government is a party, such Notices and any amendment, or variation of them from time to time, shall have force and effect under this Act.*

*(3) In the performance of their duties under this Title the agent designated and appointed under this Section and any Deputy Commissioner, or representative of a Deputy Commissioner duly appointed for any purpose under this Title or a special agent appointed under Section 15, and the members, officers and employees of any such person, wherever located, shall have full immunity from liability and from suit with respect to any act or omission or thing done by any of them in good faith in the exercise or performance of any of their duties under this Title:*

*Provided that such immunity shall apply only to those acts and omissions done by*

*them in good faith in the course of and in connection with the administration of the Maritime Program of the Republic of Liberia.”*

2.8 Liberia, as a flag State, has established policies, administrative and technical measures to fully address the safety of and pollution prevention from ships entitled to fly the flag of the State. These measures, in addition to the Maritime Laws as contained in Title 21, provide the basis for important safety and pollution prevention programs, but which are not limited to the following:

- .1 developing and disseminating national regulations and interpretations;
- .2 implementing fully the provisions of SOLAS regulation XI-1/1 and the Recognized Organization (RO) Code, with recognition and authorization of organizations, including, but not limited to, members of the International Association of Classification Society (IACS), that comply with the provisions of applicable instruments;
- .3 maintaining a worldwide network of more than 500 professional nautical inspectors and qualified auditors;
- .4 “Harmonized Audit Program” which includes the Annual Flag State Inspection, ISM, ISPS and MLC, 2006 requirements;
- .5 A state of the art Seafarer’s certification and documentation system, which also supports the approval of training centers, recognition of Certificates of Competence issued by parties to STCW 1978 and issuance of endorsement; and
- .6 a dedicated system for the investigation of incidents and accidents involving Liberia flag vessels in line with the provisions of the Casualty Investigation Code.’

### **Collaboration and Stakeholders engagement**

2.9 In order for the foregoing to be effective, the Administration will engage ROs in a structured process to review the outcome of statutory and class functions carried out on Liberia flag vessels. This process will also consider mandatory requirements that are due to enter into force and whether national regulations or interpretations are required. Also shipowners would be engaged directly or through their representative organization to ensure that their ships flying the Liberia flag are maintained and operated to the agreed international standards and the Maritime Law.

2.10 Regular updating training or information dissemination to nautical inspectors and auditors, including casualty investigators, will be carried out whilst ensuring that they are equipped with the latest regulations and rules issued by the Administration.

2.11 Periodic review and consultation with approved training institutions and parties to STCW 1978 to ensure standards are maintained and that the conditions for the recognition of STCW Certificates and endorsement remain valid.

## **Performance indicators**

2.12 LISCR, as the agent of the Government of Liberia and as part of the Administration, maintains a quality management system that addresses key performance indicators on flag State activities and a monitoring and evaluation process. As an input to the overall evaluation of the performance of the State with respect to the implementation and enforcement of its international maritime obligations and responsibilities, the following will be considered in support of *strategic goals 3 and 6*:

- .1 fleet loss and accident ratios;
- .2 port State control records and action taken with respect to the fleet;
- .3 cases of incompetence or wrongdoing by holders of certificates or endorsement, and suspensions or withdrawal thereof;
- .4 results of inspections and surveys of the fleet;
- .5 outcome of investigations into very serious and serious casualties, as well as occupational accidents; and
- .7 the number of incidents and violations relating to pollution prevention regulations.

## **COASTAL STATE ACTIVITIES**

2.13 Liberia, as a coastal State, is obliged to provide appropriate Aids to Navigation (AtoN), Search and Rescue (SAR) functions, Long Range Identification and Tracking (LRIT) system, Search and Rescue (SAR) services, hydrographic services, meteorological (MET) and maritime safety information (MSI) Services. In order to make these systems fully functional, operational policies would have to be developed and implemented, including the necessary human resource capacity.

2.14 As a coastal State, Liberia also has the responsibility to fully participate and contribute to the global maritime safety network through establishing the mechanism for Automatic Identification System, along with LRIT capability. These systems would be used as environmental and security monitoring tools to enhance surveillance within Liberia's maritime domain promote environmental awareness and prevent maritime - related crimes.

### **Aids to Navigation (AtoN)**

2.15 Aids to navigation (AtoN) are safety devices placed along coasts and navigable waters as guides to mark safe passage for ships and to assist mariners determine their position relative to land and hidden dangers. Unlike roads, wherein most dangers are visible and there are road

signs to warn drivers of danger, most dangers posed to navigation are invisible. They lie beneath the vast ocean and waterways, posing a high risk to navigation.

2.16 AtoN also enable pilots to follow channels and provide a continuous chain of charted marks for precise piloting in coastal waters. AtoN includes buoys, day beacons, lights, lightships, radio beacons, fog signals, marks and all the visible, audible, and electronic symbols that are established by government and private authorities to aid navigation and ensure the safe passage of ships.

2.17 SOLAS Chapter V/13 require each Contracting Government to provide adequate AtoN as the volume of traffic justifies and the degree of risk requires. When providing AtoN Services, States shall take into consideration the appropriate recommendations and guidelines of International Association of Marine Aids to Navigation and Lighthouse Authorities (IALA) and maritime buoyage system (IMO SN/Circ.107) and information relating to AtoN must be communicated to all parties concerned. This is done through marking AtoN on navigational charts, issuance of notice to mariner or broadcasting maritime safety information.

2.18 To ensure safety of navigation in Liberian waters and in its fairways and approaches to ports through the provision of adequate AtoN, the LiMA in collaboration with the National Port Authority (NPA), has the responsibility to establish a national framework for the selection, management and maintenance of AtoN, using IMO and IALA guidelines.

### **Vessel Traffic Services (VTS)**

2.19 A vessel traffic service (VTS) is a marine traffic monitoring system established by harbour or port authorities and coastal states to monitor and direct ships in very busy waterways or coastal zones. In the case of Liberia, there is no real need for VTS given the low shipping traffic density, both in the approaches to its ports and coastal water.

### **Long Range Identification and Tracking**

2.20 The Long-Range Identification and Tracking (LRIT) system provides for the global identification and tracking of ships. SOLAS V/19-1 requires ships to transmit LRIT information worldwide, and parties to SOLAS and Search and Rescue Services (SAR) have rights and obligations to receive LRIT information. The LRIT system is very important for security and environmental surveillance as well as improved SAR services. It, therefore, goes without saying that if Liberia is to enhance safety and security within its waters, it is essential for the maritime administration to assess the need for the establishment of LRIT and coastal Automatic Identification System (AIS) for enhancing safety, security and SAR services within Liberian waters.

### **Search and Rescue Services**

2.21 The United Nations Convention on the Law of Sea Article 98, section (2), SOLAS 1974 as amended chapter V (7), and the International Convention on Maritime Search and Rescue, 1979 (SAR Convention), requires all Contracting Governments to ensure that effective and efficient SAR services are provided in waters under their jurisdiction and that

they are well-coordinated to respond promptly to persons in distress. Liberia, as a Party to these instruments, is obliged to ensure adequate coastal surveillance and the delivery of an effective SAR service along its coasts, including the extended area of coverage under the Global SAR Plan.

2.22 SAR activities in Liberia are conducted and coordinated by LiMA through the National Maritime Rescue Coordination Center, established by an Act Creating the National Maritime Search and Rescue Center, which became law on 1 March 2009. The Center hosts the Monrovia Regional Maritime Rescue Coordination Center (RMRCC - Monrovia), which is jointly operated by LiMA and the Liberia Coast Guard (LCG). The provision of SAR services has major challenges, which include 24/7 communication equipment, sufficiently trained personnel and equipment to perform SAR operations. RMRCC-Monrovia provides geographic coverage for the SAR area covered by Cote d'Ivoire, Ghana, Guinea and Sierra Leone. This responsibility imposes additional international obligations and responsibilities on Liberia to ensure that RMRCC-Monrovia is viable and operated on a 24/7 basis without fail. To deliver the requisite and effective SAR services in terms of governance, coordination and response, a detailed modus operandi needs to be developed and implemented, including leveraging private assets which takes account of the following:

- .1 strengthen national and regional SAR governance structure, and improve SAR coordination and response mechanisms within the SAR region and at the national level;
- .2 develop national SAR operational and training plans to improve the knowledge and skills of personnel involved in manning the coordination center and those performing rescue operations;
- .3 acquire and maintain communication equipment at RMRCC to receive and transmit distress messages from ship to shore and from shore to ship by ensuring the availability of GMDSS satellite equipment for data, text and voice transmission and VHF, HF and MF radio communication installations with DSC capability;
- .4 engage the Liberian Telecommunication Authority to assign emergency numbers for distress calls only, ensuring that it has priority over all other calls on various mobile telecommunications networks; and
- .5 develop search and rescue programs to include waterside recreational facilities and pleasure crafts on one hand and artisanal fishermen in consultation with NaFAA on the other.

### **Hydrographic Services**

2.23 Nautical charts are considered the primary tools for navigation. They depict the hydrographic conditions of the ocean to navigators, enabling them to plan their passage without being exposed to undue risks. Knowledge of hydrographic conditions is very vital to sailing, and if such conditions are not displayed properly on nautical charts, navigation of vessels could be endangered.



2.24 Additionally, hydrographic surveys should be carried out to ascertain the actual conditions of the seabed and water column, and such information should be reflected on a nautical chart. Liberia, being a coastal state, is under obligation by UNCLOS and SOLAS V/9 to provide adequate hydrographic services individually or through cooperation with other States or organizations. Currently, there is an agreement with the UK Hydrographic Office (UKHO) for a cooperative partnership agreement for the provision of hydrographic services.

2.25 In addition, Liberia is implementing the 2015 recommendations of the International Hydrographic Office. Based on the recommendations, the below actions are required to be taken in fulfilment of Liberia's international obligations:

- .1 explore options with other States for the production paper or digital chart covering Liberian waters; and
- .2 engage the Ministry of Mines and Energy (MNE) with a view to developing the capacity and a framework for the provision and maintenance of hydrographic services, taking into consideration the guidelines set out by the International Hydrographic Organization (IHO).

### **Meteorological (MET) and Maritime Safety Information (MSI) Services**

2.26 Meteorological (MET) information is an important element of the decision support system in planning safe navigation passages or adjusting navigation routes to avoid potentially dangerous weather conditions. Considering this, and in pursuance of the mandate of UNCLOS and SOLAS V/5, having a navigational warning system that safeguards the safe passage of ships in Liberia's territorial waters is imperative.

2.27 The Ministry of Transport (MOT), together with the Environmental Protection Agency (EPA), has undertaken an early warning project, with a weather station established at the Roberts International Airport, to generate meteorological information and warnings for the Liberian coasts. LiMA also coordinates with these entities to have access to this national platform. In so doing, MET information and warnings would be disseminated for onward broadcasting to vessels in Liberian waters. Engagement with NAVAREA II Coordinator to enable Liberia to promulgate MSI through NAVTEX coordinating panel and Safety Net is an ongoing process.

### **Collaboration and stakeholders engagement on coastal State activities**

2.28 In order for Liberia to deliver on its obligations and responsibilities as a coastal State, recognizing fully that the numerous Liberia flag vessels sailing globally enjoy and benefit from the services and assistance being provided by other States, collaboration amongst the various stakeholders (LiMA, MoD/LCG, MOT, MNE, EPA, and NaFAA) is critical to this process. Innovation and partnerships will ensure prudent and cost-effective use of available and needed resources, including leveraging assets in the private sector. In this regard, LiMA will take the lead and exert the required effort to bring about this wholesome collaboration.

## **Performance indicators**

2.29 To ensure that there is a concerted and "all hands - on deck" approach to enhance the delivery of Liberia's obligations and responsibilities as a coastal State and to support the delivery of *strategic goals 3 and 5*, the following key performance indicators will be rigorously and routinely monitored and will provide the basis for evaluation and review:

- .1 adequate and effective aids to navigation, including an AtoN database and approval and management regime;
- .2 a national framework for hydrographic services and an operational agreement with UKHO with the provision of appropriate;
- .3 a viable system for the promulgation of maritime safety information;
- .4 a fully equipped RMRCC which contains the requisite communication equipment capable of communicating with both SOLAS and non-SOLAS vessels; and
- .5 augmented capacity and capability to execute search and rescue missions at sea,

## **PORT STATE ACTIVITIES**

2.30 Port State activities are by nature a subset of coastal state activities. A number of the issues covered under coastal State obligations actually take place within the port area. Notwithstanding, there are specific issues that happen at the port and when a ship is at berth, such as boarding and facilitation issues and port State control inspections.

2.31 Port States have rights and obligations under a number of instruments to which the State is a party. A key aspect of this is how and under what condition can a State exercise its rights, particularly those that are conferred by international instruments. In this respect, when a State decides to exercise its right with respect to intervention on a ship entitled to fly the flag of a State that is a party to the same instrument, the intervening State must have the supporting and implementing law for such action, which also provides a legal means for redress by the owner of the ship that is the subject of the intervention. This is particularly true when exercising port State control.

2.32 There are other areas of port State activities that are covered under other process areas in this document, such as the provision of port reception facilities and the supply of fuel to ships, which are dealt with under marine environmental protection.

## **Port State Control (PSC)**

2.33 States are required to give full and complete effect to the provisions of instruments to which they are party and to ensure that their ships entitled to fly their flag are in full compliance with said provisions addressing safety, prevention of marine pollution and the welfare of Seafarers. However, the first line for ensuring that ships meet the required standards

rests with the shipowner and those directly involved in its operations. A State with a robust safety and pollution prevention program will have a direct impact on the level of compliance with the required standards.

2.34 Notwithstanding the fact that it is the responsibility of the flag State to ensure that ships entitled to fly its flag meet agreed international standards, port States have the right, under several international instruments to carry out inspection of foreign flag ships in their ports. This is an additional measure to ensure that ships that depart ports prevent no apparent risk to safety and the environment. It has become a necessary tool in the global effort to eradicate substandard ships and provide indicator on the enforcement regime employed by flag States to meet their obligations.

2.35 Several IMO instruments include provisions for port State control officers to carry out inspection of foreign ships calling at their ports. To prevent undue delay to ships, and encourage harmonization of procedures and prevent unfair competition amongst ports, IMO adopted Resolution A.682 (17), which relates to Regional Co-operation in the control of ships and discharges, which encourages a regional organizational approach to PSC activities. As a consequence of that approach, Liberia became a signatory to the MEMORANDUM OF UNDERSTANDING ON PORT STATE CONTROL FOR WEST AND CENTRAL AFRICAN REGION (Abuja MOU).

2.36 Being a party to all of these instruments and the Abuja MOU, Liberia has made a commitment to maintaining an effective system of PSC for the inspection of foreign ships calling at its ports, anchorage and offshore, without discrimination as to flag. Liberia has also agreed to consult, cooperate and exchange information with other States concerning PSC activities. As such, Liberia has harmonized its PSC procedures with ABUJA MOU PSC procedures and by extension, the IMO Resolution A.1155 (32) on Procedures on Port State Control, 2017, which contains guidelines on the conduct of inspection, standard of inspection, qualification of inspectors and exchange of information.

### **Facilitation**

2.37 Liberia is a party to the Convention on Facilitation of International Maritime Traffic 1965 as amended (FAL 1965). This Convention sets standards and recommended practices for the controls affecting the arrival, stay and departure of ships, their crew, passengers, and cargo. These controls address a wide range of issues including ensuring public health, revenue protection, security, immigration, enforcing controls on importing and exporting prohibited and restricted items, and sanctions enforcement.

2.38 There are also a range of practical procedures and processes that must be followed in relation to the enhancement of maritime safety as well as the provision of general port services to ships. As with the regulatory controls, these may be due to national requirements or may be mandated by international conventions and agreements.

2.39 With the introduction of the mandatory use of the single window concept from 1 January 2024, it is crucial the National Maritime Facilitation Committee be revitalized to ensure that all government entities and other stakeholders involved in shipping are aware of and accept the use of the single window concept for receiving and processing information

relating to the arrival, stay and departure of ships, their crew, passengers and cargoes.

### **Collaboration and partnership in port State activities**

2.40 There are mix of government entities and private sector actors involved in the successful delivery of port State activities, particularly those aspects regulated and recommended by international instruments. Apart from PSC, which is primarily executed by LiMA, facilitation matters involved LiMA, MOJ/Immigration, Ministry of Health, MFDP/Customs, LRA, NPA, ship brokers/cargo clearing and forwarding and private port operators. This mix of actors, working in tandem will deliver on Liberia's facilitation obligations and responsibilities.

### **Performance indicators**

2.41 The success of the delivery of port State activities will support the delivery of *strategic goal 3*, and will be gauged against the following key performance indicators, which will form the basis for evaluation and review:

- .1 appropriate laws and regulations to support the performance of PSC inspection on foreign flag ships, including specific provisions for shipowners to seek redress;
- .2 number of qualified and appropriately trained PSC inspectors;
- .3 timely recording of PSC interventions in Abuja MOU database; and
- .4 the percentage of ship port visits handled through the Single Window system.

### **MARITIME SECURITY**

2.42 Maritime Security is very important in maintaining the safety of maritime transport. It encapsulates issues in the maritime domain comprising national security, marine environment, economic development, and human security. Besides the world's oceans, it also deals with regional seas, territorial waters, rivers and ports. Currently, the coastal security of Liberia is governed by a cooperative framework of relevant security apparatus under a National Maritime Security Committee comprising of relevant agencies such as LiMA's security department, Liberia National Police, Ministry of Justice, Liberia Drug Enforcement Agency and the Liberia National Coast Guard whose *modus operandi* is enshrined in their working document dubbed the National Maritime Security Strategy

2.43 This separate maritime security strategy addresses the threats and challenges faced by the Liberia maritime sector. Ranging from theft in the port and its environs, illegal immigration, possible piracy and terrorist attacks, etc. The current National Maritime Strategy will, therefore, not duplicate or repeat this aspect of maritime activities.

## **CHAPTER 3: ENHANCING MARINE ENVIRONMENTAL PROTECTION**

### **Developing a marine environment management and governance regime**

3.1 Enhancing marine environmental protection through sustainable management of the marine environment is vital to the social and economic development of Liberia. Shipping activities in Liberian waters without a well-structured environmental management and governance regime weakens Liberia's resilience to environmental risks and exposes it to challenges that might cause loss of ecosystems and reduce marine resources.

3.2 Developing and implementing an environmental management and governance regime is not within the mandate of LiMA. LiMA primary role in the protection of the marine environment is to regulate shipping activities to minimize or remove the risk of ship source pollution. Furthermore, LiMA's mandate, as contained in the Liberia Maritime Act of 2010, provides for LiMA to collaborate with other government agencies to ensure that the marine habitat is protected and illegal activities within the Liberian maritime domain are curtailed. In doing so, there are a number of instruments developed by IMO to address ship source pollution and also provide an international platform for the appropriate national authority to deal with pollution incidents stemming from ship operations.

3.3 Liberia is a party to a number of these instruments, which were developed by IMO. These instruments were ratified because they cover or relate to ships and their operations. However, the implementation of many of the provisions falls outside the scope of LiMA. In this respect, the following instruments addressing marine environmental issues have been ratified by Liberia:

- .1 The International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 (MARPOL 1973/1978);
- .2 The Protocol of 1997 to Amend the International Convention for the Prevention of Pollution from Ships, as modified by the Protocol of 1978 (MARPOL PROT 1997);
- .3 International Convention relating to Intervention on the High Seas in cases of Oil Pollution Casualties 1969 (INTERVENTION 1969);
- .4 Protocol relating to Intervention on High Seas in cases of pollution by substances other than oil 1973 (INTERVENTION PROT 1973);
- .5 Protocol to the International Convention on Civil Liability for Oil Pollution Damage, 1969 (CLC PROT 1976);
- .6 Protocol of 1992 to Amend the International Convention on Civil Liability for Oil Pollution Damage 1969 (CLC PROT 1992);
- .7 Protocol of 1976 to Amend the International Convention on the Establishment of an International Fund for the compensation of Oil Pollution Damage

- 1971(FUND PROT 1976);
- .8 Protocol of 1992 to Amend the International Convention on the Establishment of an International Fund for the compensation of Oil Pollution Damage 1971(FUND PROT 1992);
  - .10 The International Convention on Oil Pollution Preparedness, Response and Co-operation 1990 (OPRC 90);
  - .11 International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea 1996 (HNS 1996);
  - .12 Protocol on Preparedness, Response and Co-operation to pollution Incidents by Hazardous and Noxious Substances, 2000 (OPRC-HNS Protocol);
  - .13 International Convention on Civil Liability for Bunker Oil Pollution Damage 2001 (BUNKER 2001);
  - .14 International Convention on the Control of Harmful Anti-Fouling Systems on Ships, 2001 (AFS2001);
  - .15 The International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004 (BWM 2004); and
  - .16 The Nairobi International Convention on the Removal of Wrecks, 2007 (NAROBİ WRC 2007).

3.4 To fully and holistically deal with this extensive range of instruments that deal not only with ship source pollution, but also compensation for environmental and economic damage, a whole of government approach is required. With LiMA being the representative entity of the Government of Liberia at IMO, where all these instruments were developed and issues relating to their implementation and enforcement are addressed, it is important that this National Maritime Strategy acknowledged the status quo supra and for the National Maritime Committee to review and propose a workable way forward for Liberia to incorporate the philosophy, methodology and the appropriate legal regime to implement and benefit from the provisions of the aforementioned instruments as part of the broader issue of marine environmental governance and management.

3.5 Notwithstanding the absence of legislation and administrative arrangements to deal with all of the issues covered by these instruments from the domestic perspective, several issues affect ships' operations and appropriate regulations have been promulgated to address them, with some having corollary effect ashore. These will be addressed in the succeeding paragraphs of this Strategy.

### **Provision of adequate Port Reception Facilities**

3.6 The Annexes to MARPOL 73/78 and MARPOL PROT 1997, require parties to provide adequate reception facilities for ship-generated wastes and cargo residues

proportionate to the amount and type of waste generated by vessels calling at their ports. Ship-generated wastes generally categorized into sewage, garbage, oily wastes, sludge, cargo residues, and other hazardous and noxious substances. Certainly, these various forms of ship-sourced-waste pose serious risks to marine ecosystems if discharged illegally into the marine environment. To prevent the latter from happening, adequate reception facilities are to be provided at ports and States can deploy effective maritime monitoring and surveillance systems to deter and detect illegal discharges of ship generated wastes.

3.7 Liberia, as a major flag State, has in place regulations for ships entitled to fly its flag to comply with the discharge requirements of MARPOL, and such ships benefit from the use of reception facilities provided in ports of other States that are Party to MARPOL. It is therefore incumbent on Liberia to provide similar facilities to ships calling at its ports, based on the volume of traffic and types of ships and cargo.

3.8 Over the years, there have been numerous challenges affecting the provision of adequate reception facilities in Liberia's ports. The first of these challenges is the absence of clear national legislations to mandate port authority to provide adequate reception facilities other than the general provisions contained in MARPOL and MARPOL PROT 1997. Unquestionably, there is now an urgent need to strengthen laws, regulations and policies that would oblige the National Port Authority to ensure that all seaports, terminals and jetties have reception facilities and waste management plans for the collection, treatment and disposal of waste generated by ships calling at these facilities.

3.9 As a general matter, MARPOL Annexes require the following:

- .1 MARPOL Annex I: oily wastes and cargo residues;
- .2 MARPOL Annex II: tank washings and cargo residues containing noxious liquid substances (NLS);
- .3 MARPOL Annex IV: sewage;
- .4 MARPOL Annex V: garbage, including cargo residues and cargo-associated wastes; and
- .5 MARPOL Annex VI: ozone depleting substances and exhaust gas cleaning residues.

3.10 To meet its obligations under MARPOL, Liberia has embarked on the process of establishing a system for the provision of adequate and appropriate port reception facilities. The ports of Liberia are very low volume ship traffic and limited types of cargo through-put entities. Therefore, the types of port reception facilities needed will not be extensive or costly.

3.11 In order to have a quick win on this issue the following should take effect:

- .1 LiMA, in consultation with the NPA and EPA, will develop guidelines to determine the adequacy and provision of reception facilities, including disposal of waste; and

- .2 NPA to provide port reception facilities that are adequate enough to meet the needs of ships calling at ports in Liberia.

### **Register of fuel oil suppliers**

3.12 MARPOL Annex VI seeks to reduce airborne emissions of pollutants from ships. It sets limits on the level of pollutants contained in ships' exhaust gas, including Sulphur oxides (SOx) and Nitrogen oxides (NOx), and it prohibits deliberate emissions of ozone - depleting substances (ODS). MARPOL Annex VI also regulates shipboard incineration, and the emissions of volatile organic compounds (VOC) from tankers. It includes both technical and operational measures to enhance ship's energy efficiency and subsequently reduce greenhouse gas emissions.

3.13. In order to reduce Sox emissions from ships, which causes sever sulfuric acidification, MARPOL Annex VI limits the sulfur content of marine fuels and requires State parties to maintain a register of fuel oil suppliers to ships within their territory. The ports and anchorages of Liberia are not recognized bunkering areas for international shipping. Hardly ant fuel oil is delivered to ships in Liberia's ports and anchorages. However, there is a supply of fuel oil or marine diesel to the domestic shipping industry, which is not exempt from the application of the sulfur limit requirement.

3.14 Based on the foregoing, LiMA, in corporation with NPA and the LPRC, should establish a register fuel oil suppliers to ships and determined which entity will maintain the register.

### **Collaboration and partnership to address Liberia's marine environment challenges**

3.15 Addressing Liberia's marine environment protection is a much wider field than just shipping alone or one that can be addressed solely in the maritime context. It requires a committed approach from a number of government entities, working in a collaborative manner and developing partnerships with expertise and resources in specific areas. This National Maritime Strategy recognizes that and from a strategic perspective has proffer the National Maritime Committee as the starting point for this dialogue.

3.16 Collaboration with the lead environmental policy and management institution, the EPA, with the participation of NPA, NaFAA, LPRC and supported by the Ministries concerned would enable Liberia to make progress in this demanding undertaking.

### **Performance indicators**

3.17 To support the delivery of the *strategic goals 1 and 4* executing the above activities will be gauged against the following indicators and form the element for over evaluation and review:

- .1 adequate reception facilities to cater for the types and quantity of ship generated waste in Liberian ports;
- .2 a robust system is in place to ensure ship generated wastes are delivered to the



designated facilities;

- .3 establishing and maintaining a register of fuel oil suppliers; and
- .4 commencement and progression of a holistic review of marine protection and pollution prevention instruments, with a view to developing a comprehensive approach to domestic marine environment protection and management.

## **CHAPTER 4: ENSURING A VIBRANT AND PROGRESSIVE MARITIME SECTOR**

4.1 Any strategy that does not contain an aspirational element that looks to the future beyond the timeframe of the strategy may be too conservative in its approach. Not every process area or subject matter can be accommodated in a time-bound strategy. It is, therefore, necessary to include aspirational elements, which could also be realized within the strategic timeframe, but are not necessarily crucial to the strategy's overall outcome. In this regard, this chapter provides the aspirational elements.

4.2 Like in every key sector, the people that are charged with carrying out the day to day functions are of paramount importance. For the sake of ensuring efficiency in any given sector, capacity building is often seen as the primary focus for such people. The same is true for building a vibrant maritime sector. This feat, if achieved, would give Liberians the knowledge and skills to participate in a sector that has not been fully explored.

### **Capacity building**

4.3 Identifying the need for training in the maritime sector, formulating training plans and programs, and embarking on a robust effort to strengthen the standard of training and education being offered at the Liberia Maritime Training Institute (LMTI) would be a good start. This would call for the total and unflinching support of the stakeholders responsible for training to ensure that the LMTI produces graduates of international standards.

### **Blue Economy**

4.4 The use of the ocean vast resources for sustainable development has become the new trend for many developing and developed nations. The ocean offers many opportunities for direct and indirect investments. Hence, nations have seized this as a means of revenue generation in so many fields, such as sand mining, waste management, fishing, renewable energy, tourism and the conventional maritime transport. Identifying the potential of the blue economy to increase long-term benefits of sustainable use of marine resources for a developing country like Liberia is a smart economic move. The mantra of the blue economy is simply the responsible use of the oceans to contribute to economic growth. Certainly, this is the approach many African countries are taking to spur economic growth.

4.5 Like many African nations, Liberia needs to explore the enormous opportunities which lies in its oceans, something that presents significant potential to create jobs and improve livelihoods. As a nation, there has to be a clear policy aimed at paying greater attention to our maritime interests. Such a policy could focus on priority areas for development, such as marine transport and manufacturing, offshore oil and gas exploration, aquaculture and marine protection services, not neglecting safety and security.

## **Improving the domestic and small watercraft registries**

4.6 Core flag State duties are performed by LISCR under an agency contract with the Liberian government, and their functions are directed to convention - size vessels engaged on international voyages. Therefore, small watercraft and those engaged in domestic voyages remained within the technical and administrative realm of LiMA. LiMA has developed appropriate laws and regulations, which takes into account recommendations of IMO, such as GlobalReg. It is the desire of LiMA that these domestic watercraft will operate at the highest standard and comparable to convention size ships flying the flag of Liberia.

## **System of Reporting**

4.7 There are mandatory and non-mandatory reporting requirements under relevant IMO instruments. Every State Party to IMO instruments has obligations to comply with IMO reporting requirements, which are facilitated by the Global Integrated Shipping Information System (GISIS). Providing reports to IMO also serves to demonstrate compliance with those obligations and responsibilities contained in the various instruments. Whilst some information is being reported by Liberia, it is essential that LiMA and LISCR consider developing a harmonized and formal system for reporting to IMO through GISIS, and other parties as may be required by convention.

## **Collaboration and partnerships for a vibrant and progressive maritime sector**

4.8 In the last decade, the Liberian shipping sector has not shown encouraging improvements in the number and quality of Liberian seafarers serving on board ships. To continue this development, as well as improved domestic watercraft performance and reporting to IMO, LiMA in collaboration with LISCR and LMTI should explore every opportunity to advance these aspirational elements.

## **Performance indicators**

4.9 This aspirational area will be measured in support of *strategic goal 6* and the overall achievement of this Strategy by the following factors:

- .1 the growth of LMTI and the number of trained Liberians meeting the requirement of the STCW 1978 Convention;
- .2 reduction in the non-compliance rate of small domestic watercraft; and
- .3 improved rate of reporting to IMO.

## **CHAPTER 5: MONITORING, EVALUATION AND REVIEW FRAMEWORK**

5.1 The National Maritime Committee will formulate an effective monitoring and evaluation framework for the purpose of assessing the implementation of this National Maritime Strategy. The framework will utilize the performance indicators contained in each chapter of this document, with a view to ensuring that the Strategy remain relevant and achievable within the timeframe provided. The framework should be a practical tool designed

to summarize and organize essential elements that would relate to the requirements of the III Code.

5.2 The framework should encourage an approach to evaluation that is integrated with routine implementation and enforcement operations and its emphasis is on practical, ongoing evaluation strategies that involve all stakeholders within the maritime sector. 5.3 To ensure continuous improvement, the framework will entail assessment of the system on a regular basis considering the performances of each entity to determine whether they are executing their responsibilities as it relates to the overall objectives of Liberia complying with its international obligations. In so doing, the performance indicators contained in this Strategy may be supplemented to address instrument specifics if found necessary.

5.3 Annual reports will be considered by the National Maritime Committee for decision making. At that meeting of the Committee, the report will be analyzed to review how individual entities are executing their responsibilities through which overall national performance can be determined and acted upon.

5.4 Monitoring will entail quarterly reporting on implementation and enforcement efforts at regular National Maritime Committee's meeting to ensure that what has been planned is going forward as intended and within the resources allocated.

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Approved by the following heads of government ministries within the Liberia maritime administration:

1. Liberia Maritime Authority  
  
Cllr. Neta Zanzan Eigho  
  
01/07/24  
Date
2. Ministry of Justice  
  
Cllr. N Oswald Tweh  
July 17, 2024  
Date
3. Ministry of Defense  
  
Brig Gen. Geraldine J. George (Rtd)  
  
July 9, 2024  
Date
4. Ministry of Transport  
  
Hon. Sirleaf Ralph Tyler  
  
July 1, 2024  
Date
5. Law Reform Commission  
  
Cllr. Boakai Kanneh  
07/09/2024  
Date
6. National Port Authority  
  
Hon. Sekou A.M Dukuly  
07/24/2024  
Date
7. Environmental Protection Agency  
  
Dr. Emmanuel K. Urey Yarkpawolo  
July 04, 2024  
Date
8. National Fisheries & Aquaculture Authority  
  
Hon Emma Metieh Glassco  
  
July 2, 2024  
Date