



EIGHTH ITEM ON THE AGENDA

**Requests for reports on the application
of the Seafarers' Identity Documents
Convention (Revised), 2003 (No. 185),
under article 22 of the Constitution**

1. At its 294th Session (November 2005), the Governing Body approved the form for submitting reports on the application of the Seafarers' Identity Documents Convention (Revised), 2003 (No. 185), under article 22 of the Constitution. In accordance with practice, four of the Members that have ratified this Convention have been requested to submit reports on the Convention. However, for the reasons stated below, it is proposed that the submission of reports should be postponed.
2. It will be recalled that the two basic obligations of a Member under Convention No. 185 are:
 - (a) to issue, to its nationals upon application, seafarers' identity documents (SIDs) conforming to the requirements of the Convention; and
 - (b) to recognize the holders of SIDs issued in accordance with the Convention as seafarers unless clear grounds exist for doubting the authenticity of the SIDs concerned and to facilitate the temporary admission, on their territory, of those seafarers for the purposes and subject to the conditions set out in Article 6 of the Convention.
3. With respect to the first basic obligation, the Convention facilitates the task of the Organization's supervisory bodies by requiring Members (under Article 5, paragraph 4) to carry out, at least every five years, an independent evaluation of the administration of their system for the issuance of SIDs under the Convention, including their quality control procedures. A copy of the reports on these evaluations will be used under the arrangements established by the Governing Body for the consideration of requests for inclusion on the Governing Body's list of Members which fully meet the minimum requirements set out in the Convention (referred to in Article 5, paragraph 6). The Office has not yet received any report from a Member on an independent evaluation carried out by it. The supervisory bodies will therefore, at present, only be able to make a preliminary assessment of the extent to which a Member ratifying the Convention has established the necessary system.

4. With respect to the second basic obligation, there have so far been few, if any, occasions in which a Member has been called upon to recognize as seafarers the holders of valid SIDs issued under Convention No. 185 and to grant them the facilities of temporary shore leave and transit and transfer in accordance with Article 6 of the Convention. This is due to the fact that, at the present stage of pioneering implementation of the Convention, Members may need one or two years to establish the facilities and system necessary for the issuance of SIDs. It should be much shorter in the case of subsequent ratifications, as Members will be able to benefit from the experience of the early ratifiers. In addition, while ratification of the Convention is under consideration in several members States, the level of ratifications of the Convention so far has turned out to be much lower than that justified by the urgency of the situation when the Convention was adopted in the wake of the terrorist attacks of 11 September 2001. Up to now, only 11 Members have ratified the Convention with one Member communicating a declaration of provisional application in accordance with Article 9.
5. The Office is at present making inquiries with Members as to their intentions concerning ratification. It is also suggesting to Members that have not yet ratified that, pending ratification, they should at least take account of the technical merits, including global interoperability, and the security and respect for individual rights, that are offered through the issuance of SIDs in accordance with the requirements of the Convention. It is hoped that these advantages can be demonstrated by reference to the experience in countries that have ratified the Convention and will be issuing SIDs under it. While the submission of reports on the application of Convention No. 185, under article 22 of the Constitution, would therefore be very useful for enabling the practical feasibility of the Convention to be assessed and demonstrated, it would at present, for the reasons given in the preceding paragraph, have very limited use for the traditional purpose of assessing the extent to which the Convention is being applied in the Member concerned.
6. ***The Committee may accordingly wish to recommend to the Governing Body that:***
 - (i) ***the Members from which reports on the application of Convention No. 185 have been requested, in accordance with article 22 of the Constitution, be informed that they may postpone the submission of their report; and***
 - (ii) ***no further reports on the application of Convention No. 185 should be requested until the year 2009.***
7. There was overwhelming support by Governments for the adoption of the Convention in 2003. On the strength of this support, the Members that have ratified the Convention or are taking steps to that end are making the necessary effort to establish systems for the issuance of SIDs meeting the security concerns of Governments. They can legitimately expect other Members to give due consideration to the situation of their seafarers holding SIDs issued to them in accordance with the Convention. The organizations of seafarers and shipowners, which gave their full support to finding an adequate solution to the security concerns of Governments, can similarly expect Governments to do their best to resolve the serious problems for seafarers' welfare and international shipping in the manner set out in the Convention.
8. ***The Committee may also wish to recommend that the Governing Body take this opportunity to call upon Members that have not so far ratified Convention No. 185 to renew their efforts to move towards the ratification of the Convention, and to ratify it as soon as they are in a position to do so.***

Geneva, 18 September 2007.

Points for decision: Paragraph 6;
Paragraph 8.