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WORLD MARITIME UNIVERSITY
MALMOJ, Sweden

MARITIME ADMINISTRATION IN SOMALIA

by

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Somalia

November 1985

A paper submitted to the Faculty of the World Maritime University
in partial satisfaction of the requirements of the
GENERAL MARITIME ADMINISTRATION COURSE.

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

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PREFACE

The courses provided by the WMU, which was founded in June 1983 under the auspices of IMO, are designed to overcome the limited know-how of developing countries in the field of maritime affairs as a whole and maritime administration in particular. This idea of IMO is of particular importance in our time because it will make available the solutions to the existing problems of maritime administration in developing countries by providing those countries with experts.

We, as developing countries, are aware of the need to establish our proper Maritime Administrations.

Thanks to this brilliant idea of the IMO, we hope that the problems of developing countries regarding their maritime administrations will be solved successfully. The task of the WMU can be considered as planting good seeds for a successful growth. But to gather the fruit will rest on the students' efforts in applying the knowledge they have gained during their studies, in their own countries.

In writing my project, I will focus particular importance and attention on maritime administration in general, then I will mention the administration of some developed countries and will conclude with the Maritime Administration of my own Country—Somalia.

I have based my project upon:-

- lectures and handouts given by Prof. Vanchiswar

- lectures and handouts given by Prof. A. Monsef,
- lectures and handouts given by Prof. G. Stubberud,
- filed trip experiences,
- lectures given by visiting professors, and
- reports an my country.

I hope this thesis will contribute even in a minor way to the development of the maritime administration of my Country-Somalia.

ACKNOWLEDGEMENT

I would like to take this opportunity to express my sincere appreciation to all my professors of the University as a whole, and to professors A. Monsef, P.S. Vanchiswar, G. Stubberud, P. Houssin in particular, for their unfailing courtesy, patience and kindness and for their invaluable contribution to my knowledge in the field of maritime administration.

During the preparation of this thesis I have been indebted to the advice of Professor A. Monsef. I also received the benefit of help from Miss K. Mordt who corrected my project from the point of view of English language and I inscribe here out deep thanks.

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LIST OF ABBREVIATIONS

SDR	Somali Democratic Republic
SPA	Somali Ports Authorities
MOU	Memorandum of Understanding
SSAL	Somali Shipping Agency & line.
IMO	International Maritime Organizatio
URSS	Union of Soviet Socialist Republics
STCW	International Convention on Standards of Training, Certification and Watchkeeping for Seafarers.

INTRODUCTION

The economic development of any country includes and depends on a complex of activities, planning and formulation with objectives in mind. These main objectives (the basis of any economy) are:-

- t r a d e, and
- i n d u s t r y.

On these activities will depend the internal and external trade. The external trade is an important factor in the economic development of a country. The external trade includes:-

- i m p o r t, and
- e x p o r t.

which determine a country's balance of payment. The external trade depends on the availability of proper facilities for transportation of goods and will entail also ADMINISTRATION in the field of transportation. These facilities and the administration are the tools which will enable a country to develop this kind of business.

Generally in a country the goods are transported from place to place in four different ways :-

- by railways,
- by road,
- by air, and
- by sea.

But the major part of the goods is transported by sea because that is the cheapest way of transporting com-

modities. Infact over 80% of the world trade by volume is carried by ship despite the growth of overland and air transport.

For these reasons shipping plays an important role in the economy of most of the countries of the world. From this we can draw the conclusion that maritime development, hence the development of a Maritime Administration, is very important to any maritime country.

In the economic development strategy, shipping should have a significant role to play. This has been recognized and declared by governments participating in UNCTAD.

Economic development can be achieved by promoting the earnings of developing countries from maritime activities and minimizing the net outflow of foreign exchange from developing countries caused by shipping transportations. But how? Developing countries should have an increasing and substantial participation in the carriage of goods generated by their foreign trade and should be enabled to develop their merchant marine in order to penetrate and compete in the international foreign markets.

It is useful to recall that the share of developing countries in the world's seaborne trade is roughly estimated to be around 60% or more in the liquid and dry bulk cargo shipment. It is a pity therefore that their participation in the carriage of these commodities is minimal, fact which may be harmful to

their balance of payment.

It is good and important for every Coastal State to set up and develop a proper maritime administration that can lay down the maritime strategy including shipping policy so as to be able to participate in the carriage of their share of cargo in the world.

CHAPTER I - THE MARITIME ADMINISTRATION
FOR A MARITIME COUNTRY

MARITIME ADMINISTRATION FOR A MARITIME COUNTRY

Administration is one of the functions of the government by which it implements legislation policy and operates the governmental system in accordance with a country's constitution and the conventions underlying it.

Administration is primarily made up of highly qualified expert personnel. It is their cooperation in well-defined working units, following a certain organizational pattern, that is called "ADMINISTRATION".

Maritime Administration encompasses a wide sector of activities, such as:-

- Shipping administration (governmental or private)
- administration of the different departments of the Merchant Marine Ministry,
- administration of ports,

These are the main sectors of the maritime administration.

The object and the aim of a Maritime Administration is to provide the above-mentioned activities with the machinery which would enable it to satisfactorily and efficiently undertake those functions which must be embodied within the country's National Maritime Law. Therefore, in the development of the maritime sector, the appropriate authorities would need to have an efficient administrative machinery to advise them on the adoption and implementation of the national legislation and other regulations required for developing

and operating the maritime programmes of their country and for giving advice on the policy-making in the maritime field, as well as for discharging the government's obligation under International Conventions which maybe applicable. This machinery can best be provided through a well-organized maritime administration.

The notion "Maritime Administration" has a broad general meaning. For example the U.S. Maritime Administration, which is a subdepartment of the Department of Transportation, deals exclusively with "promotion activities" which means subsidization. The major sectors of Maritime Administration in the meaning safety matters are dealt with by the Coast Guard, while matters of competition and the whole complex of shipping conferences are dealt with by the Federal Maritime Commission.

Italy, as organizational structure, has a Ministry of Merchant Shipping which administers "the Maritime Administration". In Norway and Denmark the Maritime Administration is headed by the department of the Ministry of Commerce, while in Somalia- by the Ministry of Marine Transport and Ports.

The reason for choosing the one or the other ministry for the maritime administration lies most probably in the general way of looking at the matter. Just to take an example, in the case of Somalia (my country), we have an appropriate Ministry of Marine Transport and this does not mean that we have deve-

loped our maritime transport enough, but it means that we give more importance to it and to the sea trade with the intention of developing this field as Somalia being a Coastal State with a coast of about 1500 miles.

In countries like the Federal Republic of Germany, a land-wards minded country, the maritime administration is administered by the Ministry of Transport. France has taken quite different route. Following a number of changes over the past few decades, the French thought that a "Ministry of the Sea", comprising the offshore industry and fishing in addition to shipping was the best solution. After only a short time, however, the French Administration of the Merchant Marine has recently returned to the Ministry of Transport again.

In Liberia, the Country where the world's largest merchant fleet is registered, the "Maritime Commissioner" is the head of the Country's shipping administration. He reports to the Ministry of Finance and this is a special case.

With regard to shipbuilding, this industry is normally administered by the Ministry of Economy or Industry (annex I-A). Some of the socialist countries have their own Ministry for Merchant Shipping as well as their own Ministry of Shipbuilding, for example URSS (annex I-B). In China the Ministry of Transport deals with shipbuilding matters (annex I-C). The Chinese justify this saying that in this way the Country's

merchant marine can have their say in deciding which ships will be needed.

There are two other notions that are quite closely related: shipping and ports. The organizational pattern of port administration resembles very much that of the state in question (annex II):

- a centrally-governed state will have a centralized administration for its ports and it will usually be the Ministry of Transport,
- in states with Federal Administrative structures, decentralized administrative port structure, ports will be administered by the Federal States or even by the local municipality with the Ministry of Transport exercising a coordinating function.

In the last case there is an advantage and disadvantage:-

A d v a n t a g e: competition takes place between the different ports and we know that competition is the best way to increase efficiency and productivity. This applies to any economic system;

D i s a d v a n t a g e: overlapping may occur and double investment seems inevitable.

Port administration in some countries is divided. For instance, in some ports of developing countries the port administration is not under one single authority and in some cases the management is divided between Municipal and Governmental institutions. This may lead

to inefficient operations, because the responsibility for the overall performance of the port is not clear. For smooth port operation it is best to have one port manager who is responsible for various departments involved.

The Administration of "waterways" comprises their completion, extension, maintenance and sometimes also buoyage, lights and other aids to navigation. In countries with a separate Ministry of Public works this ministry is in charge of the administration of waterways. In some other countries (Federal Republic of Germany) the Ministry of Transport is responsible governmental department (annex III-A).

In the "Administration of Fisheries", most states consider fish, the product of the fishing industry, to be the determining factor and have consequently affiliated the fishery to their Ministry of Agriculture. It is evident that there are strong ties with the Ministry responsible for shipping transport which deals with all matters related to maritime navigation and to the safety of fishing vessels. The same distribution of responsibilities applies at the international level:

- Economic aspects of fishing are dealt with by the FAO,
- International aspects of navigation and safety in relation to fishing vessels are in the hands of IMO.

It is the historical developments and the importance of offshore fisheries to the national economy of a given country that determine the affiliation

of that sector of industry to one or the other ministry,
unless, of course, there is an appropriate Ministry of
Fisheries as in the case of URSS and my own country,
Somalia.

CHAPTER II. - THE IDEAL MODEL FOR A
MARITIME ORGANIZATION

THE IDEAL MODEL FOR A MARITIME ORGANIZATION

I think that there does not exist what is called " ideal maritime administration " as a unique one as in a mathematical formula, because every administration has to make provisions for activities directed towards the achievement of given aims. Regularities in activities such as task allocation, supervision and coordination are developed. Such regularities constitute the organization's structure and the fact that these activities can be arranged in various ways means that Maritime Administrations can have different structures. An ideal maritime administration can be the one which every country considers fitting to its administration taking into account the relevant circumstances: economical, political, geographical and social. But in some respect the maritime organization can be unique.

In the previous chapter I have mentioned how in different countries there are different organizations administering the maritime affairs depending on the needs and circumstances of every country. However, the activities of, let's say, an ideal maritime administration has to cover the following points:-

- membership of IMO,
- participation in the meetings of IMO and its technical assistance programs,
- preparation and enforcement of an up-to-date merchant shipping legislation in conformity with the

- relevant maritime conventions,
- development of the infrastructure of a Maritime Administration and description of its roles and functions,
- development of maritime training facilities,
- determination of the relationship between ports and the maritime safety administration,
- determination of the roles and functions of the Maritime Safety Administration as regards shipping.

The field trips organized by the World Maritime University to different developed countries have given me the opportunity to study the variety of structures of maritime administrations of different countries, as well as the opportunity to examine if any general principle can be inferred. These varieties of structures may be related to variations in such factors as the objectives, size, geographical location and technical aspect.

By combining the different forms of Maritime Administration I have deduced a model which may be suitable for my country. This is just my proposal, my point of view, because, as I have already said, there is no mathematical formula. Therefore, there can be different view points

CHAPTER **III**-THE MARITIME ADMINISTRATION
OF SOME DEVELOPED COUNTRIES

A)- THE DUTCH MARITIME ADMINISTRATION

The Dutch Maritime Administration is administered by the Directorate General of Shipping and Maritime Affairs which is subordinate to the authority of their Ministry of Transport and Public Works.

The Dutch are a seafaring nation. The various government departments representing the Netherlands as a seafaring nation and port state are in the Directorate General of Shipping and Maritime Affairs.

The task of the Directorate General is to "achieve unified administration in maritime matters". It is carried out at the international level and entails promoting the interests of all shipping under the Dutch flag. The work of the Directorate General is divided between two Chief Directorates, responsible respectively for shipping policy and shipping traffic. In general terms, the first of these is concerned with vessels and their crews, while the second is responsible for the regulation of the traffic in channels and harbours.

The Chief Directorate of Shipping Policy has the responsibility for all vessels under the Dutch flag and for social and economic questions affecting their crews. It engages in international consultations aimed at improving the safety and the employment conditions of crews and is involved in crew training. It also has the job of ensuring the safety of

ocean-going and inland waterway vessels.

In Dutch ports measures are taken against vessels which fail to meet international requirements. European countries have concluded an agreement to keep such vessels out of their ports. The secretariat of the Port State Control is located at the Chief Directorate of Shipping Policy.

The Dutch Maritime Legislation

The Dutch " Maritime Law " is very broad one and is not the same as " Shipping Law ". It can be divided into private and public law. The first one deals with the relation between private parties, and the second - with the relation between the Government and private parties.

The Dutch private law has been codified in the Code of Commerce. Here one can find the legislation on the carriage of goods by sea, charter-parties, marine insurance, etc.

The public law has been codified and there are many with regard to this subject, such as:-

- safety of ships,
- pollution by ships,
- the manning of ships,
- measurements, etc.

IMO Convention and their Dutch Implementation

IMO prepares the conventions. After that, states party to a convention should implement it as a law. Usually a state may become party to a convention by:-

- its signature without reservation as to ratification, acceptance or approval, or
- its signature subject to ratification,
- accession.

It is a complicated and timeconsuming procedure for a convention to be implemented by the Dutch Authority. The Dutch Constitution says that the Kingdom will not sign any convention without previous approval by Parliament. For a convention to be approved by Parliament and become a law the following procedure has to be followed:-

- the adoption of the convention has to be advised by the Council of State,
- the convention has to be accepted by the two Houses Parliament.

In most European countries the situation does not differ very much with regard to time and procedure for implementing conventions.

In some countries, the adoption of conventions is very easy: a single statement is sufficient to signify that the State has become party to the convention and that the rules of that convention will be applied.

Dutch Shipping and Maritime Affairs

It includes the following:-

- a)- Directorate General of shipping and Maritime Affairs which takes care of:-
- international and national aspects of ships registered in the Netherlands and of the position of the Netherlands as a port state and seafaring nation,
 - safe and smooth shipping traffic of the Directorate General.
- b)- The Directorate of Legal Affairs, takes care of :-
- legal affair with regard to shipping in general,
 - preparation of the national shipping legislation and the implementation of international agreements,
 - giving legal support to the other directorates.
- c)- Staff Divisions, take care of :-
- personnel affairs including employment, position and training (Division of Personnel Affairs)
 - economic and financial planning and budgeting and controls the financial management (Division of Financial Affairs),
 - housing and logistics (Division of Internal Affairs)
- d)- The Directorate of Shipping and Maritime Policy, forming the following divisions:-
- division for economic and political affairs which takes care of:

- . economic affairs with regard to merchant ships registered in the Netherlands including financial aspects and investment subsidies,
 - . maritime research and port policy.
 - division for international policy which takes care of :-
 - . international political and economic affairs with regard to Dutch shipping,
 - . bilateral and multilateral shipping policies,
 - . the regional secretariat of the MOU on Port State Control.
 - division for social and educational affairs, which takes care of :-
 - . social aspects of ships registered in the Netherlands,
 - . labour supply and demand as well as the certification of seamen and the quality of education,
 - . the examination board for seamen's certificates of competency.
 - division for civil emergency planning, which takes care of a merchant marine defense strategy.
- e)- The Directorate of Nautical and Technical Affairs forming the following divisions:-
- division for nautical and general affairs which takes care of :-
- . nautical and technical aspects of shipping including shipping inspection as well as the certification and registration of seamen,

- . coordination and supervision of the four districts of the shipping inspection.
 - division of inland waterways which takes care of technical aspects of ships for inland waterways.
 - division for IMO coordination. Takes care of the coordination of the Netherland's contributions to IMO with regard to safety and marine pollution.
 - division for marine environment which takes care of marine pollution from ships.
 - division for ships accidents: takes care of the investigation of ship accidents.
 - division of technical affairs which takes care of technical affairs as well as the supervision of shipbuilding including control of ship designs and related calculations
 - division for ship measurement. Takes care of the measurement of seagoing and inland waterways ships.
- f)- The Directorate of Materials and Logistics, takes care of logistics, technical maintenance and the development of installations, marine signals and ships belonging to the Directorate General.
- g)- The Directorate of Pilotage and Maritime Traffic, takes care of:-
- adequate and safe shipping traffic on waterways within the competency of the Directorate General,
 - coordination activities of the four maritime districts.

h)- Maritime Districts.Take care of :-

- pilotage and traffic guidance systems, public ports, buoys and beacons,
- inspection of the ships.

B) NORWEGIAN MARITIME ADMINISTRATION

The organization of Norwegian Maritime Administration is complicated in the sense that the work is spread between various authorities. The Norwegian Maritime Directorate deals solely with the Maritime Safety Administration as such. This Department derives its authority primarily from the Ministry of Trade and Shipping which supervises the Directorate with regard to administrative and safety matters. The Directorate derives authority from other Ministries in dealing with other matters concerning maritime administration under the scope of those Ministries. These Ministries are:-

- The Ministry of Environment,
- the Ministry of Justice,
- the Ministry of Labour,
- the Ministry of Local Governments.

Apart from the Norwegian Maritime Directorate five other governmental bodies are involved in the maritime administration:-

- the Directorate of Telecommunications,
- the Electricity Authority,
- the Directorate of Seamen,
- the Nautical Inspectorate of Explosives and Flammables.

The Norwegian Maritime Directorate and its corporate organization control the ships in order to maintain and improve safety standards, under the autho-

city of the Ministry of Trade and Shipping. The Directorate exercises control over the mobile platforms under the authority of the Ministries of Local Governments and Labour which have the constitutional responsibility for offshore activities. The control concerns the building, equipment, manning and maintenance of the ships and platforms. The Directorate's requirements for ships and platforms are seaworthiness and environment-worthiness. The following authorities are responsible for the control:-

- the Norwegian Maritime Directorate's ship control stations and Maritime investigators,
- the Norwegian Maritime Directorate's staff of nautical and technical surveyors,
- the Directorate of Telecommunications, the Electricity Authority,
- Consuls,
- authorities of foreign countries.

The Norwegian Maritime Directorate controls:-

- the construction and building of ships and drilling platforms,
- equipment of ships and platforms,
- manning and maintenance of ships and drilling platforms,
- seaworthiness and environmental worthiness of the ships and platforms.

The abovementioned tasks are carried out by means of :-

- Norwegian Maritime Directorate ship control stations located in Norway and abroad and maritime investigator's offices located in Norway,
- nautical and technical surveyors,
- Directorate of Telecommunications,
- consuls.

THE SOMALI MARITIME ADMINISTRATION

1. Background

The Somali Democratic Republic has been independent from 1/7/60. It is a maritime country with a length of coast of nearly 1500 miles and situated on the east side of Africa. The coast extends from the border with Kenya (south) to Djibuti (north). The whole coast lies on the Indian Ocean and Gulf of Aden. Evidently, the Country can gain profit if it can develop its shipping, therefore its maritime administration.

From the independence to 1969 there was no notable development towards a maritime administration. However, the Revolutionary Government of the Somali Democratic Republic, after assessing the maritime situation of the Country reached a decision to establish its proper National Shipping Line in 1975.

Before 1969 there was a Ministry of Transport and Telecommunications which was responsible for land air and maritime transport in addition to telephon-telegraph communication and posts. But the Revolutionary Government of Somalia has separated the part concerning maritime matters from the Ministry of Transport and Telecommunications and formed a new Ministry under the name of "Ministry of Marine Transport and Ports" in 1976. This was the beginning of a new era for the national maritime development, because the Somali Democratic Republic realized the vital need of having a

proper maritime administration. The future of maritime development of the Country will depend on the efficiency of its maritime administration.

2. Shipping Development

a)- The Importance of Transportation for Development.

Transport is an ^{essential} integral part of the production process and, therefore, has a direct bearing on a country's economy and development. The survival of a nation depends fundamentally on the movement of the goods it produces and receives in exchange from other nations. Therefore, transport is of vital concern to every country but the relative importance of each of the several modes of transport may vary from one nation to another. This variation depends on the interplay of :-

- economic factors (geographic location, territorial arrangement and topography, extent of navigable inland waterways, economical and technical advances, size of the domestic market, direction of the main stream of the trade, etc.)
- subjective factors (national inclination, disposition of the people, and others.)

The modes of transportation are :-

- r o a d,
- r a i l,
- w a t e r, and
- a i r.

Among those modes of transportation, the water way of transportation is the cheapest way of transporting goods.

b)- The Importance of Marine Transport-shipping for the Somali Democratic Republic.

The Country, as any other country, especially a developing one should develop its own merchant marine fleet, because this will have an impact on the Country's international trade, its economic development and its security. In fact, for security reasons, various countries are keen not to allow what they schedule for security shipment to fall into enemy hands through the use of foreign and unfriendly flag-vessels.

One of the tasks of every country is to establish and develop a national merchant marine fleet of its own, because shipping is important to the national economic development (social, political and economic).

The national shipping of the Country should have the carrying capacity needed for carrying a justified share of its trade (import and export).

c)- Problems encountered in the establishment and development of the national fleet in SDR and in many developing countries.

Not all developing countries have exactly the same social, political and economical systems, neither are they at the same level of economic development. Therefore, the extent of these problems vary from country

to country. They are:-

- administrative problems,
- legislative problems,
- requirement of skilled labour,
- requirement of advanced technology,
- complexity of the new ships,
- massive investment require for providing adequate port facilities, and others.

The national solutions to these problems are :-

- cooperation (regional)
- joint venture with traditional maritime nations.

Once the national fleet is established, the effort does not end there. More efforts will be needed for constant improvements of the fleet to avoid stagnation. The line of demarcation between establishment and development can be very fine. Indeed, establishment continues into development.

The traditional methods are :-

I- for establishment of the fleet:

- . flag preference,
- . flag discrimination.

II- for development:

- . state intervention,
- . maritime subsidies,
- . state aids, etc.

Defense and national security, in addition to politics and economics, are first emerging as the major

motives for flag discrimination and flag preference. Flag discrimination implies that a country's national flag has to carry most, if not all, of the export and import cargoes generated by that country's international trade.

d)- Shipping and Trade in Somalia.

The major overseas trade regions are Western Europe, especially Italy, USA and Saudi Arabia and to a minor extent the Far East.

Coastal freight trade within the Country is more or less negligible, however, it exists between SDR, Kenya, Djibuti, the Arabian Peninsula and to some extent to Pakistan.

The Country's main products of export are livestock and banana. The Somali Shipping Company, which is government-owned, operates a fleet of four ships: two are reefer ships and two coastal ships. The reefer ships with a carrying capacity of about 15,000 m/c cannot fill the demand of the tonnage required for the export of the banana product of the Country. The two coastal ships have a carrying capacity of about 3,000 t. and they are used for trading in the coastal area between Djibuti, Kenya, Red Sea, Persian Gulf and Gulf of Aden, as well as in the local area from the North to the South.

With respect to the export of the livestock, at the present time we charter ships for that purpose.

In 1976 the Government took steps to establish a national merchant fleet to serve its foreign trade. But international shipping is a capital intensive, therefore it is prudent to examine the question of how can the Country benefit from investing in shipping:-

- by becoming independent from foreign-owned shipping,
- by carrying a share of its international trade in national flag vessels, thus saving scarce foreign currency and reducing freight costs,
- by obtaining new markets and generally by facilitating the Country's foreign trade.

By using the national flag fleet the Country can participate in carrying its foreign trade as well as in cross-trade between third countries.

In brief, the main benefits that the Country may expect from investment in shipping are:-

- net foreign currency savings on the Country's traffic,
- assistance in the form of value added to the Country's foreign trade and economy generally through the economic activities generated by lower freight rates and for new, better or more secure shipping services and for better export returns on essential bulk commodities,
- net profit from shipping operations.

e)- A Look to the Future of the Shipping in Somalia.

As already mentioned, the fleet run by the Somali Shipping Company cannot fill the transportation gap of the Country, the export and import share. The Government, of this fact, has planned to acquire coastal and ocean-going ships.

Our main export trade is livestock and banana, therefore the ocean-going ships must be of the kind specialized to carry those commodities. The import trade constitutes timber, cement, crude oil, flour, grain, etc. The following is the statistical data of our trade during the period 1981 to 1984. (X 1,000 tons):-

81		82		83		84	
imp.	exp.	imp.	exp.	imp.	exp.	imp.	exp.
869	115	963	178	733	198	952	155

3. Port Industry.

a)- The Utility of a port.

Marine transportation has been the life blood of world trade from time immemorial. Commerce between the nations of the world has always depended on the ports from which they operate and to which they sail. Despite the enormous growth of new transportation modes, the economics of sea transportation ensures that ships will continue to be the chief carriers of world trade in the foreseeable future. It is therefore evident that the ports also will continue to be the integral links in world transportation systems which they become long ago. A port is a place where vessels may discharge or receive their cargoes, and serves as vessel's shelters. The ports provide the base for storage, distribution, processing and assembly of commercial goods. Every seaports of commercial significance is a center for business, industry, transportation and distribution.

The business activities which can be found in most commercial ports are :-

- carriers (ship operators, motor truck lines, airlines, barge operators, etc.)
- storage agencies,
- shipper's agents,
- freight handlers (stevedoring firms, car and truck loading firms, etc.)

- vessel service agencies (towage, ship agencies, ship supply, repair yards, etc.)
- financial institutions (banks, insurance firms, etc.).

b)- Port Administration.

Most seaports today are under some form of public administration. There are two basic reasons for this:-

- seaport development is not generally a profitable enterprise. If ports are self-sustained at all they often operate on a very narrow margin of profit (more often they require some form of governmental support). Thus, port development has been not attractive to private investment;
- harbour development usually requires some governmental intervention.

Ports may operate their own general cargo facilities, or they lease some or even all of their facilities from others (depending upon the specific situation in which they find themselves). In my Country, all ports facilities for general cargo are publicly owned, there are no privately owned facilities.

For a port, the ability to achieve the profit objective requires maximizing revenue and at the same time minimizing expenses through efficient operation. In order to earn revenues, a port must attract and retain business (Shippers and shipping companies), i.e. it must offer selling and marketing activities and must

be able to provide utmost operating efficiency.

One of the important elements which affects the pattern of administration is the ability of the local port administration to be self-supporting and conduct its affairs without recourse to national subsidy. A well organized and well administered national port gives excellent results.

A port forms an important link in the transportation network and port operations are basic key-activities in the transport chain from source to client.

From the administrative point of view, there are circumstances in every country that decide which would be the most favourable conditions for port administration. The types of administrative systems can be classified as follows:-

- public control of ports,
- local control of ports,
- self-governing ports,
- a national ports authority.

The type of administrative system of the SDR is National Port Authority. Within this kind of port administration the port authority in this case consists of the President of Somali Port Authorities, the General Manager of Somali Ports Authorities, Directors of the departments of SPA and Directors of the three main ports. This kind of administration has the following

advantages:-

- a unified plan can be drawn up for all the ports of the Country, thus the national interests as well as the local interests will be considered,
- the authority is able to concentrate and specialize in the optimum allocation of the capital and in assessing the different projects for port development,
- the authority can standardize charges, port practices and procedures.

Ports tend to generate increased production, consumption, employment, trade and commerce in their immediate areas and thus their regions and, ultimately, the Nation.

4. The Somali Ports Authorities.

a)- The Organization of the Somali Ports Authorities.

SPA operate under the Ministry of Marine Transport and in close cooperation with the Ministry of Public Works as regards construction of facilities. SPA also cooperate with the Ministry of Finance and the Ministry of Labour.

SPA have the following departments:-

- planning department,
- engineering department,
- personnel department,
- finance and account department,

- legal department.

The organizational system for the ports is based on strict central control from SPA, and SPA in turn is controlled by the ministries responsible for the areas in question.

The main ports are three: Mogadishu, Kismayo and Berbera.

b)- The Responsibilities in the Ports of Somalia:

- The Ministry of Public Works is in charge of the construction of the ports,
- The Ministry of Marine Transport and Ports is responsible for the proposals of law regarding port administration and for port development policy. It is also responsible for the control of the day-to-day operation of the ports, the safeguarding of the navigation, and pollution prevention,
- The Ministry of Health is responsible for the protection and improvement of public health by preventing the introduction of disease from abroad, through physical examination of immigrants and passengers of ships,
- The Ministry of Finance is responsible for matters pertaining to the importation and exportation of merchandise (inspection of all export and import declarations).

c)- The Port of Mogadishu.

This port is under the authority of the port manager of SPA and the activities are organized under 3 services:-

- operational service,
- mechanical service,
- financial and administrative service.

The operational service includes cargo handling, traffic and claims, and pilotage.

The port comprises 6 deep-water berths with a total quay length of 1000 m..The general conditions of the facilities is acceptable and generally stands up to the requirements of a port.It has one particular berth,called livestock berth,used for loading the livestock.The port can be extended and improved in the future.

There are proposals to divide the operational service into three services:-

- cargo operation,
- maritime operation,and
- technical services.

It will be necessary to develop the technical and structural maintenance which has become very important with the increased utilization of mechanical equipment.

d)- The Port of Berbera.

This port comprises 2 deep-water berths with a

total quay length of 320 m. The port is presently being extended with two additional berths, and also repair-works and improvements of the existing facilities are in progress.

e)- The Port of Kisimayo.

The port comprises 4 deep-water berths with a total quay length of 620 m.

The ports of Berbera and Kisimayo are each organized with one operational service including all operational sectors. But for these ports it is recommended to organize the operations under two services: cargo operations and maritime operations. In these ports the technical section, responsible for equipment maintenance, is placed under the cargo operation service.

Beside the operational service, there is also the financial and administrative service, representing the responsible for finance and port personnel.

The ports are provided with good cargo handling equipment, such as forklifts, cranes and conventional cargo handling manually.

Those three ports (Mogadishu, Kisimayo and Berbera) are recommended to be provided with bulk (grain and cement) handling equipment.

5. The Seafaring Personnel in Somalia.

a)- Education and Training

The seafarers are of two types:-

- officers, and
- ratings.

There are two principal training systems today:-

- the "hause pipe" system where a man works his way to a license through "the hause-pipe",
- the "front end education" programme, where a man is committed to a number of years of formal education which encompasses professional subjects as well as general academics.

In Somalia the ratings generally belong to hause-pipe system (more than 90%), because we have no special training courses for them, while the officers belong to the front end education which produces a cadre of educated maritime people. The front end education in Somalia is covered by the Ministry of Education. It provides two levels of education:-

- nautical and engineering cadets with a pre-entry requirement of intermediate certificate,
- maritime institute which prepares the teaching staff of the maritime schools in navigation and marine engineering, with a pre-entry requirement of High School certificate.

In the "hause-pipe" system the trainee with

suitable experience ashore is employed as a crew member (officer or rating) and learns the practicality of his job under guidance and supervision, while in the case of "front end education" programme the trainee follows a carefully planned scheme of training covering all aspects of his expected duties carried out under controlled conditions mostly ashore in maritime training colleges or in other training establishments.

b)- Training of the Officers.

The annual requirement of trained officers is small as the Country's own tonnage is very small. Almost all the deck officers are trained abroad (in Egypt mostly, and U.K., Italy, Russia.) as the training facilities available in the Country are limited to educate and train officers of coastal ships and could not possibly meet the requirements of their training for ocean-going ships. With regard to the engine department's officers, they can be trained at home.

c)- Development of Maritime Training Facilities.

As all developing countries, Somalia abounds in human resources who play dominant role in the national economic development, and as such they must be utilized appropriately to the national advantage also in the maritime field. The Government is assuming the responsibility of utilizing them. The responsibilities and functions of the Government as regards its marine per-

sonnel (seafarers) cover the following :-

- crew matters in general,
- examination and certification of the seafarers,
- manning of the ships,
- maritime training.

d)- Necessity of Maritime Training Facilities.

Ships are a capital intensive industry. Once the appropriate policy decisions are taken, to acquire a fleet and form a shipping company, operation will be easier. but the difficulties will emerge when there is a lack of qualified and skilled personnel required to man, manage and operate these vessels. Therefore, before acquiring and forming the fleet, one of the tasks which is necessary to fulfil and to think about, is to create the proper maritime training facilities to enable the Country to get a ready source of maritime expertise in all its branches.

The maritime industry consists of more than oceangoing ships. It includes tugs, barges, ports and terminals, shipyards, marine insurance underwriters, engineering, etc.

To start with trade, the Country will require a productive and competitive merchant fleet capable of transporting a good share of its foreign trade. Such a goal requires a well-trained and professionally competent cadre. The purpose of that maritime training

facilities is to ensure that such a cadre is available. Therefore the maritime academies, institutes and all kinds of maritime training facilities play a vital role in fulfilling the national policy and commitments to have superior licensed officers serving on ships of the Country. These matters are vital because they have an impact on the standards of safety and efficiency of the operations of the ships as required by IMO standards.

e)- Enrolment of the Ratings.

An ad-hoc examiners' committee is nominated by the Ministry of Marine Transport to conduct examination tests for the following periodically:-

- . deck ratings- on seamanship (rowing, sailing, painting, swimming, rope work, knots, canvas work, use of fire fighting appliances, maintenance work, etc.)
- . engine room ratings- on working and firing of boilers, painting, handling of engine room tools, ship engines and auxiliary machinery, etc.

The knowledge of the ratings should comply with STCW standards. If the examined passes the test a "seaman's book" will be conferred to him where his qualifications are noted. After that he can apply for a job.

f)- Registration of the Rating .

When the seaman is enrolled as a rating, he must

register his name at the Ministry of Labour for employment purposes because the seaman is not eligible for employment on a ship unless he is registered. At the time of the registration at the seaman's employment office, full particulars of the seaman are noted in the "Register of Seamen", a complete and up-to-date record of seamen.

g)- Employment scheme for the seamen.

The procedure is the following:-

- . compilation of authentic records of all the seamen available for employment through registration,
- . determination of the turn of employment of each seaman according to the dates of his discharge by preparation of a roster (general roster),
- . supply of the seamen in accordance with their seniority on the particular roster,
- . signature of the seaman approved for engagement on the "agreement for seamen" before the ship master or the shipowner. The terms and conditions of the agreement have been framed in accordance with the provisions of the local labour regulations.

6. The Somali Merchant Shipping Legislation.

a)- The importance of the Merchant Shipping Legislation.

In every maritime country development of a maritime legislation is vital because it effects the development and effective enforcement of an appropriate maritime administration. Most of the developing maritime countries lack a merchant shipping legislation, or have no up-to-date legislation.

b)- The Situation of the "Maritime Code" in Somalia.

The Code was elaborated before the Independence in 1959. After this period some amendments were made, but the main part of the Code, which is in use today, still remains unmodified. There is already an elaborated up-dated maritime legislation, but it is still pending and therefore not in force. The Merchant Shipping Legislation in Somalia is called "MARITIME CODE". It is divided into six parts which deal with:-

- Part I : Administrative Organization of Navigation,
- Part II : Ownership and fitting equipment of vessels,
- Part III: Obligations relating to the operation of
the vessels,
- Part IV : Procedural Provisions,
- Part V : Maritime Crimes,
- Part VI : Provisions Governing Discipline and transi-

tory and final provisions.

A lot of presidential decrees have amended the "Maritime Code" and the book itself has not been revised and not republished. Just to take an example, the administrative organization part is not the same as it is in the Code, but has been amended.

The pending Code has been elaborated by experts on the subject, and comprises up-dated chapters, such as:-

- Registration of ships, mortgages,
- administration,
- maritime personnel,
- safety,
- wrecks, salvage and shipping casualty investigation,
- limitation and division of liability, etc.

CHAPTER V - CONCLUSIVE RECOMMENDATIONS

CONCLUSIVE RECOMMENDATIONS

1)- The Training of the Seafarer Personnel.

The most crucial element in so far as maritime safety is concerned is the human element. A ship is only as good as the crew who man it. Therefore, the safety of ships will ultimately depend on their crews and their professional ability. Seafarers to-day (in the days of automation and sophisticated technology) is a highly skilled profession. Therefore, the training of the maritime personnel to be given high priority. I think that one of the best ways to train them should be on the regional basis.

2)- The Maritime Legislation.

One of the conditions of maritime development is the up-to-date maritime legislation. The "Maritime Code " is a body of laws adopted or formed to control maritime activities. The basic of Maritime Laws is generally of an international nature. However, part of these laws are of national nature to meet specific local conditions in the country. Therefore, it is necessary to create appropriate legislative framework within which shipping, ports and other complementary activities of maritime transport are regarded. An effective maritime administration can influence the legislative framework development.

3)- The Organization of the Ministry of Marine
Transport and ports.

I would suggest to include in the organization of the Ministry of Marine Transport and Ports in Somalia a department under the name "Department of Shipping Policy" responsible of the following matters:-

- definition of principles of national shipping policy,
- matters relating to promotion of national shipping,
- relation between the Country and other countries in shipping matters,
- representation of the government in UNCTAD.

Besides, the department intitled to " aids to navigation and maritime demesne" is recommended to be called "Department of maritime safety of navigation and demesne" with the following responsibilities:-

- pilotage,
- seafarers' affairs (certification and employment),
- pollution prevention,
- aids to navigation,
- search and rescue,
- dangerous goods,
- investigation into marine casualties,
- representation of the Country in the International Organizations (IMO and ILO).

4)- The Introduction of Port State Control.

As international shipping traffic grew, so did the number of marine casualties (see annex-XII) These casualties can be prevented if appropriate safety standards are observed so as to ensure the safety of the seafarers, of the ships, their life and welfare, as well as the safety of marine environment.

To keep the ships to safety standards IMO has taken a set of initiatives and has elaborated guidelines on control procedure of the ships. The ships which do not comply with IMO safety standards (i.e. ships hazardous to safety, health or environment) are called "substandard ships".

As Somalia is a member state of IMO, it is affected by the international minimum standards adopted by this organization and ILO with regard to safety of life and property at sea, the health of seafarers, and the prevention of marine pollution. Therefore it should introduce the Port State Control in the maritime administration of the Country and I deem opportune to put it under the responsibility of the harbour master of every port of the Country. When the officer in charge of the Port State Control identifies a substandard ship it should be detained. It should not be permitted to sail until a correction of the deficiency has been accomplished. Immediately after the detention of

the ship, IMO and the Flag State should be informed. Following this procedure of Port State Control the marine casualties can be eliminated or reduced to a very limited number, consequently the safety of the ships and its passengers and crew will be safeguarded.

5)- Computerization.

Another suggestion of slight importance is the introduction of a computer system in the administration of the Ministry of Marine Transport to store vital information. The use of a data processing system will be helpful to improve and increase efficiency because the routine system of documentation is complicated and time-consuming at the same time. In fact, the computer system can be applied in the registration of the ships, of the personnel of the Ministry, of Ports Authorities and of the National Shipping Line, in processing into the computer the ship's accidents, seafarers in training, etc.

A computer is a labour-saving appliance, but at the same time it is necessary to bear in mind that it will increase and improve the efficiency of the applied work.

It is my point of view that computer should be introduced in the maritime administration of the Country without harming the employees by substituting them, but just using it for matter of getting quick

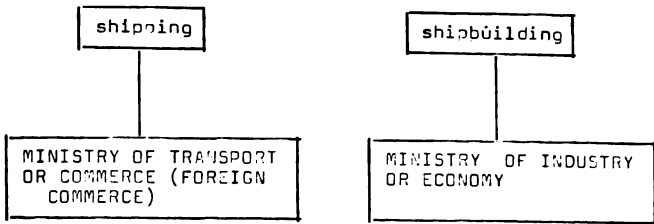
information when it is needed. The main aim will be to acquire the adequate know-how in the field of computers as the world is developing towards computerization. The introduction of computers in the maritime administration will promote efficiency.

BIBLIOGRAPHY

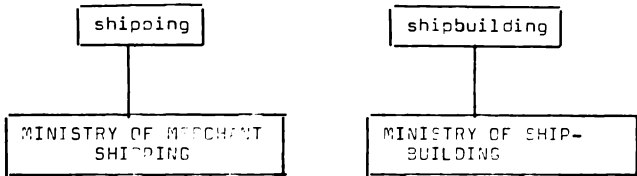
- Maritime Transport. The Evaluation of International Marine Policy and Shipping Law by Edgar Gold
- Sea Transport, Operation and Economics by P.M. Alderton,
Thomas Reed Publications Ltd., 1973.
- Shipping Law by Robert Grime.
- The International Maritime Organization, Edited by
Samir Mankabady.
- The Managing Director, second Edition by
George Copeman
- The Developing Countries and International Shipping by
World Bank Staff Working Paper N. 502 of November 1981.
- Management of Sea Ports by Martin J. Schwimmer & P.A. Amundsen.
- Establishment and Administration of Maritime Affairs in
Developing Countries, by Professor P.S. Vanchiswar.
- Master Plan Studies of SPA, by Ramboll & Hannemann.
- Lecture Notes on:
 - . Maritime Administration in FRG, by Lampe.
 - . Port Economics, by Dr. Professor A. Monsef,
 - . Marine Personnel in India, by C. Sing .
 - . Marine Personnel in U.K., by Professor T.F. Balmar .
 - . Shipping Policies, by Prof. Georgondopoulos
 - . Maritime Administration, by Prof. G. Stubberud.
- Lecture Notes given during field trips to Norway and
the Netherlands.

LIST OF THE ANNEXES

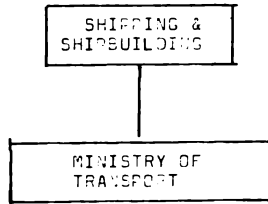
- ANNEX-I/a - The administration of shipping and shipbuilding industry.
- "- -II/a - The organizational pattern of port administration
- "- -III/a- The administration of "waterways"
- "- -IV/a - Block organization of the Dutch maritime organization.
- "- -V/a - The Norwegian Maritime Directorate
- "- -VI/a - Norwegian ministerial control system.
- "- -VII/a- The chart of Somalia.
- "- -VIIIa- The block organization of the Ministry of Marine Transport and ports in Somalia.
- "- -IX/a - The organization of the National Shipping Line and Agencies in Somalia.
- "- -X/a - Block organization of the Somali Ports Authorities.
- "- -XI/a - Somali students enrolled in the Arab Maritime Transport Academy during 1980-1984.
- "- -XIIa - Merchant ships totally lost consequent upon casualty 1981-1981.
- "- -XIIIa- Data system in the maritime administration.



Normal structure (A)



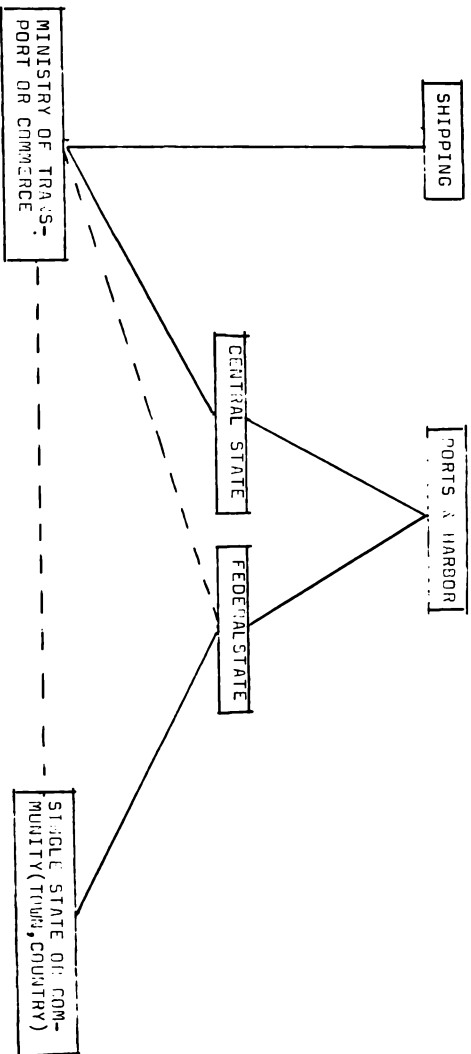
Russian structure (B)



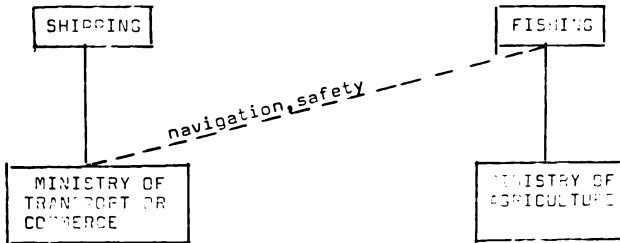
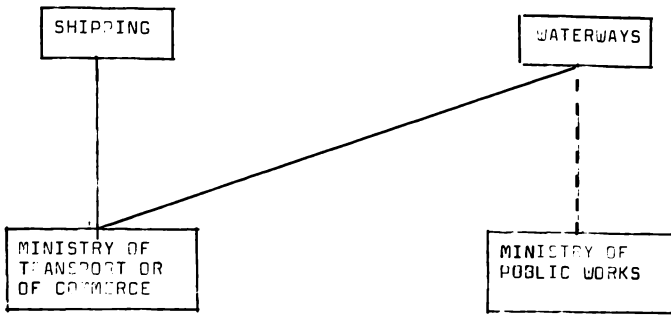
Chinese structure (C)

ANNEX Ia

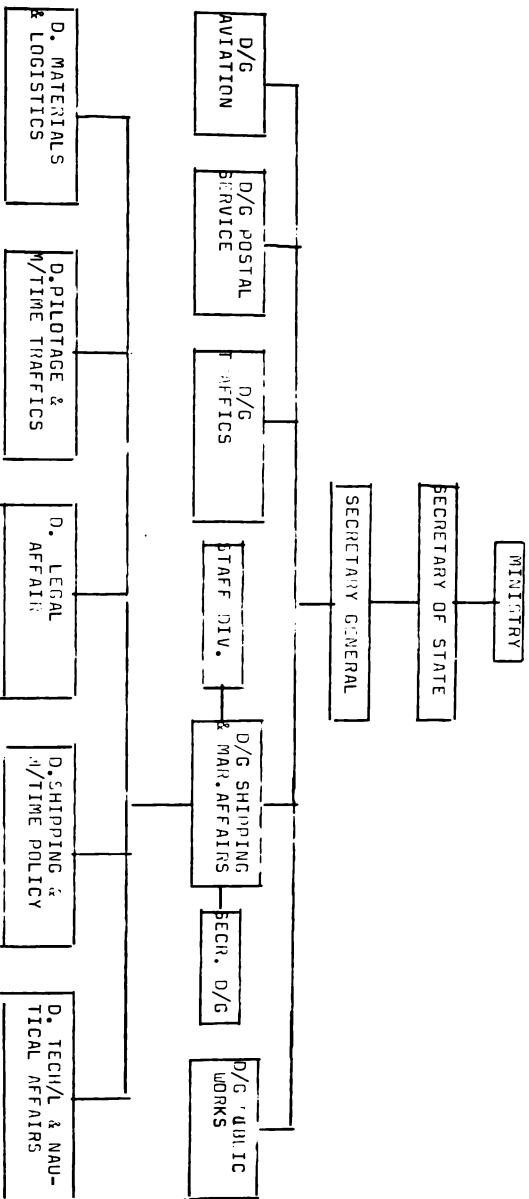
(The administration of shipping and shipbuilding industry).

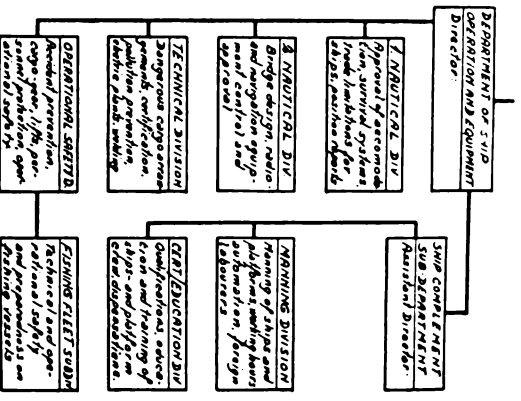


The organizational pattern of port administration.

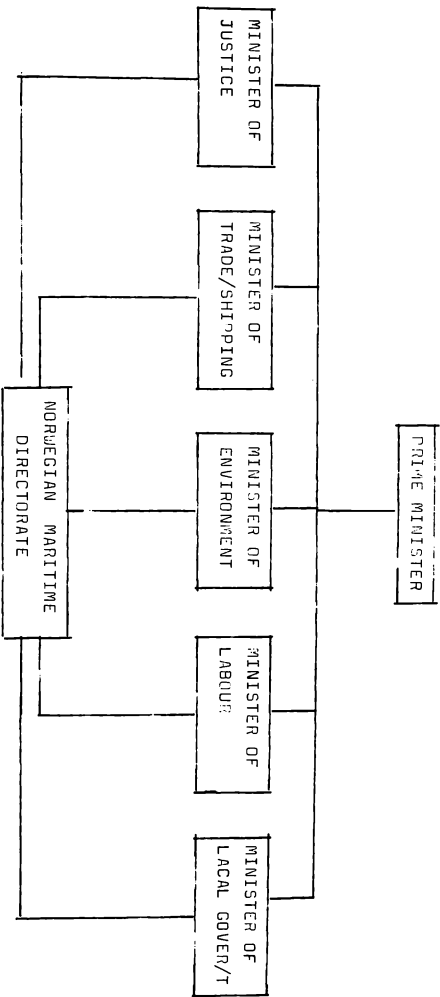


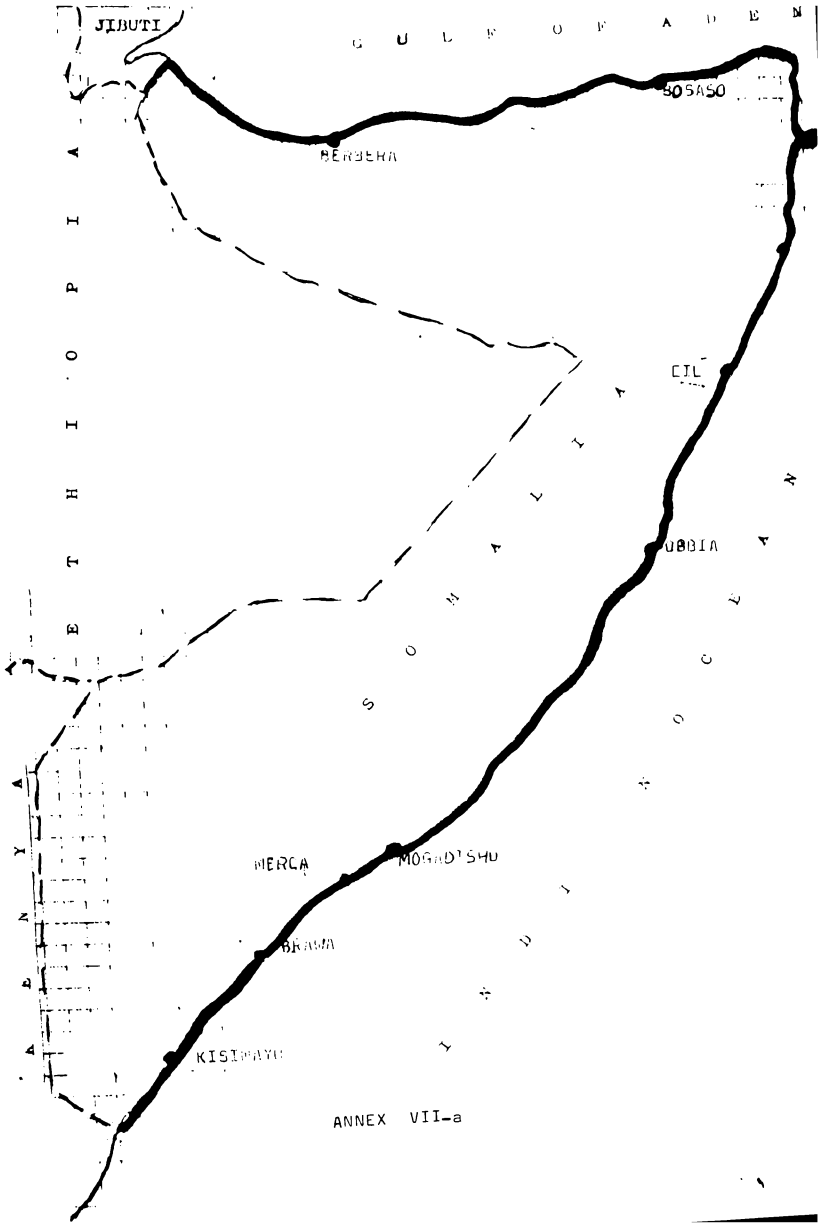
The administration of waterways.





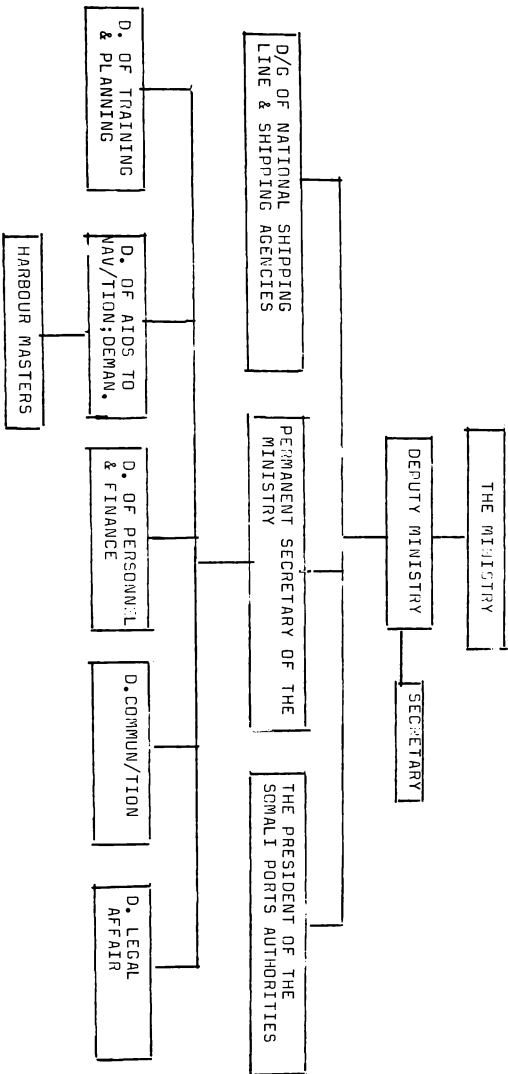
NORWEGIAN MINISTERIAL CONTROL SYSTEM



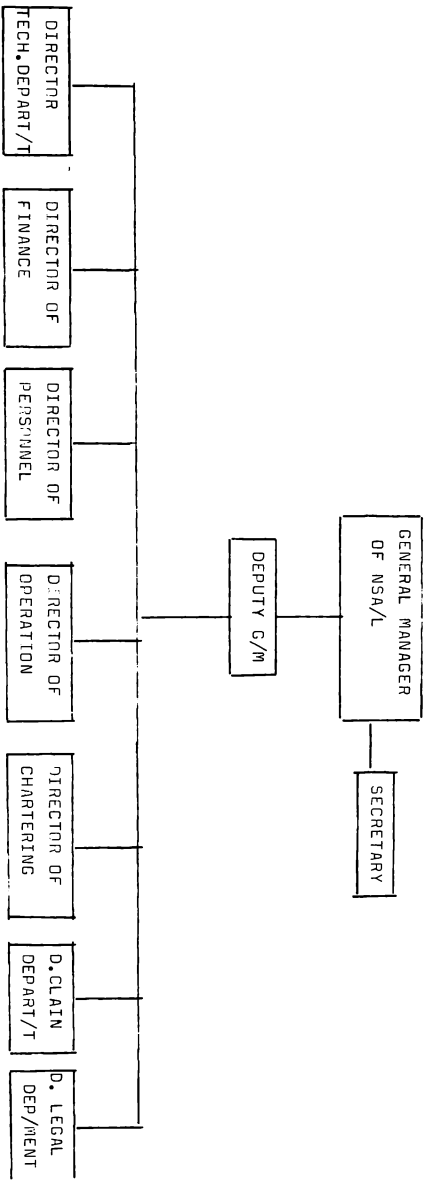


ANNEX VII-a

BLOCK ORGANIZATION OF THE MINISTRY OF MARINE TRANSPORT AND PORTS IN SOMALIA



THE ORGANIZATION OF THE NATIONAL SHIPPING LINE
AND AGENCIES IN SOMALIA



DIRECTOR OF
PERSONNEL

DIRECTOR OF
FINANCE

DIRECTOR OF
TECH. DEPART/T

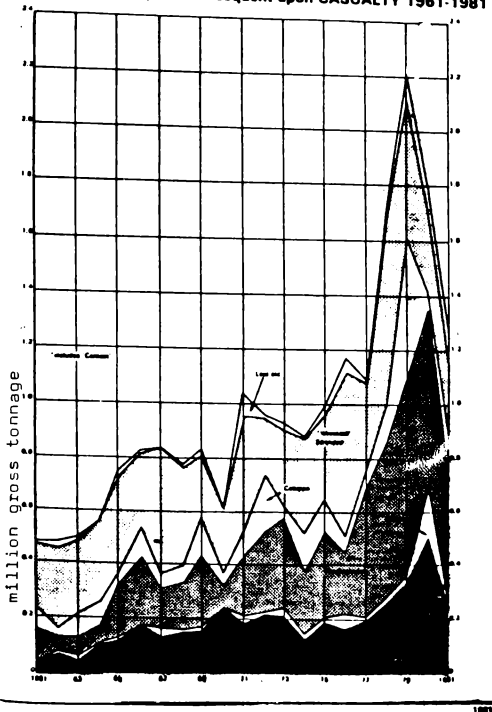
DIRECTOR OF
PLANNING

ANNEX X -a

Year	Nation.											Total	
	Sudan	Somalia	Nigeria	Ghana	Tanzania	Ethiopia	Liberia	Commore	Gambia	Sierraleone	Ivory Cost		Namibia
80-1981	140	26	21	8	10	12	14	4	1	3	6	-	245
81-1982	320	44	40	15	12	20	14	4	1	3	6	-	479
82-1983	343	44	22	15	12	21	20	4	1	6	6	2	495
83-1984	127	24	6	20	12	30	25	8	1	6	-	2	261

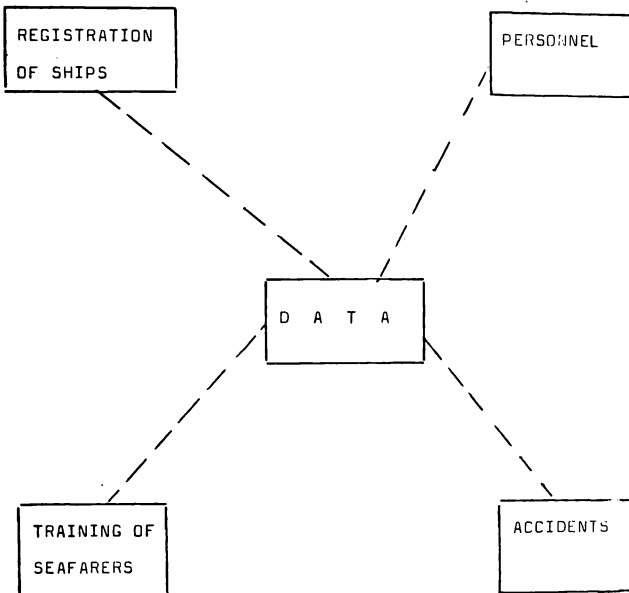
NO. OF SOMALI STUDENTS ENROLLED IN THE ARAB MARITIME TRANSPORT ACADEMY
DURING THE PERIOD 1980 TO 1984

Merchant ships totally lost consequent upon CASUALTY 1961-1981



(From Lloyd's Register of Shipping)

ANNEX XII-a



Data process applied in
maritime administration.

ANNEX XIII-a