

1 *Type of the Paper (Article)*

2 **Montenegro on the path to Paris MoU accession:** 3 **Towards achieving sustainable shipping industry**

4 **Jelena Nikcevic**

5 University of Montenegro; jelenag@ac.me

6 Correspondence: jelenag@ac.me; Tel.: +382-67-237-422

7

8 **Abstract:** In order to ensure the sustainability of the shipping industry and marine ecosystem of
9 Montenegro, it is necessary that Montenegro becomes a full member of the Paris Memorandum of
10 Understanding (Paris MoU) on Port State Control. The reasons for doing so are numerous: the full
11 adoption of standards stipulated by the Memorandum in relation to ship control; continuous
12 keeping the pace with and development of new standards in compliance with turbulent changes in
13 the maritime industry and operation (including the increasing scope of maritime transport);
14 decrease in the number of detained ships which meet the requirements stipulated in international
15 conventions and elimination of substandard ships in perspective; prevention of environmental
16 pollution, sea and port incidents. This justified endeavour is supported by the fact that Montenegro
17 is one out of two countries in Europe that are not the full members of the Paris MoU. Additionally,
18 in this context it is necessary to emphasise the fact that the marine ecosystem of Montenegro makes
19 an integral part of the world ocean. Accordingly, the improvement of the quality of national
20 legislation which is compliant with international requirements is an imperative which has positive
21 implications on the regional and global sustainability.

22 **Keywords:** port state control; Paris MoU; Montenegrin accession; sustainable shipping.

23

24 **1. Introduction**

25 The world ocean absorbs carbon-dioxide from the atmosphere, provides one half of oxygen
26 needed to the living world and food for approximately three billion people across the world. It
27 abounds by other numerous resources used by people, regulates climate, over 90% of the world
28 transport in terms of scope and over 60% of transport in terms of value takes place by the sea [1,2].
29 Throughout history, the sea has always played an extremely important role for mankind both as a
30 space of communication and as an inexhaustible source of food, which has been evidenced by
31 numerous historical sources [3]. Some countries link practically all their economic activity to the sea
32 and marine resources. Throughout history, the sea has been the *condicio sine qua non* of the
33 development of numerous civilizations and numerous wars waged in order to gain access to the
34 sea. On the other hand, the world ocean has been exposed to numerous threats in terms of
35 sustainability due to increasingly dramatic climate changes, deacidification of seas-oceans, increase
36 in the sea level, volatile catch of fish, numerous natural and human-induced disasters. Human-
37 induced disasters include, inter alia, the problems related to the so-called "sub-standard ships" i.e.
38 ships which do not fulfill the standards stipulated by international Conventions, which sail by world
39 oceans and frequently cause maritime accidents. Clearly, maritime accidents result in great losses
40 for shipping industry and overall society since they cause the loss of human lives, ships, cargo and
41 pollution of marine ecosystem [4].

42 In order to ensure the sustainability of the world ocean, the mankind should work on prevention
43 of these threats by acting proactively in all spheres of maritime affairs, including the legal
44 framework toward the adoption of preventive regulations. It would be incorrect to say that the
45 legislation in this field does not exist on a global basis. However, its full implementation in specific

46 regions is in delay. This, in turn, requires the need for increased responsibility of countries in terms
47 of coordinated decrease of shipping environmental impact [5].

48 Finding of optimal legal solutions creates a favorable ground for the sustainability of shipping
49 industry and marine ecosystem in extremely dynamic present conditions [6]. The legislative
50 framework necessitates positive changes which would accompany socio-economic needs and
51 dynamics, while observing the principle of sustainability. Additionally, efforts should be made to
52 develop inclusive strategies for the successful management of seas for today and the future.

53 IMO, as the overarching organization which is in charge of, *inter alia*, protection of sea against
54 pollution, adopted numerous international and regional regulations in this field [7]. Of particular
55 importance are those regulations which put an emphasis on sustainable shipping industry and
56 inspection of faults in ships. The Paris Memorandum of Understanding, which is in the focus of this
57 work, is one of regional Agreements i.e. legal instruments for identification and resolution of issues
58 in shipping industry as well as the activities related to incidents which can negatively affect the
59 marine ecosystem. A special attention in this work has been devoted to this Memorandum from
60 the aspect of necessity of ensuring the full membership of Montenegro in the Memorandum in the
61 recent future - Montenegro being one out of two countries in Europe which have still not become
62 full members, thus making discontinuity in insurance of sustainable shipping industry on the
63 European and global scale.

64 The first part of the work provides a brief overview of the development of the legal framework
65 of Montenegro in two segments, following its constitution as an independent state. One segment
66 relates to navigation safety and the other relates to environmental protection including marine
67 environment. Additionally, the work lists regional and international Conventions adopted by
68 Montenegro in these fields. The second part of the work describes the Paris MoU in terms of its tasks
69 and manner of functioning. The third part of the work is devoted to activities of Montenegro toward
70 the full membership, as well as to certain impediments and successes on this path. Finally, the work
71 provides concluding considerations and guidelines for further research.

72 **2. Creation of legislative framework of Montenegro in the function of sustainable shipping** 73 **industry**

74 Following turbulent political changes on the territory of the former Yugoslavia [8], Montenegro
75 recovered its statehood in 2006, established its legal system [9], and entered international scene as
76 an independent state and the subject of international law and obligations. The establishment of the
77 new legislative framework implied quite complex legal reforms for Montenegro in all fields of
78 society, with special reflection on maritime legislation including the protection of marine ecosystem
79 and insurance of sustainability.

80 In order to understand properly the maritime legislation of Montenegro which is in force at
81 present, we provide below the brief overview of the legislation which existed in the past, while
82 Montenegro was a part of the Socialist Federal Republic of Yugoslavia – (SFRY 29/11/1945 –
83 27/04/1992), then the Federal Republic of Yugoslavia (28/04/1992 – 4/02/2003) and, finally, the State
84 Union of Serbia and Montenegro (4/2/2003 – 5/06/2006). This legal heritage had a significant
85 influence on the creation of maritime legislation of Montenegro.

86 Forty years ago, the overall field of the maritime law on the territory of the former Yugoslavia
87 was systematised and codified by the Law on Maritime and Inland Navigation (LMIN) which was
88 adopted in 1977 [10]. This Law, in qualitative and quantitative terms, exceeded the scope of
89 “ordinary” laws. Given that this Law regulated the overall field of maritime law, it is clearly a very
90 large legal text comprising 1.078 Articles [11]. We can freely say that this was the most voluminous
91 legal codifying act adopted on the territory of the former SFRY. In 1992, when SFRY dissolved, this
92 Law was transposed in its totality to the legislation of the newly set up Federal Republic of
93 Yugoslavia [12]. This period was characterised by political unrests, which was largely reflected on
94 the maritime-legal regulations. Namely, from 1992, due to the sanctions imposed by the
95 international community and dissolution of the state, the Federal Republic of Yugoslavia did not
96 keep the pace with the development of international law. International conferences were not

97 attended and, accordingly, no Convention in the field of maritime law was either signed or ratified
98 during the period of sanctions. Although expert-scientific groups were set up with the task to
99 update the LMIN, the task remained unfinished. Following this discontinuity caused by sanctions
100 and civil war, the old-new LMIN [13] was adopted on 5 March 1998. However, it did not incorporate
101 any update which was necessary despite the fact that certain international Conventions were
102 adopted in the meantime.

103 Following the recovery of its statehood in 2006, Montenegro created its legislative framework in
104 the field of maritime affairs as an independent and sovereign state. Pursuant to the Decision
105 Promulgating Independence [14], Montenegro transposed into its national legislation the
106 unmodified LMIN which was in force in the State Union of Serbia and Montenegro. The question
107 which arose at the very beginning was how to regulate the subject of maritime law conceptually: to
108 adopt a separate law on maritime navigation and a separate one on inland navigation or to make
109 the existing LMIN compliant with conventions in those aspects where it was not harmonised, or to
110 adopt new laws that conceptually differ from the existing LMIN while treating the differences noted
111 in practice.

112 Unlike the former member states of Yugoslavia, Croatia and Slovenia, which started the
113 development of maritime-legal framework by separating maritime and inland navigation and
114 adopted separate laws in these fields [15,16], Montenegro opted for a different approach. Namely,
115 Montenegro became oriented to adoption of several laws which separately regulate specific fields
116 of maritime law. The provisions of LMIN which related to the subject in question repealed with
117 effect from the date of entry into force of separate laws. The reasons for such approach of the
118 Montenegrin legislator should certainly be traced in the excessive volume and extensive systematics
119 of LMIN and, then, the fact that the subject of maritime law had been regulated by separate pieces
120 of legislation in many coastal states in the world. The reasons of legal-technical nature should be
121 added to this. More precisely, from the aspect of legal procedure, it is much easier to adopt and
122 amend by-laws through which the adopted laws are implemented, than to adopt and amend the
123 laws themselves.

124 In compliance with the above, Montenegro adopted the following laws: the Law of the Sea [17]
125 and Law on Yachts [18] in 2007, Law on Ports [19] in 2008, Law on Marine Fisheries and Mariculture
126 in 2009 [20], Law on the Prevention of Sea Pollution from Vessels [21], Law on Maritime Navigation
127 Safety [22] and the last adopted Law on Safety Protection of Ships and Ports [23] in 2016.

128 2.1. Montenegrin legislation – *de lege lata*

129 In the context of this work, of particular importance are the Law on Maritime Navigation Safety
130 and the Law on the Prevention of Sea Pollution from Vessels as essential laws establishing the legal
131 framework for safe navigation and ensuring prevention of sea pollution from vessels in the function
132 of sustainability of the marine ecosystem of Montenegro. The Law on Maritime Navigation Safety
133 regulates all segments of safety at sea (ship safety, cargo safety, occupational safety and navigation
134 safety) with the aim of ensuring the avoidance of maritime accidents and, in relation to this,
135 pollution of the sea and marine ecosystem. Particularly important is Part XIV entitled “Inspection”
136 (Article 183 to 198) which regulates, *inter alia*, the performance of port state control of foreign ships
137 and their fleets calling at the ports or anchorages of Montenegro by the Montenegrin Port State
138 Control Officers (PSCO), with the view of protecting the sea and improving safety [22]. On the other
139 hand, the Law on the Prevention of Sea Pollution from Vessels endeavours to prevent, decrease and,
140 to the greatest possible extent, eliminate the pollution of marine environment. The Law regulates
141 the following: materials prohibited from being discharged into the sea from vessels; measures and
142 communication procedures to be observed while ships enter and leave the ports of Montenegro; the
143 construction, equipment and conditions to be fulfilled by vessels; conditions and manner of
144 packing of harmful and polluting substances; conditions and manner of discharging of sewage from
145 ships; discharge of communal waste from ships; pollution of air from ships; ballast water (measures
146 and procedures for their replacement, replacement control); manner of waste discharge into the sea
147 and waste burying; waste reception and management; responsibility and compensation of damage

148 etc. [21]. In April 2011, Montenegro adopted the *National Plan for Emergent Reaction in the Event of*
149 *Sea Pollution from Vessels*. This Plan specifies the manner of work and action, tasks and
150 responsibilities, measures and procedures aimed at prevention, decrease and remedy of
151 consequences of sea pollution from vessels. The purpose of the Plan is to ensure a timely and
152 efficient reaction to maritime accidents of sea pollution from vessels at the national level. The Plan
153 applies in the event of a maritime accident which caused or may have caused pollution in the
154 maritime areas, at the sea bed or below the sea bed of Montenegro, which includes internal waters
155 and territorial sea [24]. Protection and preservation of maritime environment have been regulated
156 by other Laws of the Montenegrin legislation. In this regard, particularly important are Article 2
157 and Article 19 paragraph 2 of the Law of the Sea [17], Article 26 paragraph 2 of the Law on Ports
158 [19] and Articles 33 and 42 of the Law on Yachts [18].

159 In addition to the mentioned Laws in the function of sustainable development of the shipping
160 industry and marine ecosystem, it is important to mention the Law on Environment from 2008 [25]
161 which set the grounds for implementation of environmental protection policy in Montenegro based
162 on the principles of sustainable development. The Laws which were implemented on the territory
163 of the former Yugoslavia prior to this Law were the following: The Federal Law on the
164 Fundamentals of Environmental Protection from 1988 [26], Republic Law on Environment from
165 1996 [27], Law on Nature Protection from 1977 [28]. These Laws only dealt with protection of marine
166 environment.

167 After a multi-annual implementation of the Law on Environment from 2008, the need arose to
168 amend the Law and to introduce the new, improved legal solutions. In 2016, Montenegro adopted
169 the new Law on Environment which is, at the moment, an overarching law in this field [29]. This
170 Law governs the principles of environmental protection and sustainable development, instruments
171 and measures aimed at environmental protection, and other issues of importance for environment.
172 Only few Articles of this Law relate to the sea as a segment of environment which has to be protected
173 from pollution on a separate basis but also along with other segments of environment, taking into
174 consideration their mutual relations and mutual influence. The Law particularly emphasises that a
175 marine ecosystem is a marine environment which has to be preserved and protected in order to
176 maintain biodiversity and ensure the diversity and dynamism of the processes which take place in
177 the seas and oceans. The novelty of the Law is Article 29 which stipulates the obligation to adopt
178 the *Strategy on Marine Environment Protection* as one of documents of sustainable development and
179 environmental protection i.e. marine environment protection. The Strategy would define the
180 principles, objectives, measures for accomplishment of a good environmental condition of marine
181 environment and protection of its resources, and monitoring programme of marine environment
182 [29]. Up to date, such Strategy has not yet been adopted in Montenegro.

183 2.2. *Adopted international Conventions*

184 Clearly, the described chronology of the development of the legal framework of Montenegro is
185 inextricably linked with the preceding harmonisation with international Conventions. In terms of
186 international-legal regulation of safety at sea and protection of marine environment, Montenegro
187 ratified numerous Conventions which, pursuant to Article 9 of the Constitution of Montenegro,
188 became an integral part of its internal legal order [30].

189 In terms of safety at sea, Montenegro is a signatory to the following Conventions: International
190 Convention on Safety of Life at Sea (SOLAS 1974) as amended, Convention on Load Line (LL
191 convention, 1966), International Convention on Tonnage Measurement of Ships (TONNAGE, 1969)
192 International Convention on Standards of Training, Certification and Watch-keeping for Seafarers
193 (STCW 1978) as amended, and Maritime Labour Convention (MLC 2006) [31].

194 In terms of sea pollution, Montenegro is a signatory to the following Conventions: UN
195 Convention on the Law of the Sea (UNCLOS 1982); International Convention relating to
196 Intervention on the High Seas in Cases of Oil Pollution Casualties (INTERVENTION 1969);
197 Protocol to the International Convention relating to Intervention on the High Seas in Cases of
198 Pollution by Substances other than Oil (INTERVENTION PROT 1973) as amended; Convention on

199 the Prevention of Marine Pollution by Dumping of Wastes and Other Matter (LC 1972) as amended;
200 International Convention for the Prevention of Pollution from Ships, 1973 (MARPOL, 1973) as
201 modified by the Protocol of 1978 relating thereto, and its Annexes from I to VI (MARPOL 73/78);
202 Convention concerning Minimum Standards in Merchant Ships, 1976.

203 In 2011, Montenegro ratified the following Treaties: International Convention for the Control
204 and Management of Ships' Ballast Water and Sediments, 2004.; International Convention on the
205 Control of Harmful Anti-fouling Systems on Ships, 2001; International Convention on Civil Liability
206 for Bunker Oil Pollution Damage, 2001; International Convention on Civil Liability for Oil Pollution
207 Damage, 1992.; International Convention on the Establishment of an International Fund for
208 Compensation for Oil Pollution Damage, 1992.; Protocol of 2003 to the International Convention on
209 the Establishment of an International Fund for Compensation for Oil Pollution Damage;
210 International Convention on Liability and Compensation for Damage in connection with the
211 Carriage of Hazardous and Noxious Substances by Sea,1996. [31].

212 In addition to national and international legislation, regional cooperation, as a link between the
213 above specified levels of legal regulations, is important in terms of navigation safety and protection
214 of marine environment. The advantage of the regional approach is that it takes into account the
215 specificities of certain marine areas and the possibility of adjustment to the problems of a specific
216 region and coordinated action, toward the accomplishment of objectives of common interest
217 [32,33,34,36]. The ratification of the Paris MoU, as one of regional Agreements whose objective is,
218 among the other things, protection of marine environment, is particularly important for Montenegro
219 [37].

220 In the next part of the work, a special emphasis will be given to the Paris MoU and justified
221 endeavours of Montenegro to become a full member of this regional alliance.

222 3. Paris MoU

223 In order to increase safety at sea, protect marine environment and improve working and living
224 conditions of crew, The Paris MoU was adopted and signed in Paris on 26 January 1982. Its adoption
225 was preceded by the accident of the ship *Amoco Cadiz* which occurred in March 1978 [4,35]. This
226 accident drew a great political and public attention in Europe toward introduction of more strict
227 rules related to maritime navigation safety and prevention of sea pollution from vessels.

228 The representatives of the International Maritime Organisation (IMO), International Labour
229 Organisation (ILO), European Commission and fourteen ministers in charge of maritime safety
230 agreed that the adoption of a legal instrument in the form of a regional Agreement on Cooperation
231 of maritime administrations in the field of port state control (PSC) would greatly contribute to
232 navigation safety.

233 3.1. Concept

234 The concept of the Paris MoU is to ensure a unified and harmonised implementation of law on
235 ship control through the establishment of a harmonised system of ship control. This system is to
236 control whether and to what extent the ships calling at the ports of MoU region observe the existing
237 international rules and standards. The ultimate objective of controls is to completely eliminate
238 from ports those ships which do not meet the stipulated standards (substandard ships), thus
239 ensuring navigation safety and marine environment protection [36,38,39,40]. In other words, it is
240 essential to identify the ships which pose a great risk to navigation (of the Paris MoU region) and
241 undertake certain corrective measures before permitting such ships to continue navigation.

242 Although the Paris MoU is the earliest regional Agreement on the Port State Control, this type
243 of control is not new and has not been first introduced by the MoU. Instead, it has been envisaged
244 by numerous existing international Conventions [41]. The generally adopted attitude is that the
245 need for the establishment of PSC would not exist if the flag states behaved in a responsible manner
246 to their ships and observed their commitments envisaged by international Conventions [35,42].
247 Given that the mechanisms of control of flag state ships, classification entities and other participants
248 in the chain of maritime safety turned out to be inefficient in practice in terms of struggle against

249 substandard ships, the active participation of port states in the control of foreign ships imposed
250 itself like something inevitable [43,44].

251 The implementation of the Paris MoU started on 1 July 1982, when it entered into force. Since its
252 entry into force, the number of Signatory States (State Parties) increased from fourteen to twenty-
253 seven. Nowadays, it includes almost all costal states of Europe (excluding Montenegro and Albania)
254 as well as Canada and Russia, which geographically belong to the North Atlantic basin. Having
255 been the first regional Agreement, it was a model based on which the other regions of the world
256 adopted their own Agreements [33,34,41,45]. In addition to the Paris MoU, there have been another
257 eight regional Agreements in the world at present, which regulate the port state control, such as:
258 Latin American Agreement 1992; Tokyo MOU, 1993; Caribbean MOU, 1996.; Mediterranean MOU
259 1997.; Indian Ocean MOU, 1998.; Abuja MOU, 1999; Black Sea MOU, 2000 and Riyadh MOU, 2004.
260 The most dynamic and ongoing of these regimes are the Paris MoU and Tokyo MoU. In May 2017,
261 joint ministerial conference of Paris and Tokyo MoU is held in Vancouver, Canada. The significance
262 of this conference is reiteration of members' commitment to eliminate substandard shipping, protect
263 the global navigational environment and safeguard working and living conditions for all seafarers
264 [46,47].

265 In order to meet the requirements of safety and protection of marine environment stipulated by
266 IMO and ILO instruments and EU legislation to the greatest possible extent, the text of the Paris
267 MoU has been improved by introducing numerous amendments. In this sense, the consolidated
268 version of the Paris MoU (9 Sections and 12 supporting Annexes) which entered into force on 1 July
269 2017 and which at present includes 40 Amendments applies at present [48].

270 The Paris MoU does not introduce new rules or standards (requirements) to be met by ships.
271 Instead, it establishes inspection (control) over application of the existing safety standards contained
272 in numerous international Conventions i.e. "relevant instruments", as termed by MoU, adopted by
273 IMO and ILO [41,49,50]. Section 2.1 Article 2 of the Paris MoU [48] provides a list of seventeen
274 "relevant instruments": The International Convention on Load Lines, 1966; The Protocol of 1988
275 relating to the International Convention on Load Lines, 1966 (LL PROT 88); The International
276 Convention for the Safety of Life at Sea, 1974; The Protocol of 1978 relating to the International
277 Convention for the Safety of Life at Sea, 1974; The Protocol of 1988 relating to the International
278 Convention for the Safety of Life at Sea, 1974; International Convention for the Prevention of
279 Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, and as further
280 amended by the Protocol of 1997; The International Convention on Standards of Training,
281 Certification and Watchkeeping for Seafarers, 1978; The Convention on the International
282 Regulations for Preventing Collisions at Sea, 1972 (COLREG 72); The International Convention on
283 Tonnage Measurement of Ships, 1969 (TONNAGE 69); the Merchant Shipping (Minimum
284 Standards) Convention, 1976 (ILO Convention No. 147); The Protocol of 1996 to the Merchant
285 Shipping (Minimum Standards) Convention, 1976 (ILO Convention No. 147); The Maritime Labour
286 Convention, 2006; The International Convention on Civil Liability for Oil Pollution Damage, 1969
287 (CLC1969); Protocol of 1992 to amend the International Convention on Civil Liability for Oil
288 Pollution Damage, 1969 (CLC PROT 1992); International Convention on the Control of Harmful
289 Anti-Fouling Systems on Ships, 2001 (AFS2001); The International Convention on Civil Liability for
290 Bunker Oil Pollution Damage, 2001 and The International Convention for the Control and
291 Management of Ships' Ballast Water and Sediments, 2004. (BWM).

292 The listed IMO and ILO "relevant instruments" make the basis for performance of inspections,
293 and the maritime authorities of Signatory States are bound to apply them (Section 2 under 2.2 and
294 2.3) [48]. Additionally, ships entitled to fly the flag of a State which is not a Party to a "relevant
295 instrument" will not have a more favorable treatment ("no more favorable treatment"). Such ships
296 will not be exempted from inspection. Instead, the same procedures will apply to them as those
297 stipulated for ships to which "relevant instruments" apply. In the case of ships below convention
298 size, the Paris MoU envisages that authorized persons i.e. port state control officers are obliged to
299 assess whether the ship is of an existing (required) standards with regard to safety, health or the
300 environment (Section 2 under 2.4, and Annex I) [48].

301 The Paris MoU stipulates the obligation of State Parties to perform inspection of any foreign ship
 302 of a certain priority, calling at port or anchorage of the MoU region [48,51,52,53,54,55]. Ship
 303 detention and arrest must be reduced to a minimum. In that sense, the primary objectives of the
 304 Paris MoU are to avoid multiple controls of the same ship navigating within the Paris MoU region
 305 within a certain period and to harmonize PSC in all ports covered by the Paris MoU in order to
 306 avoid the so-called “port shopping” – avoidance of ports with strict control and visiting of ports
 307 with milder control [56].

308 3.2. Principles of functioning

309 The functioning of PSC within the Paris MoU region is organized, efficient and consistent. The
 310 Paris MoU stipulates the procedure of ship inspection [48]. Under this Memorandum, inspection
 311 procedure comprises certain activities (phases) and has been regulated by different Sections of
 312 specific Annexes. In this sense, the following Annexes are particularly important: Annex 7 (Ship
 313 Risk Profile), Annex 8 (Inspection and Selection Scheme) and Annex 9 (Inspection Type and Clear
 314 Grounds).

315 The first step of ship inspection is determining of Ship Risk Profile (SRP) i.e. performance of risk
 316 assessment. Determining or, more precisely, assigning a certain risk profile to a ship is performed
 317 by using certain factors (parameters) specified in the Paris MoU. All factors may be divided into
 318 two groups. The first group includes generic factors such as type of ship, age of ship, flag,
 319 recognized organization and company. The second group includes historic factors such as: results
 320 of previous inspections, existing deficiencies, information on detention and time interval between
 321 controls [48,52,53,55]. All ships calling at a port or anchorage of a Party to the Paris MoU are
 322 assigned a ship risk profile in the information system THETIS [57], using the combination of the
 323 above factors. Under the provisions of the Paris MoU, all ships may be classified as Low Risk Ships
 324 (LRS), High Risk Ships (HRS) and Standard Risk Ships (SRS) [48,52,53,55]. It is worth noting that
 325 THETIS, based on the data from the Paris MoU, determines a ship risk profile on a daily basis, so
 326 that port authorities immediately recognize (high risk) ships which should be paid special attention
 327 while performing PSC.

328 This information system performs selection of ships which undergo inspection based on the
 329 determined ship risk profile, in compliance with Annexes 8 and 9 of MoU. Inspection and selection
 330 scheme determines the priority of inspections, frequency scope and type of inspections. The Paris
 331 MoU provides a selection scheme which determines the priority of inspections, level, category and
 332 type of inspections (Table 1).

333 **Table 1.** Selection scheme for inspection of different ship risk profiles at different intervals
 334 (Point 10 of Annex 8) [44].

Priority	Level	Category of inspection
I Ship must be inspected	Overriding factor	Additional
	HRS not inspected in last 6 months	Periodic
	SRS not inspected in last 12 months	
II Ship may be inspected	LRS not inspected in last 36 months	Additional
	HRS not inspected in last 5 months	
	Ship with unexpected factors	Periodic
	SRS not inspected in last 10 months	
	LRS not inspected in last 24 months	

335 Selection scheme has been designed so as to put an emphasis on the more frequent inspection of
336 high risk ships, while low risk ships and standard risk ships undergo inspection in longer time
337 intervals between inspections. While selecting ships, the first thing to do is to determine the priority
338 of inspections i.e. to determine the Priority (priority group) within which a ship falls. Ships may fall
339 into Priority I or Priority II. If a ship has not been categorised within Priority I or Priority II, it is
340 deemed that such a ship has no priority at all and, accordingly, will not undergo inspection, unless
341 there are clear grounds for doing so [48,52,53,55].

342 Inspection of ships falling within Priority I is obligatory, while inspection of ships falling within
343 Priority II is not obligatory – those ships *may* be inspected [48,52,53,55].

344 The data on the ship risk profile, priority level, previous inspections with an insight into
345 deficiencies, are available to port authorities based on (from) the THETIS information system of the
346 Paris Memorandum. These data condition the type of inspection to be carried out, marine areas
347 where special attention should be paid, as well as the composition of the team of inspectors to
348 perform an inspection.

349 Inspection types of foreign ships in the ports of the Paris MoU may be initial, more detailed and
350 expanded. After the completion of an inspection, the record of the inspection is kept following an
351 appropriate template. The record includes the results of the inspection, identified deficiencies, as
352 well as details on every measure undertaken. The inspector notifies the ship master of the contents
353 of the record, as well as of all commitments resulting from the records for the ship master, ship
354 owner or other authorised person.

355 In the event that less severe deficiencies in the implementation of regulations have been
356 identified during inspection, the inspector orders the ship master to rectify them within a given
357 deadline. If the ship master fails to do so or the deficiency is such that it obviously endangers safety,
358 health or environment, the inspector imposes the measure of prohibition of leaving the port or
359 termination of the activity during which deficiencies have been identified [48,52]. The Paris MoU
360 envisages the possibility that a ship concerned proceeds to the nearest appropriate repair yard
361 available where deficiencies cannot be remedied in the port of inspection (Article 3.8) [48].

362 In case of detention, the competent authority of the port state where the ship has been inspected
363 will immediately notify the flag administration and, where appropriate, the recognised organisation
364 that has issued the relevant certificates on behalf of the flag Administration.

365 The possibility of banning the ships which do not meet the prescribed standards from the Paris
366 MoU region is particularly important [58]. Namely, the Parties have been recommended to ensure
367 that a foreign merchant ship is refused access to its ports and anchorages in certain cases (Article 4)
368 [48].

369 4. Montenegro on the path to become the Paris MoU member

370 In order that a candidate state becomes a full member of the Paris MoU, it should inevitably
371 meet certain qualitative criteria (Annex 5) [48]. In addition to meeting the basic geographical
372 criterion (Article 9 Section 9.2) [44], the maritime authority of the state may adhere as a full member
373 provided that certain criteria have been met. Firstly, it should explicitly subscribe to the
374 commitments under the Paris MoU and ratify all “relevant instruments” in force. Secondly, the state
375 should have sufficient capacity, logistically and substantially, to appropriately enforce compliance
376 with international maritime safety standards as well as provisions and activities specified in the
377 Paris MoU. “Sufficient capacity” means the employment of properly qualified persons i.e. qualified
378 PSCOs who will have the capacity to inspect foreign ships. The Paris MoU envisages also a negative
379 criterion to be met by a candidate state: its flag must not appear in the list of detentions (exceeding
380 the average detention percentage), as published in the annual report in any of three years
381 immediately preceding its application for full membership. The other criteria relate to the
382 commitments of a candidate country as of its effective date of membership. Namely, on the effective
383 date of membership, the country is obliged to establish a connection to the information system
384 THETIS and pay its share in the operating cost of the Memorandum based on the previously signed

385 Financial Agreement. The assessment of compliance with the above conditions of a candidate
386 country will only be valid for each individual case.

387 In its endeavours to become integrated into the international maritime framework, Montenegro
388 applied for membership of the Paris MoU in 2011. The primary task set by Montenegro was the
389 improvement of safe maritime transport and environmental protection [59]. The same year, it
390 became a cooperating member of the MoU, with the realistic possibility to become a full member in
391 future [60].

392 4.1. *Impediments and success*

393 To assess the current state of play in the field of maritime affairs, the Monitoring Team of the
394 Paris MoU visited the maritime authorities of Montenegro on several occasions. The Team provided
395 certain recommendations as well as objections which should be particularly treated in order to meet
396 the qualitative criteria.

397 The *Report of the Fact-Finding Mission to the Maritime Authority of the Republic of Montenegro* [53]
398 states the following:

399 a) Necessity of ratification of all “relevant instruments” and their implementation in the
400 Montenegrin national legislation;

401 b) Harmonisation of national legislation with provisions of the Paris MoU. Since it has been
402 noted that the procedure of inspection of foreign ships in the ports of Montenegro as well as the
403 flow of procedures carried out by the Montenegrin port state control officers is not compliant with
404 provisions of MoU, it has been recommended that the procedure under MoU becomes implemented
405 in its totality in the legal system of Montenegro.

406 c) Setting up of an adequate institutional structure for the performance of inspection of foreign
407 ships, clearly defining the competences, responsibilities and role of all entities involved in inspection
408 of foreign ships.

409 d) The need for training and professional development of the maritime safety inspectors of
410 Montenegro and the fulfilment of conditions in terms of their qualification pursuant to Annex 6
411 (Minimum Criteria for Port State Control Officers) of the Paris MoU has been particularly
412 emphasised. One objection stated was that Montenegrin inspectors have not yet been fully
413 familiarised with the contents of the Paris MoU manual i.e. PSC inspection guidelines.

414 A positive conclusion was that Montenegro undertook steps toward reducing the detention
415 percentage of ships entitled to fly the flag of Montenegro, which is below the average detention
416 of ships from the MoU region. It has been suggested that Montenegro continues with appropriate
417 activities to that end. This can be considered as a success toward becoming a full member of the
418 Paris MoU.

419 Following the above recommendations provided by the Paris MoU Monitoring Team (a, b, c, d),
420 Montenegro made the following steps forward up to date:

421 a) At present, Montenegro has all “relevant instruments” of the Paris MoU ratified. In addition
422 to the ratification, the Parliament of Montenegro adopted the Law on Ratification of the Paris MoU
423 on 31 July 2015 [37]. Accordingly, all relevant instruments and the Paris MoU itself became an
424 integral part of the internal legal order of Montenegro.

425 b) Taking into consideration the recommendations and objections provided by the Monitoring
426 Team in terms of harmonisation of national legislation with the provisions of the Paris MoU, the
427 maritime authorities of Montenegro very quickly became aware of deficiencies in the national
428 legislation on PSC as well as of the need to introduce changes in this field. In this regard, it was
429 assessed that the most appropriate thing to do first was to amend the Law on Maritime Navigation
430 Safety in compliance with the Paris MoU. After that, it was necessary to adopt a new Rulebook on
431 PSC which would be fully compliant with the Paris MoU. The Law on Maritime Navigation Safety,
432 with improved solutions in the field of inspection of foreign ships and undertaking corrective
433 measures toward remedying of deficiencies in PSC, was adopted in October 2017. The Proposal for
434 the new Rulebook on PSC was developed in 2017. However, it has not been adopted up to date. The
435 reason for not doing so may lie in the lack of administrative capacities, poor vertical communication,

436 insufficiently clear strategic orientation of the Montenegrin maritime industry – all these being
437 characteristics of transition economies. Montenegro has been functioning in transition conditions
438 for decades.

439 c) Institutional framework for the performance of PSC has been set up in Montenegro. Harbour
440 Master's Office in Bar and Harbour Master's Office in Kotor are in charge of inspection operations
441 in Montenegro (Article 183) [22]. The port state control officers of Montenegro perform inspections
442 which, *inter alia*, include inspection of foreign ships calling at ports of Montenegro.

443 d) Speaking of the fulfilment of necessary requirements in terms of qualifications and
444 professional development necessary for the performance of inspection of foreign ships, it could be
445 said that, at the moment, inspectors in Montenegro fully meet all requirements in formal terms,
446 which could be evidenced by numerous awarded certificates. All requirements in terms of
447 qualification of inspectors under the Paris MoU (Annex 6) [48] have been fully implemented in the
448 Montenegrin legislation. Since 2011, when Montenegro applied for membership of the Paris MoU,
449 some funds have been allocated for training and professional development of Montenegrin
450 inspectors despite generally limited funds. In this sense, their active participation in numerous
451 seminars and workshops organised by IMO, EMSA and other organisations aimed at training and
452 professional development of PSCO is crucial. Additionally, in order to perform a safe and efficient
453 inspection of foreign ships, Montenegrin inspectors possess all necessary protective and working
454 equipment.

455 It is worth noting that an incomplete harmonisation of procedures for performance of PSC,
456 incomplete training and experience of PSCO have also been observed in the states that are full
457 members of the Paris MoU [62,63,64]. What has also been observed is a difference between full
458 members in terms of availability of funds, as well as the lack of staff in specific member states.
459 Additionally, PSCO are subjective in terms of applying the procedure of ship detention, which
460 results from differences in experience and training of PSCO. Therefore, we can rightfully say that
461 Montenegro, as a cooperating member, is facing similar problems like some full members. This
462 should not be understood as an excuse but, instead, as a challenge in the active action toward
463 overcoming of the mentioned problems and becoming a full member as soon as possible.

464 5. Conclusions

465 The regional PSC keeps strengthening in terms of ensuring safety at sea and marine ecosystem
466 protection. In our endeavors to show the necessity of strengthening the PSC of Montenegro, in this
467 work we provided an overview of the relevant legislation and efforts toward the accession of
468 Montenegro to the Paris Memorandum. The full membership of the Paris Memorandum would
469 bound Montenegro to act on an equal footing with other members toward the elimination of
470 substandard ships and reduction of maritime accidents which result in casualties, loss of property
471 and/or pollution of marine environment. In this sense, Montenegro should be fully responsible, both
472 as a flag country and a port country, for its own actions in the circle of responsibility of all
473 participants in the transport chain under the "port to port" principle.

474 On this path, Montenegro has succeeded so far in terms of decreasing the detention percentage
475 of ships entitled to fly the flag of Montenegro, ratification of all relevant instruments of the Paris
476 MoU, general harmonization of the Montenegrin legislation on PSC with the requirements of the
477 Paris MoU, establishment of an adequate institutional framework for the performance of PSC where
478 the Montenegrin PSCOs play a dominant role.

479 What has been identified as an impediment on this path is the necessity to improve the standard
480 of performance of PSC inspections through continuous training of Montenegrin inspectors in
481 compliance with MoU, provision of adequate equipment for inspection performance, and a non-
482 restrictive access to the THETIS database. In addition, it is necessary to further harmonise national
483 legislation on PSC. In this sense, it is necessary to adopt a new Rulebook on PSC where the solutions
484 from the Paris MoU would be fully transposed, which would result in the performance of PSC in
485 compliance with international standards. The reasons for such situation should certainly be traced
486 among the lack of administrative capacities, poor vertical communication between the Government

487 – line Ministry – maritime administration, insufficiently clearly defined strategy of maritime
 488 development, non-existence of environmental protection strategy, lack of funds etc. All this, and
 489 much more, characterizes transition conditions in which Montenegro functions, permanently facing
 490 the recurrence of economic crisis and slow development.

491 Future activities should be oriented toward the monitoring of achieved improvements of
 492 Montenegro in the field of PSC, as well as toward the monitoring of the dynamics of improvement
 493 of regional and international standards on supervision of sea activities. With a global approach to
 494 PSC, it is clear that Montenegro needs to cooperate with the members of the Paris Memorandum
 495 more intensely and closely, in order to ensure sustainable and responsible shipping industry and
 496 marine ecosystem protection on the regional and global scale.

497 References

- 498 1. *IMO, IMO and the Environment, International Maritime Organization, 2011.* Available online:
 499 <http://www.imo.org/en/OurWork/Environment/Documents/IMO%20and%20the%20Environment%202011.pdf> (accessed on 10 December 2017).
 500
- 501 2. *Oregon State University, Marine Studies Initiative, 10-Year Strategic Plan, 2016-2025,* Available online:
 502 http://sites.oregonstate.edu/oversize-uploads/MSI%20Strategic%20Plan_FINAL_high-v2.pdf (accessed
 503 on 13 December 2017).
- 504 3. Vokić Žužul, M.; Bulum, B. Pravo mora u Sredozemlju tijekom povijesti. *Miscellanea Hadriatica et*
 505 *Mediterranea*, **2017**, *4*, pp. 47–80.
- 506 4. Jin, D.; Kite-Powell, H.L.; Talley, W.K. U.S. ship accident research. *Maritime Safety, Security and Piracy,*
 507 London, Informa LLP; 2008, pp. 55-71.
- 508 5. Lister, J. Green Shipping: Governing Sustainable Maritime Transport. *Global Policy*, **2015**, *6*, pp. 118-127.
- 509 6. Geng, X.; Wen, Y.; Zhou, C.; Xiao, C. Establishment of the sustainable ecosystem for the regional shipping
 510 industry based on system dynamics sustainability. *Sustainability* **2017**, *9*(5), 742.
- 511 7. Lim, K. The Role of the International Maritime Organization in preventing the pollution of the world's
 512 oceans from ships and shipping. *UN Chronicle*, **2017**, *54*(2), pp.52-54.
- 513 8. Bender, K. *Encyclopedia Princetoniensis, Liechtenstein Institute on Self-Determination Bendheim Hall,*
 514 Princeton, Available online: <https://pesd.princeton.edu/?q=node/239> (accessed on 15 January 2018).
- 515 9. Vukčević, M.; Bošković, M. Judicial System in Montenegro (Historical Development, Basic Principles, and
 516 Organisaton), *Law & Justice Review*, **2016**, *7*, 13, pp.1-26.
- 517 10. Jovanović, N. *Serbia and Montenegro - Transport Law, International Encyclopaedia for Transport Law,*
 518 Kluwer Law International BV, Alphen Aan Den Rijn, Netherlands, 2005, p. 27.
- 519 11. Triva, S. *Law on Maritime and Inland Navigation with notes and comments, Official Gazette, Zagreb, 1981,*
 520 pp. 11-19.
- 521 12. Ivošević, B.; Pejović, Č. Development of marine navigation in the FR Yugoslavia and Montenegro and
 522 maritime navigation. *Law Journal, magazine for law theory and practice, Bar Association of Montenegro, 1996,*
 523 *1 – 2*, pp. 17-42.
- 524 13. *Law on Maritime and Inland Navigation (Official Gazette of the Federal Republic of Yugoslavia 12/1998).*
- 525 14. *Decision Promulgating Independence of Montenegro (Official Gazette of the Republic of Montenegro*
 526 *36/2006).*
- 527 15. Mudrić, M. *Croatia-Croatia Maritime Law: General Introduction and Examination of Legislation,*
 528 *Jurisprudence and Recent Bibliography. Anuario de derecho marítimo. 2012, 29*, pp. 309-322.

- 529 16. Pavliha, M.; Grbec, M. Maritime Law, Jurisprudence and the implementation of international conventions
530 into the legal system of the Republic of Slovenia, *Il Diritto Marittimo*, **2001**, pp.1-11. Available online:
531 [http://www.dpps-](http://www.dpps-mlas.si/pdf/MARITIME%20LAW,%20JURISPRUDENCE%20AND%20THE%20IMPLEMENTATION%20-%20IL%20DIRITTO%20MARITIMO.pdf)
532 [mlas.si/pdf/MARITIME%20LAW,%20JURISPRUDENCE%20AND%20THE%20IMPLEMENTATION%20-](http://www.dpps-mlas.si/pdf/MARITIME%20LAW,%20JURISPRUDENCE%20AND%20THE%20IMPLEMENTATION%20-%20IL%20DIRITTO%20MARITIMO.pdf)
533 [%20IL%20DIRITTO%20MARITIMO.pdf](http://www.dpps-mlas.si/pdf/MARITIME%20LAW,%20JURISPRUDENCE%20AND%20THE%20IMPLEMENTATION%20-%20IL%20DIRITTO%20MARITIMO.pdf) (accessed on 12 January 2018).
- 534 17. Law of the Sea (Official Gazette of the Republic of Montenegro 17/07 and 6/08).
- 535 18. Law on Yachts (Official Gazette of the Republic of Montenegro 46/07).
- 536 19. Law on Ports (Official Gazette of the Republic of Montenegro 51/08, 40/11, 27/13).
- 537 20. Law on Marine Fisheries and Mariculture (Official Gazette of the Republic of Montenegro 56/09).
- 538 21. Law on the Prevention of Sea Pollution from Vessels (Official Gazette of Montenegro 20/11, 27/14).
- 539 22. Law on Maritime Navigation Safety (Official Gazette of Montenegro 62/13, 06/14, 47/15, 71/17).
- 540 23. Law on Safety Protection of Ships and Ports (Official Gazette of the Republic of Montenegro 53/16).
- 541 24. National Plan for Emergent Reaction in the Event of Sea Pollution from Vessels, Ministry of Transport and
542 Maritime Affairs of Montenegro, Podgorica, 2011.
- 543 25. Law on Environment (Official Gazette of Montenegro 48/08, 40/10, 40/11, 27/14).
- 544 26. Law on Fundamentals of Environmental Protection (Official Gazette of the Federal Republic of Yugoslavia
545 24/98).
- 546 27. Law on Environment (Official Gazette of the Republic of Montenegro 12/96).
- 547 28. Law on Nature Protection (Official Gazette of the Socialist Republic of Montenegro 36/77 and 2/89).
- 548 29. Law on Environment (Official Gazette of Montenegro 052/16).
- 549 30. Constitution of Montenegro, (Official Gazette of Montenegro 1/2007 and 38/2013 - Amendments I-XVI).
- 550 31. IMO, Status of IMO treaties, Comprehensive information on the status of multilateral Conventions and
551 instruments in respect of which the International Maritime Organization or its Secretary-General performs
552 depositary or other functions, London, 2018, pp.11-535.
- 553 32. Ćorić, D. Sea pollution from vessels, international and national legislation, Faculty of Law of the University
554 of Rijeka, Rijeka, 2009, p. 56.
- 555 33. Emecen Kara, E.G.; Oksas, O. Evaluation of Maritime Safety in Istanbul Strait using Port State Control
556 Inspections. In Proceedings of the International Conference on Engineering and Natural Sciences (ICENS),
557 Skopje, Macedonia, 15 May–19 June 2015.
- 558 34. Emecen, E.G.; Yıldız, M. Limanlarımızda Liman Devleti Kontrolü Uygulamaları. In *Türkiyenin Kıyı ve Deniz*
559 *Alanları VI*; Ulusal Konferans: Mugla, Turkey; 7–11 November 2006.
- 560 35. Özçayır, O.Z. *Port State Control*; LLP Professional Publishing: London, UK, 2001.
- 561 36. Emecen Kara, E.G. Risk Assessment in the Istanbul Strait Using Black Sea MOU Port State Control
562 Inspections. *Sustainability* **2016**, *8*(4), 390.
- 563 37. Law on Ratification of the Paris Memorandum of Understanding on Port State Control (Official Gazette of
564 Montenegro – International Treaties, No. 10/2015).
- 565 38. IMO, Resolution A.1052 (27), Procedures for port state control, 2011.
- 566 39. Li, K.X.; Zheng H. Enforcement of law by the Port State Control (PSC). *Maritime Policy & Management*, **2008**,
567 *35*(1), pp.61-71.

- 568 40. Lappalainen, J. Finnish maritime personnel's conceptions on safety management and safety culture, Turun
569 yliopisto University of Turku – 2016, p.24.
- 570 41. Özçayır, O.Z. The Use of Port State Control in Maritime Industry and the Application of the Paris MOU,
571 *Ocean & Coastal Law Journal*, **2009**, 14(2) p. 209.
- 572 42. Xu, S. Port state control: review and assessment, Dissertations, World Maritime University, Malmö,
573 Sweden, 2001. p.7.
- 574 43. Knapp, S.; Franses, P.H. Comprehensive Review of the Maritime Safety Regimes. *Econ. Inst. Res. Pap.* **2007**,
575 30, pp. 241–270.
- 576 44. Silos, J.M.; Piniella, F.; Monedero, J.; Walliser, J. The Role of the Classification Societies in the Era of
577 Globalization: A Case Study. *Marit. Policy Manag.* **2013**, 40, pp. 384–400.
- 578 45. Emecen, E.G.; Karaoglu, M. Liman Devleti Kontrolü İncelemeleri ve Risk Değerlendirmesi. In *Türkiye'nin*
579 *Kıyı ve Deniz Alanları VIII*; Ulusal Konferansı: Ankara, Turkey; 27–30 May 2008.
- 580 46. Paris MoU on PSC, Safeguarding Responsible and Sustainable Shipping, Third Joint Ministerial Conference,
581 Available online: [https://www.parismou.org/global-leaders-sign-new-international-declaration-ship-](https://www.parismou.org/global-leaders-sign-new-international-declaration-ship-safety-3rd-joint-ministerial-conference-0)
582 [safety-3rd-joint-ministerial-conference-0](https://www.parismou.org/global-leaders-sign-new-international-declaration-ship-safety-3rd-joint-ministerial-conference-0) (accessed on 1 January 2018).
- 583 47. Paris MoU on PSC, Safe and Sustainable from Port to Port, Third Joint Ministerial Conference, Available
584 online: [https://www.parismou.org/global-leaders-sign-new-international-declaration-ship-safety-3rd-](https://www.parismou.org/global-leaders-sign-new-international-declaration-ship-safety-3rd-joint-ministerial-conference-0)
585 [joint-ministerial-conference-0](https://www.parismou.org/global-leaders-sign-new-international-declaration-ship-safety-3rd-joint-ministerial-conference-0) (accessed on 1 January 2018).
- 586 48. Paris MoU, 2017. Paris Memorandum of Port State Control 40th Amendment. Secretariat Paris MoU on
587 PSC, The Hague, The Netherlands.
- 588 49. Molenaar, E. Coastal State Jurisdiction over Vessel' Source Pollution (The Hague: Kluwer Law
589 International, 1998. p.125.
- 590 50. Bang, H. S. Is port state control an effective means to combat vessel-source pollution? An empirical survey
591 of the practical exercise by port states of their powers of control. *The International Journal of Marine and*
592 *Coastal Law*, **2008**, 23(4), p. 727.
- 593 51. Rodríguez E.; Piniella F., The New Inspection Regime of the Paris Mou on Port State Control: Improvement
594 of the System. *Journal of Maritime Research*, **2012**, 9(1), pp.9-16.
- 595 52. The New Inspection Regime (NIR) of the Paris Memorandum of Understanding (PMoU), Available online:
596 [https://www.deutsche-flagge.de/de/redaktion/dokumente/dokumente-sonstige/the-new-inspection-](https://www.deutsche-flagge.de/de/redaktion/dokumente/dokumente-sonstige/the-new-inspection-regime.pdf)
597 [regime.pdf](https://www.deutsche-flagge.de/de/redaktion/dokumente/dokumente-sonstige/the-new-inspection-regime.pdf) (accessed on 5 February 2018).
- 598 53. Schiferli, R.W.J. Introduction of a New Inspection Regime, General Secretary, 2011. Available online:
599 <https://www.intertanko.com/upload/Richard%20Schiferli.pdf> (accessed on 9 February 2018).
- 600 54. Port State Control, On course for safer shipping, Annual report Paris MoU, 2011. p.5
- 601 55. BIMCO, The New Inspection Regime of the Paris MoU, Available online:
602 <http://www.lesigroup.com/Resources/BIMCO%20NIR%20Guide.pdf> (accessed on 13 February 2018).
- 603 56. Bang, H.S.; Jang, D.J. Recent Developments in Regional Memorandums of Understanding on Port State
604 Control. *Ocean Development & International Law*, **2012**, 43(2) pp. 170-187.
- 605 57. European Maritime Safety Agency, THETIS, Available online: [http://emsa.europa.eu/psc-](http://emsa.europa.eu/psc-main/thetis.html)
606 [main/thetis.html](http://emsa.europa.eu/psc-main/thetis.html) (accessed on 15 February).
- 607 58. Cariou, P.; Wolff, F.C. Identifying substandard vessels through Port State Control inspections: A new
608 methodology for Concentrated Inspection Campaigns. *Marine Policy*, **2015**, 60, pp.27-39.
- 609 59. Transport Development Strategy of Montenegro, Government of Montenegro, Ministry of Transport and
610 Maritime Affairs, Podgorica, 2008.

- 611 60. Port State Control, Taking Port State Control to the Next Level, Annual Report 2012, Paris MoU, p 17.
- 612 61. Ministry of Transport and Maritime Affairs of Montenegro, Report of the Fact-Finding Mission to the
613 Maritime Authority of the Republic of Montenegro, 2016, pp.1-15.
- 614 62. Graziano, A.; Schröder-Hinrichs, J.U.; Ölcer, A.I. After 40 years of regional and coordinated ship safety
615 inspections: Destination reached or new point of departure? *Ocean Engineering*, **2017**, *143*, pp.217-226.
- 616 63. Knapp, S.; Van de Velden, M. Visualization of differences in treatment of safety inspections across Port
617 State Control regimes: a case for increased harmonization efforts. *Transport Reviews*, **2009**, *29*(4), pp.499-514.
- 618 64. Knudsen, O.F.; Hassler, B. IMO legislation and its implementation: accident risk, vessel deficiencies and
619 national administrative practices. *Marine Policy*, **2011**, *35*(2), pp.201-207.
- 620