



Secure Identification of Seafarers ILO Convention No.185

Cleopatra Dumbia-Henry
Director
International Labour Standards Department
International Labour Office



Outline of Presentation

The International Labour Organization
Rationale for Convention No.185
Importance of Convention No.185
Objectives of the Convention
Structure of the Convention
Content of the Convention
Conclusions

The International Labour Organization (ILO)

- Created in 1919
- Specialised agency of the United Nations
- Tripartite Structure (Governments, Employers and Workers with equal rights)
- Membership: 183 Member States

The International Labour Organization (Con't)

- Adopts International Labour Standards
 - Conventions (mandatory) e.g Convention No.185
 - Recommendations (Non-mandatory)

Rationale

- ILO placed revision of Convention No.108 adopted in 1958 on the agenda of the International Labour Conference in March 2002 in reponse to request by IMO for quick action
- International Labour Conference adopted in June 2003, the Seafarers Identity Documents Convention (Revised), 2003 (No.185)
- ILO Convention No.185 complements 2002 SOLAS amendments, in particular the ISPS Code

Importance of C.No.185

- There is a human dimension for security. Putting in place security hardware is insufficient without taking into account those who work on ships and in ports
- 90% of world trade is transported by sea and shore leave is of vital importance to seafarer welfare
- Securing seafarer's identity so that they may be granted shore leave is beneficial for seafarers and thus beneficial for trade

Objectives of Convention No.185

- To improve the security of seafarers' identification by strengthening:
 - The physical security aspects of the SID
 - The reliability of the SID in identifying the holder as the seafarer to whom it is to be issued (biometrics)
- To enable the grant of the facilities to seafarers of shore leave and ability to carry out professional movements
- To facilitate international commerce

Structure of the Convention

- 18 Articles, of which 9 are substantive
- 3 Annexes containing:
 - Model for SID
 - Electronic Database
 - Minimum requirements and recommended procedures for issuance of SIDs
- Facilitated amendment procedure

Content of the Convention

- SIDs can only be issued by State of nationality or permanent residence
- SID must contain specified elements and conform to Annex I of the Convention
- SID follows ICAO Document 9303 standards to facilitate an internationally uniform identity document
- SID must be machine-readable and contain a digital photograph and fingerprint biometric
- Biometric template based on ISO standards

Content of the Convention: improving reliability

- Requirement for a national electronic database with information to be contained specified in Annex II of the Convention
- 24/7 hour focal point to be available; details of focal points to be communicated to ILO and made available to member States
- Member States to undertake quality control and evaluation conforming to mandatory minimum requirements concerning processes, procedures and practices for issuance of SIDs

Content of the Convention: improving reliability cont'd

- Requirements relate both to the security of the physical document and the basic infrastructure for issuance and verification:
 - To make sure SIDs are only issued to genuine seafarers
 - To provide other Members with means of checking the validity of SIDs
 - To ensure national systems are properly monitored

Content of the Convention

- Member State shall carry out independent evaluation of its system at least every 5 years
- Copies of evaluation to be sent to ILO which will make reports available to other Members
- ILO to evaluate reports and approve list of Members complying with minimum requirements of Convention
- Detailed procedures are in place for settling disagreements over list
- Recognition of SIDs subject to member State compliance with the Convention requirements

Content of the Convention

- Seafarer holding valid SID to be recognized as a seafarer (prima facie evidence)
- Verification of seafarers' identity and standard border crossing formalities are still permitted
- Facilities to be granted to seafarers include: Shore leave, transit, transfer, repatriation

Content of the Convention

- Shore leave:
 - Advance notification of arrival to be given with full details concerning the seafarer as specified in Annex II
 - shore leave should be granted without requiring a visa
 - substantially equivalent arrangements to visa waiver in both law and practice are permitted

Operationalizing the SID

- ILO has worked extensively with ICAO and ISO to develop standards to support technical aspects of SID
- ILO has conducted biometric technology tests of products to ensure true global interoperability and compliance with C No.185 and relevant technical documents
- Twelve products have been approved

Operationalizing the SID

- A scheme of national focal points available 24/7 to respond to requests for verification of individual seafarers is mandated
- A focal point coordination centre to make such information available online to relevant national authorities has been designed
- ISO is about to approve ISO/IEC 24713-3, a standard that supports C No. 185

Progress on Convention No. 185

- Convention No.185 entered into force on February 9, 2005
- 14 Countries have ratified, one declared it applicable
- Mapping for 118 countries, 97 submitted to competent authorities
- EU Council has recommended ratification for all EU members, Decision 2005/367/EC
- United Nations General Assembly on 28 December 2008 invited all States to ratify C.185
- Recent progress with US and others

Conclusion

- SID is a worker's identity document and not a travel document, ... but ...
- Seafarers, as a special category of workers, are traditionally entitled to shore leave
- SID allows additional security to be applied to the current practices which allow seafarers shore leave and transit



Conclusions cont'd

- Progress continues towards widespread adoption
- Convention No. 185 is a huge leap forward from existing global practice
- Independent audits and ILO procedures for ongoing evaluation and resolution of any disputes ensure a secure issuance system
- Substantial equivalence allows nations to retain control over the security of their borders