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Implementation and Compliance of the International Ship and Port Facility Security Code in Mexico: A literature Review and Selected Issues

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ABSTRACT: This paper provides a literature review of the state of the art on implementation and compliance of the International Ship and Port Facility Security Code (ISPS Code), for the case of Mexico. This investigation was initially oriented solely towards Mexico, but due to the absence of research within this subject for the referred country the review had to be done through subcategories with the conditional connection of Mexico and relevant issues were selected. The primary data confirmed the absence of research within this subject in Mexico. The secondary data, were other words related to the ISPS Code were used for the search, allowed for a wider geographical coverage and an expanded on general bases the scope of analysis, since ten (10) different academic databases were exploited. The literature review from an author-centric approach is initially presented; then, it is used as the basis to further develop (and examine) the concept-centric approach, through eight selected categories. The careful screening of literature, constructed on specific concepts, allowed the identification of cross fertilization of such concepts in the respective fields. It is observed that the research efforts focused on the ISPS Code and the development of a Port Facility Security Plan (PFSP) have an integrated perspective, where the categories of terrorism and counterterrorism, as well as maritime security management and the issue of port security have a strong interaction and dominant status. The results demonstrate the limited number of academic contributions in these areas from America Central and South America in relation to other parts of the globe, as well as the total absence of research efforts about the ISPS Code in Mexico. In the scientific contributions on the subject were Mexico is included; it is in reference to isolated cases of armed robbery, drugs organizations or proliferation of crime on general bases, but not regarding the ISPS Code itself. The absence of scientific research on this area for the specific country might also be related to the lack of a national maritime security policy and a poor maritime security culture as the authors have pointed out in other contributions.

1 INTRODUCTION

After the notorious terror attack in the United States of America (U.S.) on September 11th, 2001, the International Maritime Organization (IMO) developed a set of maritime security regulations for managing the risk of maritime terrorism with the aim to improve maritime and port security. These provisions were established in Chapter XI-2 of the Safety of Life at Sea Convention 1974, (SOLAS Convention), containing the new International Ship and Port Facility Security Code (ISPS Code). Part A of this Code establishes the mandatory provisions, while the non-mandatory ("recommended") part B encompasses guidelines about how to comply with the mandatory requirements of part A (IMO, Official website, 2017).

The IMO establishes that the ISPS Code is "the comprehensive set of measures to enhance the security of ships and port facilities, developed in response to the perceived threats to ships and port facilities in the wake of the 9/11 attacks in the United States" (IMO, Official website, 2017). As explained by Nordfjeld & Dalaklis (2016), compliance with the ISPS Code and submission of related information to IMO is only mandatory for Contracting Governments to the SOLAS 1974 Convention. They have also pointed out that currently "there is not a penalty-mechanism in place for states that don't effectively comply with the ISPS Code", since the overall concept is not to impose penalties, but to rely on market forces and economic factors to ensure compliance.

The development of Port Facility Security Plans (PFSPs) has been discussed within the context of maritime security management systems in several research efforts after the approval of the ISPS Code by the IMO; it has been viewed as the most important instrument to cope with potential security risks at ports and associated infrastructure-installations. Mexico implemented the ISPS Code in 2004 yet, the development/establishment of PFSPs has not been fully effective, especially regarding security incident reporting and investigation. Incident record keeping and the consequent investigation are crucial for the performance and applicability of PFSPs, since these Plans must be amended attending the causes of the investigated event.

As discussed by Webster & Watson (2002), an effective literature review is a crucial foundation for advancing knowledge, because it defines the key sources for a topic under research and uncovers the areas where (more) research is necessary, giving a clear contribution to science. Additionally, an effective literature review must follow academic guidelines to rigorously document the process of literature search as discussed by Brocke, et al. (2009); the literature review in hands strictly follows a linear and simple approach that ensures academic integrity. The foundation of the methodology used is presented in the next section; subsequently, the results are discussed, followed by the necessary conclusions.

2 OBJECTIVES

The objective of this paper is to examine the state of the art related to the implementation and compliance of the International Ship and Port Facility Security Code (ISPS Code) within the context of port security in Mexico, based on a cross-disciplinary approach among eight selected categories.

3 METHODOLOGY

Webster & Watson (2002, p. xiv) explained that a high quality review must cover all relevant literature on the topic and should not be confined to a limited set of journals. Therefore, a thorough search by topic in different databases across all relevant journals and across all disciplines must be performed. The contextual boundary is within the scope of the development of the PFSP for port oil terminals in Mexico, under the framework of the opening of the oil industry in that country; the respective time-based boundary covers all articles published in journals and conference proceedings until the indicated dates for search at the databases given in table 1 that follows. This table describes the considered databases for this literature review and the parameters for querying.

The literature search method encompassed querying ten (10) different scientific databases as proposed by Webster & Watson (2002, p. xvi). The first test was made back in June 2015, with the search queries for "ISPS Code Mexico". This resulted in only one book review about military law. New tests with other words were tried. The key words used for the search criteria, excluding the Google Scholar Database, were "offshore, terrorism, Mexico". Furthermore, since probably there are thousands of articles related to each of these concepts, testing different combination of them was required. Other combination of words were tested first, like "offshore, terrorism, resilience" and "offshore, terrorism, resilience, security management systems, ISPS Code". It was discovered that these search enquiries covered a very few items. Additionally, the search "offshore, terrorism, ISPS Code, Mexico" was tried. At the end of the successive test queries, the keywords "offshore, terrorism, Mexico" was tested. This one provided the largest number of items; it was also noted that with this search query several articles included in the other tests were also included in the results (largest data sample). It is important to recall that the search for "ISPS Code Mexico" resulted in zero items and therefore, the words "offshore, terrorism, Mexico" were used with reasoning that ISPS Code focuses on terrorism and provides maritime security measures to counter terrorism both at ports and at sea and the condition that we were searching for results in Mexico. Other type of maritime security threats like piracy; armed robbery; stowaways; illegal migration; and drug smuggling, are not directly covered by the ISPS Code, since it leaves up to the discretion of contracting governments to SOLAS, its extension of application to these type of subjects (IMO, 2012), and hence they were not considered for the search query.

Since the words used for querying the different databases were in English, the search included only academic journal articles written in English. However, for the Google Scholar Database another combination of words in Spanish was used; "Mexico, terrorismo, instalaciones portuarias petroleras, plan de protección"[11]. The time boundary was specified to 2004-2015 (after the ISPFS Code was introduced). Even if the words were in Spanish, some articles in English were also captured by this search. It was decided to also use Google Scholar because several of the leading scientific journals in Spanish are indexed there. The considered databases for this literature review and the parameters for querying are all listed in Table 1.

[11] Mexico, terrorism, oil port installations, security plan.

Table 1. Databases and parameters for search enquiry

Database	Words of search	Date of search	Period & Language of search	Nr. Articles / Books	Relevant articles after title	Relevant articles after Abstract/ Preface/ Contents
(1) CRC-net-Base	Offshore terrorism Mexico (OTM)	03.06.2015	Non specified	190	40	21
(2) ProQuest	(OTM)	05.06.2015	Non specified	28	15	10[12]
(3) Science-Direct	(OTM)	06.06.2015		279	36	5
(4) Academic Search Complete WMU	(OTM)	06.06.2015	Non specified	1	0	0
(5) Ingenta-Connect Database	(OTM)	06.06.2015	Non specified	0	0	0
(6) Springer	(OTM)	06.06.2015	Non specified	1	1	0
(7) Emerald Insight	(OTM)	21.08.2015	Non specified	82	12	6
(8) IEEEXplore Digital Library	(OTM)	21.08.2015	Non specified	134	21	3
(9) Wiley Online Library	(OTM)	21.08.2015	Non specified	614	35	17
(10) Google Scholar	Mexico terrorismo inst. Port. petroleras plan de seguridad[13]	22.08.2015	2004-2015	472	34	11
TOTAL				1801	194	73

On 2nd of March, 2018 and with an effort to re-evaluate the state of the art and update the results, a new test with the search query "ISPS Code, Mexico" was conducted. This time it was made only in EBSCO since this scientific search instrument covers all the databases above, the results showed only one item. To ensure that it was the right search query and avoid human bias; the words "ISPS Code" but in combination with several other countries were further tested. These results are provided in Table 2.

Table 2. Number of research contributions by the combination of ISPS Code and the country

ISPS CODE + COUNTRY	
COUNTRY ARTICLES	NR. OF CONTRIBUTIONS /
United States	29,107
Europe	15,276
United Kingdom	27,442
Greece	12,809
Turkey	12,721
Sweden	13,447
Norway	12,915
Canada	4
Mexico	1
Brazil	13,015
Argentina	12,641
Chile	12,645
Peru	12,529
Panama	12,648

Based on this outcome, the results from the search of 2015 were used. However, it was discovered later that the contributions were not directly related to Mexico concerning the ISPS Code, but rather connecting the country to isolated crime cases or drug organizations.

4 RESULTS

As shown in Table 1, the search from June 2015 resulted into 1,801 articles/books, which was reduced to only 194 after examining the titles; these were further reduced to 75 after consideration of abstracts or preface summary, as well as introduction and table of contents in the case of books. Those that were not included in the next stage were clearly related to concepts that had a better fit with a different discipline -or a different context- and did not comply with the specific combination. The literature review from an author-centric approach is presented in Table III which follows next. In accordance with the type of contributions from the results, eight categories were selected to further study the topic and used for developing the literature review. These categories are the following:

- Concept 1= Terrorism (at sea or maritime terrorism).
- Concept 2= Counterterrorism
- Concept 3= Port Facility Security Plan
- Concept 4= International Ship and Port Facility Security Code
- Concept 5= Maritime Security
- Concept 6= Safety
- Concept 7= Oil Spill & Environmental Protection
- Concept 8= Resilience plan –In the sense of prevention & response & to emergencies (preventive and reactive measures to emergencies)

As it can be observed in table III that follows, in various research efforts (mostly books), the focus includes the analysis of different concepts in relation to the eight categories selected above. A significant number of books focused on port and maritime security, addressing the ISPS Code and PFSP. However, it is noteworthy that safety issues, as a result of security incidents were also addressed in these books. Within this category, the issue most commonly identified was marine pollution caused by

[12] In addition to two counted and repeated in CRC-net database.
[13] Mexico, terrorismo, instalaciones portuarias petroleras, plan de protección.

oil spill associated with security incidents. The complete list of the references related to these research items is presented in Appendix I.

Table 3. Author-centric literature review

Author	Type	Methods	1	2	3	4	5	6	7	8
1[14] (Schulz, 2011)[15]	CH	Book	x	x			x	x		x
1 (Pilewsk & Pilewski, 2012)	CH	Book								x
1 (Norman, 2012)	CH	Book	x					x		x
1 (Bolz, Dudonis, & Schulz, 2012)	CH	Book	x					x		
1 (Hesterman, 2013) Pages 295-300	CH	Book	x							x
1 (Doro-on, 2014)	CH	Book	x							
1 (Perdikaris, 2014)	CH	Book	x	x			x			x
1 (Kenneth, 2009)[16]	Book	Book	x	x	x	x	x	x	x	x
1 (T. & Tweedy, 2014)	Book	Book						x		
1 (Espin-Digon, Burns-Herbert, & Bateman, 2008)[17]	Book	Book	x	x	x	x	x	x	x	x
1 (Badiru & Racz, 2013)	Book	Book								x
1 (Rogers, 2007)	Book	Book	x							
1 (Neumann, 2013)	Book	Book					x			
1 (Pinkowski, 2008)	Book									x
1 (Mythen, 2014)	CH	Book	x	x						
1 (Lutchman, Maharaj, & Waddah, 2012)	Book	Book						x		x
1 (Bahr, 2014)	Book	Book						x		
1 (Park, 2013)	Book	Book							x	
1 (Theodore & Dupont, 2012)	Book	Book						x		x
1 (Spurgin, 2009)	Book	Book						x		
2 (Cullen & Berube, 2012)	Book	Book	x	x			x			
2 (Klein, Rothwell, & Mossop, 2009)	Book	Book	x	x			x			
2 (Tuerk, 2012)	Book	Book	x							
2 (Weintrit & Neumann, 2013)	Book	Book	x							
2 (Bragdon, 2008)	Book	Book	x				x	x		
2 (Tanaka, 2012)	Book	Book	x	x					x	x
2 (Martínez Gutiérrez, 2009)	Book	Book							x	
2 (Weintrit & Adam, 2009)	Book	Book	x	x			x	x	x	x
2 (Tan, 2005)	Book	Book							x	
2 (Ringbom, 2007)	Book	Book						x		
3 (Papa, July)	Article	Comparative Approach/ Doc. Analysis	x				x			
3 (Safford, Ulrich, & Hamilton, 2012)	Article	Empirical. Tele-phone Surveys & Interviews							x	
3 (Jaradat & Keating, 2014)[18]	Article	Literature review and conceptual analysis of "critical infrastructure"					x			
3 (Lichterman, 1999)	Article	Reflective analysis	x							x
3 (Pièvre-Cambacédès & Bouissou, 2013)[19]	Article	Literature Review Cross conceptual analysis					x	x		
7 (Phillips, 2008)	CH	Terror Attack Identification & Analysis	x	x						
7 (Aronica, Mukhtyar, & Coon, 2001)	Article	Analysis of case law.	x							
7 (Mugarura, 2014)	Article	Qualitative. Secondary Data Analysis. Doc. Analysis	x							
7 (Goede, 2013)[20]	Article	Qualitative. Exploratory comparative case analysis	x							
7 (Haynes, 2000)	Article	Qualitative Comparative case analysis	x							
7 (Hoti & McAleer, 2005)	CH	Apply Risk Assessment model to evaluate security of 120 countries	x				x			
8 (Singha, Bellerby, & Trieschmann, 2012)	Article	Sensitivity analysis of oil spill.							x	
8 (Middleton, Glosec Ltd., Day, & Lallie, 2012)	Article	Use Nmap and Nessus to test network vulnerabilities in offshore In 7 countries.					x			
8 (Crook, 2010)	Article	Magazine article							x	
9 (Giroux, 2010)	Article	Risk Analysis on Natural and Human-caused Threats					x			
9 (Ibrahim & Allen, 2012)	Article	Qualitative, interpretative methodology with Activity Theory as a conceptual framework					x			x
9 (Gregory, 2011)	Article	Qualitative literature review with a comparative approach for three borderlands	x				x			
9 (Fabiano, 2012)	CH	Analysis on International Threats	x				x			
9 (Haimes & Yacob, 2011)	Article	Multidimensional Risk Analysis on Terrorism	x							

[14] Number corresponding to database
[15] Pages: 4, 164,307, 311, 323.
[16] Repeated in ProQuest
[17] Repeated and fully available at ProQuest
[18] Critical oil infrastructure.
[19] Safety and security in several disciplines
[20] Organized Crime.

9 (Brown, Coté, Lynn-Jones, & Miller, 2010)	Book	Book	x	x						x
9 (Vlcek, 2013)	Article	Procedure Analysis	x	x						
9 (Crenshaw, 2010)	Book	Book	x	x						
9 (Zabyelina, 2013)	Article	Book					x			
9 (Stoney & Scanlon, 2014)	Article	Reflective / exploratory analysis	x							x
9 (Weinberg, 2008)	Book	Book	x				x			x
9 (Burgherr & Hirschberg, 2009)	Book	Book.	x	x			x	x	x	x
9 (Lewis, 2006)	CH	Book	x	x			x			x
9 (Woodward & Pitbaldo, 2010)	Book	Book						x	x	x
9 (Bekefi & Epstein, 2011)	Article	Descriptive / Narrative of best practice & suggest a risk assessment method to integrate risk into the financial analysis					x			
9 (Speight, 2011)	Book	Book (Describe all the process of petroleum production and respective problems and security challenges)					x	x		
9 (Vaggelas & Ng, 2012)	CH	CH in a book			x	x	x			x
10 (Maldonado, 2009)	Article	Essay			x	x	x	x		
10 (Garcia, Monosalva, Rezende, & Sgut, 2004)	Book	Multi-methodology for different stage analysis. ISPS Code Implementation in South America from CEPAL	x	x	x	x	x			
10 (Enríquez, 2007)	Article	Analysis of the SUA convention	x				x			x
10 (Sgut, 2006)	Book	Book					x			
10 (Preciado, 2009)	Article	Reflective Analysis of the Security and Prosperity Partnership of North America (SPPNA)	x	x			x			
10 (Arias, 20014)	Thesis	Case study					x			
10 (Zamora, 2008)	Doc. Thesis	Conceptual Analysis					x			
10 (Castán, 2008)	Article	Essay Historical analysis of literature					x			
10 (Elizalde, 2012)	Doc. Thesis	Analysis of documents, concepts and literature	x	x	x	x	x	x	x	x
10 (Taylor, 2009)	Book	Book	x				x			
10 (Ferreirós, 2011)	Article	Reflective Analysis	x				x			

Table 4. Concept Matrix

Concept Matrix			
Concept	Articles included in the analysis	Books included in the analysis	Total
1. Terrorism (at sea or maritime terrorism)	14	27	41
2. Counterterrorism	2	15	17
3. Port Facility Security Plan	2	4	6
4. International Ship and Port Facility Security Code	2	4	6
5. Maritime Security	16	19	35
6. Safety	1	17	18
7. Oil Spill & Environmental Protection	4	9	13
8. Resilience plan	5	20	25

Table 5. Geographic dimension of selected literature

Book/Article
Kenneth (2009). This book is mainly about maritime security in the US, however the author also analyses several maritime security incidents in other countries and devoted some chapters to the study of maritime security worldwide from a historical perspective, written in English. **North-America:** United States, Mexico. **Central and South America:** Brazil, Peru, Ecuador, Chile. **Europe:** United Kingdom, Greek, Portugal, Spain, Denmark, Germany, Italy, Mediterranean Sea, Greece, France, Turkey. **Asia:** Indonesia, Malacca Strait, Bangladesh, India, Pakistan, Sri Lanka, Yemen, Iran, Iraq, the Red Sea and Arabian Sea, Suez Canal, Singapore, Thailand, Malaysia, India, Japan. **Africa:** Nigeria, Somalia, Egypt, Eritrea, Namibia, Senegal, Liberia, Guinea, Angola, Sierra Leone, South Africa
Espin-Digon, Burns-Herbert, & Bateman (2008). Editors of a book that encompasses several scientific articles related to maritime security & implementation and compliance of the ISPS Code from 31 authors. Note: It does not necessarily means that each of the countries listed are related to a specific study, but often security incidents at some countries are referred to in the study of another one, written in English. **North-America:** United States, Canada & Mexico, (This last one was briefly commented in an article addressing drug trafficking). **Central and South America:** Argentina, Venezuela, Colombia & the Caribbean Sea. **Europe:** England, Germany, France & Italy, Spain, Italy, United Kingdom, Netherlands and Mediterranean Sea, **Asia:** North Indian Sea, Red Sea, Arabian Sea, Arabian Gulf and Malacca Strait Singapore, Indonesia, Philippines, Myanmar, Bangladesh, Thailand Japan, China, South Korea, India, Bangladesh, Pakistan, Sri Lanka, Malaysia, Laos, Vietnam, Kuwait, Yemen, Iraq, East Timor, Suez Canal. **Africa:** Somalia, Morocco, Egypt, Nigeria & Algeria. **Oceania:** Australia & New Zealand
Vaggelas & N (2012). Article with a comparative study about the implementation of the ISPS Code between the Piraeus and Hong Kong ports. **North-America:** United States. **Europe:** Piraeus, Greece. European Union's implementation of IMO instruments. **Asia:** Hong Kong, China
Maldonado (2009). This is an article on operative safety and security related to foreign trade in Mexico, written in Spanish. **North-America:** Mexico, United States.

(Garcia, Monosalva, Rezende, & Sgut, 2004) This is an article from the Economic Commission for Latin America and the Caribbean (CEPAL; in Spanish), with a Multi-methodology for different stage analysis about Implementation of the ISPS Code in South America, written in Spanish. **North-America:** Mexico. **Central and South America:** All South American States and the Caribbean.

Elizalde (2012). Doctoral thesis about the maritime security and its normativity. **North-America:** Mexico, United States, **Central and South America:** IMO & UN instruments applied in the Caribbean Region. International Agreements from the Organization of American States against maritime drug traffic **Europe:** IMO & UN instruments applied in the European Union, Spain **Africa:** Somalia

In order to make the conversion from the author-centric approach towards the category-centric approach and synthesize the relevant literature, table 4 that follows is providing a summary of a category matrix in relation to the number of articles and/or books that were identified during the search.

Then, the items that included in their analysis the categories three, four and five "Port Facility Security Plan; International Ship and Port Facility Security Code and; Maritime Security" were further studied under a geographical dimension, including five subcategories that covered North-America, Central and South America, Europe, Asia and Africa. The complete details of this analysis are illustrated in Table 5.

5 DISCUSSION

The original purpose of this review, which was to examine the state of the art of implementation and compliance of the ISPS Code in México, had to be adjusted since there was only one article that met the search criteria; and which actually falls outside the framework of this literature review, as it is about military law. The results about this objective are clear: the state of the art concerning implementation and compliance of ISPS Code in Mexico is quite poor. The topic really need to be researched and, in general, it is observed that research within the maritime domain in Mexico is limited. Even when it was used some subcategories to get a wider number of research items, it is discovered that those academic efforts that mention Mexico, they do it in a connection to isolated cases of drug organization, proliferation of crime or smuggling of drugs and weapons, but not in direct connection to compliance of the ISPS Code in Mexico. Yet, the research contributions were deeper explored and divided into geographical areas to examine their allusions to the country in the analysis and studied according to eight selected categories, it make it more evident the lack of research in the maritime real in the referred nation. In a previous study Nordfjeld-Avila-Zúñiga & Dalaklis (2018) have already addressed "the necessity of the inclusion of maritime security and protection of critical oil infrastructure offshore [of Mexico] in the national agenda that would provide for future research directions in the maritime security domain and contribute to the establishment of a national maritime security policy".

Therefore, at this stage of the study the scope gets another dimension, since even the search queries were conditioned to the word of Mexico, the research items that have brought connections to this country were for isolated cases, and the contributions that were found are mainly addressed to other parts of the world. Thus, the discussion shifts focus to the eight selected categories; based on the contributions on general bases, rather than the country.

Even though the concept of "*terrorism*" has been discussed by several authors in the past, there is not a sole definition. Tuerk (2012) pointed out that there is not an authoritative definition of this term, but that all definitions have several features in common: "*first, there must be actual or threatened violence; second a political motive is necessary; finally, the acts must be directed at and intended to influence a targeted audience*". To emphasize this, the author cites to note 393, from Power, Maritime Terrorism: "A new Challenge" and further explains that the overall side of the common aspect is arguably that an act is not terrorism unless it has a deliberate political motive. Kenneth (2009), coincides with Tuerk that there are many definitions of terrorism and says that it is simply *"the use of force or violence against people and places to intimidate and/or coerce a government, its citizens, or any segment thereof for political or social goals"*. The author expands his explanation by arguing that terrorists try to coerce the adversary to obtain a goal without having to face the risk of a direct confrontation, fighting an asymmetrical war, which is an strategy used by the weaker side in the conflict to compensate for the strengths of the enemy.

Espin-Digon, Burns-Herbert, & Bateman (2008), have similar views to the above mentioned authors. They further discuss maritime terrorism[21], by arguing that despite the hysteria surrounding, acts of maritime terrorism are by no means frequent, because maritime terrorism requires a certain degree of familiarity with the sea. These researchers also noted that "*terrorists would also need a kind of maritime domain awareness (MDA) to even think about including maritime attacks into their modus operandi –and the availability of a special set of knowledge and skills*". Even so, they correctly pointed out that acts of maritime terrorism targeting ships, ports and oil terminals occur and that therefore it is necessary to be prepared with appropriate countermeasures. Kenneth (2009) defines *"counterterrorism"* in his glossary, as "*offensive strategies, tactics and plans used by government agencies, military forces, law enforcement agencies, and private sector organizations to mitigate the threat of terrorism by reducing the chances that individuals or groups can successfully wage campaigns of terror in pursuit of their organizational goals*". Finally, in the context of maritime terrorism and maritime security, discussed by Klein, Rothwell, & Mossop, (2009), counterterrorism may be understood as the capacity of a state to respond to sudden and unanticipated threats.

[21] Terrorism at sea or terror actions against vessels, port and off-shore installations.

Counterterrorism capacity is one of the objectives of any PFSP, which is an instrument embodied in the ISPS Code to ensure the application of security measures deliberated to protect the port facility and its serving vessels, their cargoes, and persons on board at the respective security levels. According to Kenneth (2009), a port facility is required to "*plan and effect security at the levels identified in the risk assessment process and as established by the governmental entities with statutory responsibilities for port security oversight*". This author also emphasized the need of standardizing the terms used in the plan since a term like security, for instance, may have a different meaning for different people in different environments. For the purposes of developing a port facility security plan, he correctly identified that a working understanding of the security should include a set of measures aimed to:

- "Neutralizing vulnerabilities for criminal activity within the port,
- Identifying and responding to safety issues,
- Minimizing the threat of terrorism,
- Reducing opportunities for internal criminal conspiracies,
- Disrupting links between corruption, terrorism and organized crime,
- Sharing intelligence and investigative information, with appropriate law enforcement agencies,
- Promoting opportunities for the exchange of best practices in port security".

Kenneth (2009) criticised that very often the PFSP exists only in paper, but it is rarely tested for effectiveness and emphasized that "the key to successful port security management in terms of the PFSP is to understand it as a living document". Vaggelas & Ng (2012), noted that based on the requirements of the PFSA (Port Facility Security Assessment), a PFSP has to be developed for each facility which has provisions for addressing changing security levels for every security operation and that a PFSP may cover more than one facility only provided that the operator, location, operation, equipment and design of those facilities are very similar to each other. As mentioned before, the PFSP is a requirement of the International Ship and Port Facility Security Code (ISPS Code), which came into force on July 1st. of 2004 and it is a part of the amendments to the 1974 Convention for the Safety of Life at Sea (SOLAS). Kenneth (2009) defined the ISPS Code in his glossary, as the *"comprehensive set of measures implemented in 2004 to enhance the security of ships and port facilities, developed and agreed to by member countries of the International Maritime Organization in response to the perceived threats to ships and port facilities after the September 11, 2001, terrorist attacks in the United States*". Vaggelas & Ng (2012) simplify that the Code has mainly two major components; part A that illustrates the minimum mandatory requirements that ships (represented by their firms) and ports (represented by the contracting government) must follow; while Part B provides more detailed, but not compulsory, guidelines for the implementation of security assessments and plans.

For Espin-Digon, Burns-Herbert, & Bateman (2008), the ISPS Code is a security regime formulated under the auspices of the IMO to strengthen the maritime security in general, and prevent and supress acts of terrorism against the maritime realm. These authors clarify that passenger ships, including high-speed passenger craft, cargo ships of 500 gross tonnage and above, Mobile Offshore Drilling Units (MODUs) and all port facilities serving ships engaged in international voyages are required to comply with the ISPS Code, according to the established in the SOLAS Chapter XI-2. They also correctly identified that the ISPS aim is to provide a standardized consistent framework for evaluating risk, enabling governments to offset according to changes in different threat levels affecting the vulnerability of vessels, port and offshore facilities.

Furthermore, in an article written by J. Urbansky, W. Morgas and M. Miesikowsky (2009) included in the book edited by Weintrit A. (2009), the authors stated that maritime security *"is the security from the terrorism, piracy and similar threats, as well as effective interdiction of all the illicit activities on sea, such as pollution of the marine environment; illegal exploitation of sea resources; illegal immigration; smuggling the drugs, persons, weapons and other matters that can be used for terrorist activities"*. All the above also explain why concepts number 1 and 5 are the ones most commonly presented in the research items, since interest on the issue of terrorism and the respective maritime security framework is high. On the other hand, concepts 3 and 4 are rather low in representation. This translates into the fact that implementation issues and related practicalities are clearly lagging behind.

On a different direction, but in similarity to the term of maritime security, there is not a sole and universal definition for the concept of maritime safety, although concepts such as protection of life and property at sea, risk assessment and prevention of hazards are standing out. Pièvre-Cambacédès & Bouissou (2013, p.111-112), analysed the similarities and differences between the two domains, safety and security. The authors pointed out that while security is connected to risks originated or exacerbated by a malicious action, independently from the nature of the related consequence, the concept of safety is linked to accidental actions i.e. without a malicious intention, but with potential impact to the related environment. They further clarify that in the security discipline it is common the use of the term threat, while in the safety discipline the tendency is to use the term hazard, even though they are used to describe identical concepts in several standards. An example provided by these authors is the use of the term incident, as an event with minor consequences in safety, while it means an infringement or breach with regards to security.

On this context, Kenneth (2009 p.223-224) cited the U.S. Department of Labor 2001 par.2, to emphasize that: *"The core function of any work place safety and health program is to 'find and fix' hazards that endanger employees and to implement systems, procedures and processes that prevent hazards from recurring or being introduced into the work place. This element of a worker protection program has the most immediate and direct effect on injury and illness prevention"*. The author also noted that port facilities present some unique and extraordinary challenges with respect to safety management because of the variation of operations and its interaction with the vessels, cargo and land-based people, as well as conveyances.

The issue of marine oil pollution is also considered a part of maritime safety and maritime security and it is included in the standards of training and certification as an important part of oil spill prevention. It is addressed as a possible consequence of security incidents. Oil spill has also been addressed several times within maritime security regarding possible terror scenarios. Espin-Digon, Burns-Herbert, & Bateman (2008 p.57), argue that one of the considered terror scenarios in United States is the floating bomb scenario, "*that is, a hijacked liquefied petroleum gas (LPG) or liquefied natural gas (LNG) tanker driven into a major port and exploded there, with the intent of disrupting seaborne global trade*". The authors also refer to the "momentum weapon" scenario, which is about a large ship such as an ultra-large crude carrier or a chemical tanker, where the terrorists would attempt to drive the vessel into the harbour at a high speed to ram either other ships with vulnerable cargoes or oil terminals and similar and then detonate the ship. The last cited authors clarify that even if such scenarios as the called "momentum weapon" has been developed, for the port of Singapore, where the largest of Southeast Asia's oil refineries is located, all of them belong to the realm of fiction. However, it is necessary to be prepared to respond to large terror attacks at port and offshore installations and to mitigate eventual oil spills, protecting the marine environment. It is therefore no coincidence that concepts number 6 and 7 are represented in 18 and 13 occurrences respectively. The fact that there is a rather close correlation in these two numbers is attributed to the fact that oil pollution is widely considered nowadays as the main safety risk.

Regarding resilience's plans, also known as emergency management plans, Kenneth (2009) refers to the National Response Framework from the U.S., and affirms that this document defines the principles, roles, and structures that frame how the United States will respond collectively in terms of a "national response doctrine" of coordination, specific authorities, and best practices. By citing to U.S. Department of Homeland Security (2008), the author points out that the National Response Framework establishes five key principles that reflect the overarching approach to incident and emergency response, which are: first, engaged partnerships; second, a tiered response; third, scalable, flexible, and adaptable operational capabilities; fourth, unity of effort through unified command; and fifth, readiness to act. He further explains that when developing port specific emergency operations and response policies and procedures; port security managers must take into consideration that each facility plan would be a component of the larger national plan and stresses that "*planning for emergency must be managed collaboratively with those port users and government agencies that have interests and concerns in the stability of the port environment*". He further added that it is imperative to have a coordinated response to port incidents (including hazardous materials incidents) and emergencies; additionally, to ensure that these events will be managed competently and in concert with national security priorities. As a result, the total number of occurrences for concept 7 is convincing, since potential safety risks must be addressed via the "right" resilience plans.

6 CONCLUSIONS

The results about the state of the art concerning implementation and compliance of ISPS Code in Mexico are clearly poor. The subject should be further studied and, in general, it is observed that academic contributions within the maritime domain in Mexico are quite limited. The lack of research in the maritime realm in the referred nation might have a connection to the constricted attention of the issue in the national agenda, which then again, is possibly related to the absence of a national maritime security policy in Mexico.

Concerning the wider domain of maritime security at ports and offshore installations encompasses directly or indirectly all the concepts included of table IV. However, even if they are considered as different concepts, they cannot be seen as isolated, because in one way or another they are interdependent of each other. Furthermore, safety and security issues can be highly interdependent and also influencing one the other at the same time. In a similar direction, the same interdependency could be argued between oil spill and environmental protection; on the positive side, resilience's plans (also called emergency management plans) can provide the necessary mitigation toolbox.

Likewise, the concepts of terrorism and counterterrorism are (directly or indirectly) related to both the maritime safety and security domains, because of the severe consequences that are resulted from a successful attack as well as the need the necessary detailed preparation to avoid these "unpleasant events". In any case, these are various important concepts addressed via the International Ship and Port Facility Security Code (the ISPS Code), which establishes guidelines and recommendations for the development of the Port Facility Security Plan (PFSP). In the long run, the ISPS is a toolbox that sets out processes and procedures to cope with the risks within the maritime security domain.

As it can be seen in the concept matrix, the category of "terrorism at sea or maritime terrorism" was the most studied according to findings of this literature review, with 41 different articles or books examining this topic; the topic of maritime security followed with 35 instances. The fact that "terrorism" and "maritime security" were most commonly presented in the research items could be attributed to the recent terror attack threats worldwide, a situation that has brought global interest on the issue of terrorism at sea and the respective maritime security framework for managing the risk of maritime terrorism and improve maritime and port security.

As already highlighted, the most important set of regulations addressing that subject is the Chapter XI-2 of the Safety of Life at Sea Convention 1974 (SOLAS Convention), encompassing the ISPS Code; this Code requires the establishment of PFSPs at port facilities with specific characteristics. It is also noteworthy that studies approaching the categories concerning the ISPS code and PFSPs were the lowest represented, with only six instances. This can be interpreted into the notion that ISPS Code implementation issues and related practicalities are still worldwide lagging behind in terms of investigation and examination.

As it has been demonstrated in this literature review, research efforts focused on the ISPS Code and the development of a Port Facility Security Plan (PFSP) have an integrated perspective, where the concepts of terrorism and counterterrorism, as well as maritime security management and the issue of port security have a strong interaction and dominant status. Additionally, the safety issue is quite often addressed, with oil spill and environmental protection being included in the consequences of security incidents. Closing with a positive note, after a total of fourteen (14) years after the approval and implementation of the ISPS Code, there have been identified quite a few different approaches to security risk assessment methodologies as it can be observed through the currents literature review. On the other hand, more emphasis on the implementation issues of the ISPS Code is evidently needed to ensure that apart from theory, field results are resulting into an acceptable security risk level.

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