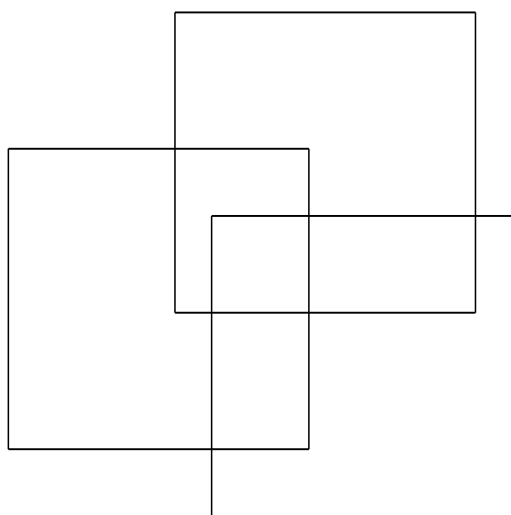




Final report

**Tripartite Meeting of Experts on the Implementation of the Seafarers'
Identity Documents Convention (Revised), 2003 (No. 185)**
(Geneva, 4–6 February 2015)



Geneva, 2015

International
Labour
Standards
Department

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Policies
Department

MESIDC/2015/5

INTERNATIONAL LABOUR ORGANIZATION

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INTERNATIONAL LABOUR OFFICE, GENEVA

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Final report: Tripartite Meeting of Experts on the Implementation of the Seafarers' Identity Documents Convention (Revised), 2003 (No. 185), Geneva, 4–6 February 2015, International Labour Office, International Labour Standards Department and Sectoral Activities Department, Geneva, ILO, 2015.

ISBN 978-92-2-130204-9 (print)
ISBN 978-92-2-130205-6 (Web pdf)

Also available in French: *Rapport final: Réunion tripartite d'experts concernant l'application de la convention (n° 185) sur les pièces d'identité des gens de mer (révisée), 2003*, Genève, 4-6 février 2015, ISBN 978-92-2-230204-8 (print), 978-92-2-230205-5 (Web pdf), Geneva, 2015; and in Spanish: *Informe final: Reunión tripartita de expertos relativa a la aplicación del Convenio sobre los documentos de identidad de la gente de mar (revisado), 2003 (núm. 185)*, Ginebra, 4-6 de febrero de 2015, ISBN 978-92-2-330204-7 (print), 978-92-2-330205-4 (Web pdf), Geneva, 2015.

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I. Introduction

1. The Tripartite Meeting of Experts on the Implementation of the Seafarers' Identity Documents Convention (Revised), 2003 (No. 185), was convened by the Governing Body¹ to examine the feasibility and to carry out a cost-benefit analysis of the various options to address the issues involved in the implementation of the Convention for ratifying and non-ratifying flag States, port States and seafarer supplying States, as well as for shipowners and seafarers.² This report has been prepared by the International Labour Office.

II. Composition of the meeting

2. The meeting was composed of 32 experts nominated after consultation with governments, 16 experts nominated after consultation with the Shipowners' group and 16 experts nominated after consultation with the Seafarers' group. The meeting was also attended by representatives of governments of other member States that had ratified the Convention or which were seriously considering ratification, along with other representatives of the Shipowners' and Seafarers' groups, including the International Chamber of Shipping (ICS) and the International Transport Workers' Federation (ITF), as well as their advisers. There were 24 Government delegations, and 16 experts representing shipowners, 22 experts representing seafarers, as well as representatives from the International Maritime Organization (IMO) and other official international organizations and international non-governmental organizations (NGOs). A list of participants is appended.
3. The Officers of the meeting were as follows:

<i>Chairperson</i>	Ms Julie Bédard (Government representative, Canada)
<i>Vice-Chairpersons</i>	Ms Vera L. Ribeiro de Albuquerque (Government representative, Brazil)
	Mr Joseph Cox (Shipowner representative, United States)
	Mr Dave Heindel (Seafarer representative, United States)

III. Opening statements

4. In her introductory remarks, the Secretary-General welcomed the participants and emphasized the importance of the meeting, which had been convened by the Governing Body to provide expert advice on both maritime and border security issues as a basis for moving forward on the implementation of Convention No. 185. She recalled that, since 1958, with the Seafarers' Identity Documents Convention, 1958 (No. 108), the ILO had

¹ GB.320/LILS/5.

² A technical background paper was prepared by the Office to facilitate the discussion at the meeting. See *Technical background paper for discussion at the Meeting of Experts concerning Convention No. 185* (MESIDC/2015), available online at: http://www.ilo.org/global/standards/maritime-labour-convention/events/WCMS_329890/lang-en/index.htm.

recognized the international nature of the profession of seafaring and the need for seafarers to have easier access to port areas and to transit through countries. This was necessary for the industry because seafarers needed to be able to join and leave ships quickly, often transiting through other countries. Seafarers also had the primary need to be able to go ashore after weeks or months of working and living on board in an inherently stressful work environment. Convention No. 185 provided a balance between security concerns, such as border security, and the welfare and rights of seafarers. The Convention was reinforced by the parallel action of the IMO, and its implementation was based on standards of the International Civil Aviation Organization (ICAO). It had been assisted, since its adoption, by the technical advice and tailor-made standard of the International Organization for Standardization (ISO).

5. The Secretary-General added that the importance of the meeting lay in the fact that the technology for the seafarers' identity document (SID) provided for in Convention No. 185 was based on the state of the art in 2003. However, biometric technology had changed significantly since then and other solutions had been adopted in the context of international transport. Any security infrastructure required considerable investment, and there was obviously little incentive in making such an investment in technology that was not up to date and widely used. The technology for Convention No. 185 therefore needed to be updated and its cost reduced or rationally and equitably shared by the international community. Thirty countries had now ratified Convention No. 185 or were provisionally applying its provisions. An additional 62 countries had ratified the earlier instrument (Convention No. 108) and were thus also required to facilitate the admission to their territory of seafarers holding valid SIDs. Other countries might be unilaterally providing the same kind of facilities to seafarers.
6. In conclusion, the Secretary-General observed that the main questions for consideration by the meeting related to the technical and administrative elements of the SID, as well as to authentication techniques and the related procedures. She then introduced the technical background paper which had been prepared by the Office to provide participants with information that would facilitate their discussion, as requested by the Governing Body, concerning options for the implementation of the Convention and to achieve its objectives. Some of these options had already been proposed during the tripartite consultations on the Convention in 2010. That meeting had proposed changes to the SID specified in Convention No. 185, which had been followed-up on but not finalized. The questions raised were not easy and required expertise that was largely outside the knowledge of the ILO. The Office was therefore extremely grateful for the participation of all the representatives of constituents, and of the IMO and other international organizations. The recommendations of the meeting would be considered by the Governing Body at its next session in March 2015.
7. The Shipowner Vice-Chairperson emphasized that, despite the 30 ratifications of Convention No. 185, which appeared to confirm the widespread recognition of the importance of shore leave and the facilitation of transit for seafarers, the lack of implementation rendered the Convention inoperable. Ratifying Members not only represented labour-supplying States, but also included port States, which needed to accept SIDs as a travel document. He pointed out that Convention No. 108 had introduced two concepts in 1958 that were especially important for his group: (1) seafarer access; and (2) seafarer transport between nations. Concerning seafarer access, the Shipowners' group was concerned about the lifestyle and working conditions of seafarers. Seafarers had the basic human right, after a length of time at sea, to come into port, relax and enjoy time off from their workplace, the ship. With respect to the second concept, the group was concerned with the ability of seafarers to either join or leave ships, for example to return home after signing off from their articles. However, he recalled certain cases in which even seafarers in need of medical treatment had been prohibited from transiting through countries. Convention No. 108 had also introduced a third concept, which was more of a

concern to governments, related to security issues. It was necessary to be able to verify SIDs quickly and reliably. He referred to two examples of visa initiatives that had attempted to address shore-leave access issues: (1) the European Union visa group had produced a handbook on the issuance of Schengen visas at border entry points which highlighted cases in which flexibility could be appropriate; and (2) the United States had proposed a rule-making process to improve seafarer access to United States ports. Nonetheless, considerable work was still required and, regrettably, the implementation of Convention No. 185 was now being called into question. He therefore called on Government representatives to outline their experience or intentions with regard to the ratification and implementation of Convention No. 185.

8. The Seafarer Vice-Chairperson indicated that the widespread ratification and full implementation of Convention No. 185 was essential for the shipping industry, which was reliant on seafarers. The well-being of seafarers required them to have access to shore leave and the facilitation of transit to and from the vessel. This had become more difficult since the events of 11 September 2001. The Seafarers' group fully understood and agreed on the need for robust maritime security measures, but it also emphasized the necessity for those measures to be balanced with the possibility for seafarers to access shore leave, which was of great importance due to the nature of the industry and the time served by seafarers on board vessels. As the technical standards contained in Convention No. 185 were no longer up to date, measures were needed to make the Convention work for all stakeholders. It was clear that the necessary solutions would be costly and governments would have to make additional investments. The views of governments, particularly labour-supplying States and major port and transit States, would therefore have to be taken into account. The Seafarers' group hoped that the meeting would constitute a turning point in the acceptance and effective implementation of the Convention. The most efficient way forward would be to amend the Annexes to accept ePassport technology and standards. It was to be hoped that the ICAO would support that approach, and that it would consider extending its Public Key Directory (PKD) system to support Convention No. 185. The respective data protection requirements would need to be met, with access to national databases being restricted to authorized officials. That would be costly, particularly for developing countries, which would require reassurance from key port and transit States that such investments would not be wasted. The Seafarers' group would cooperate fully to ensure that Convention No. 185 met its full potential.
9. The representative of the IMO recalled that the IMO Facilitation Committee had approved a revised annex to the IMO Convention on Facilitation of International Maritime Traffic (FAL) in September 2014, with a view to its adoption at its next meeting in April 2016. The revised annex had been developed with the aim of reflecting current realities, and it included enhanced provisions regarding shore leave, procedures when shore leave was denied and requirements for crew lists. In accordance with revised Standard 3.44, “[s]hore leave shall be allowed in a manner which excludes discrimination such as on the grounds of nationality, race, colour, sex, religion, political opinion, or social origin and irrespective of the flag State of the ship on which they are employed, engaged or work”. He recalled that the theme of World Maritime Day in 2014 had been the effective implementation of IMO Conventions. The Secretary-General of the IMO had emphasized that such effective implementation included the entry into force, wide ratification, meaningful implementation by trained personnel, stringent compliance oversight and vigorous enforcement, which were also important for both the Maritime Labour Convention, 2006 (MLC, 2006), and Convention No. 185.
10. A representative of the International Christian Maritime Association (ICMA) recalled that global prosperity depended on merchant shipping, which in turn depended on seafarers. The worldwide merchant fleet was large and growing rapidly, and the biggest challenge to maritime commerce remained the recruitment and retention of skilled seafarers. It was therefore essential to ensure that a seagoing career was an attractive option, and the

implementation of Convention No. 185 would contribute significantly to this. Access to shore leave and onshore welfare facilities were important. Under Article 6 of Convention No. 185, countries were required to allow shore leave to seafarers with a valid SID without also requiring a visa. However, he referred to an annual survey conducted regarding the denial of shore leave in the United States which indicated that, since 2002, around 10 per cent of seafarers were denied shore leave, and that around 90 per cent of those denials were due to not holding a visa. Ratification of Convention No. 185 by the United States could improve shore leave opportunities in that country for seafarers with a valid SID. Unfortunately, for a variety of reasons, few countries had issued valid SIDs. The ICMA hoped that the meeting would recommend amendments to the Annexes of Convention No. 185 to facilitate its implementation. Convention No. 185 could also greatly enhance security for seafarers and shipping. It was a very important Convention for seafarers, as it could provide them with greater protection and recognition. He hoped that the meeting would recommend measures that would encourage more countries to ratify and implement Convention No. 185, without reducing security or protection for seafarers.

11. A representative of the Government of Latvia, speaking on behalf of the European Union and its Member States, recalled that the solutions contained in Convention No. 185 were intended to improve security in the shipping sector and to promote decent working and living conditions for seafarers, as well as their rights as mobile workers. The Convention had been ratified by 30 countries, which included the countries of origin of half of the seafarers working worldwide. The Convention was intended to contribute to ensuring access to shore-based facilities and services for seafarers' health and well-being, which was also included in the MLC, 2006. Current SIDs, which included a two-dimensional bar code, were not globally interoperable with other biometric documents, which followed the recommendations of ICAO Document 9303 in using a contactless chip for the storage of biometric identifiers and suggested participation in the ICAO PKD. Consideration of the inclusion of a chip for the storage of biometric data should therefore be pursued. The meeting offered the opportunity to discuss the technical issues related to the implementation of Convention No. 185, including technical aspects of compatibility with other norms and equipment, including those of the ICAO, IMO and ISO.

IV. Developments at the national level

12. A representative of the Government of Canada said that her country had developed an SID which was technically fully compliant with the current Annexes to Convention No. 185, and which supported a digital signature in a two-dimensional bar code. Canada's legal authority had recommended that a regulatory instrument would be required to issue SIDs in order to minimize any risk associated with the collection of biometric data. The regulatory instrument should be ready by 2017. Until then, her Government would continue to work closely with the social partners to improve its SID issuance system.
13. A representative of the Government of Indonesia emphasized the importance of seafarer protection. A large number of Indonesian seafarers were working around the world, and protection was required to ensure decent work for them, including the right to shore leave, transit or transfer. Indonesia had ratified Convention No. 185 in 2008 and measures had been taken to issue SIDs and develop a seafarer database. Over 25,000 SIDs had been issued using technology included on the ILO approved list of biometric products. Challenges remained in the implementation of the Convention, including ensuring the compatibility of SIDs and the sustainability and reliability of the source of equipment to ensure the continued ability of the Government to issue SIDs. Any improvements introduced in the technical standards in Convention No. 185 should be cost-effective and affordable and should ensure that seafarers holding valid SIDs were allowed entry by member States, without discrimination, for shore leave, transit and transfer.

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14. A representative of the Government of Croatia, recalling that her country had ratified the Convention in 2011, indicated that certain difficulties had arisen initially in relation to the embarkation, disembarkation and transit of seafarers in ports, but that the instrument was now fully implemented. In 2013, SIDs had been issued by the Ministry of Maritime Affairs, Transport and Infrastructure, with the sole requirement that the seafarer should be in possession of a valid Seamen's Book. Forty SIDs had been issued, representing well under 1 per cent of the total number of Croatian seafarers (approximately 15,000). In her experience, only seafarers going to specific ports applied for SIDs. She added that the validity of SIDs could be verified online on the Ministry's website.
 15. A representative of the Government of Panama said that her country had not ratified Convention No. 185. In Panama, in addition to the SID, which was issued by the Maritime Authority and was similar to the one proposed in Convention No. 185, a 30-day seafarers' visa issued by the National Immigration Department was required. In applying for such a visa, the shipping agent must submit a copy of the SID, which did not obviate the need for a passport, prior to arrival at the port. A single document could not be required under the current national regulations. Seafarers of restricted nationalities must be accompanied by a guard. At present, the documents required made it difficult for seafarers to enter the country and the possibility of ratifying the Convention was being considered.
 16. A representative of the Government of the United Kingdom recalled that her country had ratified Convention No. 108 and was considering the ratification of Convention No. 185. The obstacle to ratification lay in the high cost of producing SIDs and their verification, and the low benefit, unless additional countries agreed to recognize SIDs to facilitate the passage of seafarers. Her Government would be interested in hearing from countries that required visas on suggested ways forward.
 17. A representative of the Government of Brazil indicated that her country had ratified Convention No. 185 relatively quickly compared to other ILO Conventions. At the time of ratification, the maritime authority had not been able to obtain budgetary approval for the measures required to implement the Convention. Simplicity was important in order to promote the implementation of the Convention. In South America, governments had concluded many agreements concerning SIDs under Convention No. 108, and there was a willingness to implement Convention No. 185. The present meeting offered the opportunity to simplify the Annexes to the Convention. Her Government was willing to promote collaboration between the national visa, customs and immigration authorities, and she emphasized the importance of national and international tripartite partnerships to facilitate shore access for seafarers.
 18. A representative of the Government of the United States explained that his country was among those that required visas for seafarers. In 2010, the information on seafarers' identification and their endorsements, such as qualifications, had been consolidated in a document called the "Merchant Mariner Credential", which was STCW³-compliant. It had been envisaged that Merchant Mariner Credentials could be technically compliant with Convention No. 185, should the United States decide to ratify the Convention. Other aspects, such as the database and card readers, would also satisfy the requirements of the Convention. However, the main reason for not ratifying the Convention was related to visa requirements.
 19. Another representative of the Government of the United States indicated that the Immigration and Nationality Act, which regulated the admission of foreigners to the

³ The IMO's International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 (the STCW Convention).

United States and its territories, required all travellers to the United States to hold both a valid passport and a valid non-immigrant visa, as applicable. The visa for seafarers (the D visa) permitted the entry of seafarers who intended to land temporarily and solely in pursuit of their calling and to depart on the same vessel of arrival. His Government was not in a position to admit seafarers into the United States solely on the basis of an SID, regardless of how robust it was, owing to the requirement of a pre-screening process. During that process, consular officers checked for previous visa refusals, observed and assessed applicants' behaviour, compared applicant information with other federal databases, and ultimately assessed whether the applicant was an intending immigrant, potential threat to national security or was otherwise ineligible. The ILO's current SID process did not adequately address the United States requirements in those respects. In addition, in 2004, the State Department had eliminated the crew list visa for security reasons, to ensure that every crewmember arriving in the United States was first required to complete a non-immigrant visa application, submit a valid passport and undergo an interview and background check. The ILO had suggested two other possible ways for the United States to show progress towards substantial equivalence through reliance upon the SID in processing visas for shore leave, namely via expedited visa issuance without a consular interview and short-term visa issuance at the port. Neither would be an option for the United States at the present time. However, the United States would consider the possibility of facilitating the scheduling of visa interviews for applicants holding an SID, and already took SIDs into account in determining whether an applicant met the eligibility criteria for the crewmember visa.

- 20.** A representative of the Government of Denmark recalled that his country had not yet ratified Convention No. 185. Danish seafarers signing on for a position covered by the ship's safe manning document had to be in possession of a valid discharge book, also known as a "seamen's book", which served as the SID. Seafarers had to be Danish citizens to obtain a discharge book, which was generally issued within one week of the date of online application, and had a unique document number recorded in an electronic database for easy verification of validity and authenticity. Experience with discharge books, and cooperation with national maritime administrations for the verification of their validity, had been mostly positive. New regulations for non-Danish seafarers in transit or in the process of crew change, which had entered into force in 2014, included recognition of SIDs issued in accordance with Convention No. 185 as a valid travel document equivalent to a passport.
- 21.** A representative of the Government of the Marshall Islands recalled that his country had ratified Convention No. 185 in August 2011 and that it had not, since then, experienced difficulties in implementing the Convention, particularly in ensuring that seafarers held all the necessary documents, including a national passport, which was a prerequisite prior to issuing an SID. An extensive national database had been developed and made accessible from the website of the service provider for the Marshall Islands Maritime and Corporate Administrators. His Government implemented a Quick Response Code (QR Code), a form of two-dimensional bar code which allowed access to seafarer data, including their photographs, for verification purposes. The two-dimensional bar code containing the seafarer's fingerprint information, provided for in the Convention, was of little practical use in verifying the identity of seafarers. He offered to demonstrate the QR Code.
- 22.** A representative of the Government of the Russian Federation recalled that his Government had completed the process of implementing Convention No. 185 with the approval of the necessary legislative framework and the operationalization of the national SID issuance system in 2009. A national electronic database managed by the Federal Agency for Marine and River Transport was also in operation and there was a permanent focal point to respond to inquiries from competent foreign authorities. SIDs were issued at 28 sea and river ports throughout the country, which were all connected to the national database through a protected data network. The biometric technologies used in the system

had passed all of the ILO's tests in 2008 and corresponded to the ICAO Document 9303 standard. More than 180,000 SIDs had been issued since 2010 and an independent inspection of the system had been conducted in 2011, in accordance with Article 5(4) of the Convention. Its results, showing the system's full compliance with the Convention, had been communicated to the ILO. However, the list of ratifying States that fully met the requirements of the Convention had not yet been published, and he suggested that the list be published as soon as possible. Referring to Article 6(7) of the Convention, he proposed that a list of specific criteria be developed for SID protection and SID issuance, which would guarantee that seafarers with valid SIDs were entitled to visa-free transit.

- 23.** A representative of the Government of Spain described his country's experience with the implementation of Convention No. 185, the ratification of which in 2011 had entailed significant investment, particularly in software and staff training. In Spain, the Maritime Administration was the body responsible for issuing SIDs. In order to facilitate digital fingerprinting, it had been decided that the procedure could be carried out at official Maritime Administration offices and Spanish port offices. In 2012, in light of the large number of applications for SIDs, it had been decided to issue them only to seafarers on board merchant ships and to include those on board fishing vessels at a later date. At present, 12,000 SIDs were in circulation.
- 24.** A representative of the Government of France said that implementation of the Convention had been complicated by technical issues. The new identity documents were extremely important when seafarers wished to come ashore, as was their fundamental right, and for overall security purposes. However, there were problems with the implementation of the new system, including the need to adopt related legislation. One issue that had arisen was the need to determine which seafarers were concerned and whether fishers were also included. The technological challenges were a consequence of rapid changes in the solutions used: first bar codes, then chips with encoded photos and biometric technology. SIDs must be in tune with other standardized systems at the international level, be connected to the IMO Convention on Facilitation of International Maritime Traffic (FAL) and meet ICAO criteria. Since the international rules were changing, Convention No. 185 must change as well. In that connection, France was of the view that biometric seafarers' identity documents should remain optional. Maritime affairs administrations and other relevant administrations must coordinate with other state services that dealt with individuals' entry into French territory. Lastly, despite budgetary constraints, France was working to implement the Convention.
- 25.** A representative of the Government of Norway indicated that his country had ratified Convention No. 108, but not Convention No. 185, and was in the middle of the process of issuing new SIDs in cooperation with the Ministry of Justice and the Ministry of Foreign Affairs. The sea service book, which had been used previously, was now two generations old. While SIDs were expensive to produce (€40 each for an SID, compared with €4 for a sea service book), they were very inexpensive to control, and could be read by the seafarers themselves, for example using a mobile phone application. The main obstacle to the ratification of Convention No. 185 was related to visa requirements, as well as the low number of countries currently issuing SIDs. His country's new SID would be in compliance with Convention No. 185 and ICAO Document 9303.
- 26.** A representative of the Government of the Philippines said that her country, which had ratified Convention No. 185 in 2012, recognized the importance of facilitating the shore leave and transit of seafarers. The seafarers' identity and record book that was being issued was in compliance with Convention No. 108. Due to administrative and budgetary constraints, it had taken her country some time to implement Convention No. 185 and it was currently in the process of procuring the necessary infrastructure. However, concerns remained about the impact of the changes required to give effect to Convention No. 185. It

was necessary to take into consideration the cost and effectiveness of the system, without detriment to seafarers.

27. A representative of the Government of Latvia, recalling that her country had ratified Convention No. 108 but not Convention No. 185, said that the current seaman's discharge book was in accordance with the ICAO standards. She emphasized that it was not only an identity document, but contained evidence of sea service. It was important for countries that had not ratified Convention No. 185 to be aware of the problems that had arisen and the proposed solutions when considering ratification.
28. A representative of the Government of India said that his country had ratified Convention No. 108, but not Convention No. 185. India currently issued a seamen's discharge book, which was an SID containing the seafarer's service record. The document had certain security features, but did not contain biometric details. The Indian Maritime Act contained enabling provisions for the issuance of SIDs and substantial progress had been made in developing the necessary infrastructure and application software. However, it would be necessary to await the conclusions of the meeting on the necessary technology to ensure that the SIDs issued were readable and globally accepted.
29. The Secretary-General, in response to a question raised by the representative of the Government of the Russian Federation concerning the list of compliant countries under Article 5 of Convention No. 185, explained that the delay in issuing the list was in part due to the need to wait for requests from other countries for inclusion on the list. Moreover, in accordance with the procedure adopted by the Governing Body, a request had been made to the Russian social partners for information and comments, and no response had yet been received. Currently, of all the countries that might be eligible, only two had undertaken the necessary evaluation and applied for inclusion on the list. She expressed gratitude to the countries that had followed the procedure and supplied the necessary information and hoped that the advice provided by the meeting would be helpful in resolving any problems and moving forward in the process. With regard to the question of what would be sufficient for seafarers to have visa-free access for shore leave, she recalled that, in accordance with Article 5(9) of the Convention, the recognition of SIDs issued by ratifying States was subject to compliance with the minimum requirements of the Convention, and particularly those set out in Annex III. She recalled that the Office had explored numerous ways with the Government of the United States in an attempt to find a set of modalities that would constitute substantial equivalence with the requirements of the Convention.

V. Consideration of options for the amendment of the Annexes to Convention No. 185

30. A technical expert assisting the Office presented the various options for the amendment of the Annexes to Convention No. 185 outlined in the technical background paper.
31. The Shipowner Vice-Chairperson raised the issue of the legal and financial implications of amending the Annexes for countries that had already ratified and implemented Convention No. 185, and the status of current ratifications if the Annexes were amended.
32. The Secretary-General recalled that Convention No. 185 was innovative as it was the first ILO instrument with a built-in simplified amendment procedure for its Annexes. This innovation had been necessary because, at the time of adoption, the relevant interoperable technology did not yet exist. Article 3 of the Convention envisaged the possibility of amending Annex I to take account of technological developments, in accordance with the procedure set out in Article 8. In addition, Article 3(1) provided that: "The decision to adopt the amendment shall specify when the amendment will enter into effect, taking

account of the need to give Members sufficient time to make any necessary revisions of their national seafarers' identity documents and procedures." The decision to amend the Annexes would need to be reached through tripartite negotiation, leading to the adoption of the necessary recommendations. Responding to a request for clarification from the representative of the Government of Liberia, she recalled that Article 8(2) of the Convention provided that any Member that had ratified the Convention may give written notice to the Director-General within six months of the date of the adoption of an amendment, that it shall not enter into force for that Member, or shall only enter into force at a later date upon subsequent written notification. Countries which had ratified the Convention could therefore, in case of difficulty, decide not to give effect to amendments to its Annexes, or could avail themselves of more time to bring the amendments into effect.

33. A representative of the IMO observed that the provisions of Article 8(2) were similar to provisions in IMO instruments establishing tacit acceptance procedures for amendments. In the experience of the IMO, it was quite rare for countries to opt out of amendments.
34. A technical expert assisting the Office, in response to a question concerning the cost-benefit analysis requested by the Governing Body, indicated that the costs associated with the options in the background paper were reasonable estimates and could be further outlined.
35. The Seafarer Vice-Chairperson said that it would not be appropriate to maintain the technology specified in the current Annexes. It was necessary to find solutions that could be used for the next few decades.
36. The Chairperson invited the meeting to consider a set of questions prepared by the secretariat as a means of identifying preferences concerning the available technological options.

Storage media – A chip-enabled SID or a two-dimensional bar code

37. The Shipowner Vice-Chairperson emphasized that the world was now based on the use of digital technology. However, it needed to be borne in mind that some governments had implemented SIDs based on two-dimensional bar codes.
38. The Seafarer Vice-Chairperson expressed the view that it was time to move towards the contactless chip, as the technology was now available. He emphasized, however, that the decision rested with governments.
39. During the discussion, representatives of the Governments of Croatia, India, Marshall Islands, Panama and the Russian Federation expressed a preference for the continued use of the two-dimensional bar code. The representative of the Government of the Marshall Islands emphasized that it would be very complex and expensive to introduce contactless chips into SIDs.
40. A technical expert assisting the Office, in response to a request for clarification from the Shipowner Vice-Chairperson, indicated that the use of technology based on the facial image stored in a contactless chip had become very widespread and easily accessible over recent years. It was even possible to read such documents on smartphones, with the necessary application. With regard to the protection of the basic information contained in SIDs, which would be similar to that on the first page of a passport, there was some protection in the system through basic access control. In response to a further request for clarification, he observed that eVisas had been proposed in ICAO discussions for some years, but had not yet been implemented in practice. In his view, they might be an option

in future. In response to a request for clarification from the representative of the Government of Canada, he agreed that the fingerprint stored in the two-dimensional bar code was biometric. However, in accordance with the new version of ICAO Document 9303, the biometric data in identity documents had to be stored in the contactless chip.

41. Representatives of the Governments of Brazil, Canada, China, France, Norway, Spain and the United Kingdom indicated that they were in favour of the contactless chip.
42. A representative of the Government of Denmark emphasized the need to implement the most modern technology, although it was also essential to consider costs.
43. A representative of the Government of the Russian Federation recalled that the contactless chip would significantly increase the cost of SIDs.
44. The technical expert, in response to a request for clarification from the Shipowner Vice-Chairperson, indicated that most full-page ePassport readers could read both facial images and bar codes, if they were set up to do so. However, most passport readers were not currently set up to read two-dimensional bar codes.
45. The Shipowner Vice-Chairperson noted that most representatives of governments appeared to prefer the contactless chip.
46. The Seafarer Vice-Chairperson expressed support for discussing the option of the contactless chip. He noted, however, that certain government representatives had simply referred to the technology currently used and did not seem to have expressed a clear preference.
47. A representative of the Government of Panama observed that, although his country had not ratified the Convention, it was already implementing the bar code system and would need to consider carefully whether to change it.
48. A representative of the Government of Latvia raised the question of what would happen in ten years' time if no amendments were made to the Annexes and the two-dimensional bar code technology was retained.
49. A representative of the Government of China said that the necessary technologies had already been developed in China and her Government was therefore ready for a chip-enabled SID, although the additional technology would entail further costs. Technical assistance from the relevant international organizations, especially the ICAO, would be required. In China, the next step would involve coordinating with other administrations, including the maritime department, which issued SIDs, and the other administrative departments, which validated the documents.
50. The Secretary-General reiterated that the technical requirements concerning SIDs had been included in the Annexes, rather than in the body of the Convention, so that they could be amended through the simplified amendment procedure. The concern, when amending the Annexes, would be to allow countries the necessary time to adapt and adjust.
51. The technical expert, in response to a question from the Shipowner Vice-Chairperson, explained that all pertinent information would be contained in the chip in the stand-alone document, without the need for an external database. SIDs would be no larger than a passport and, in accordance with ICAO Document 9303, could also be the size of a credit card. The structure of the machine readable zone (MRZ) of the document had not changed since 2003 and SIDs that had been issued which contained a chip should remain readable. A very limited set of data was contained in the MRZ, including name, date of issuance,

date of expiry and country of issuance. Finally, in response to a comment by the representative of the Government of Panama, he explained that, in contrast to the technology for reading contactless chips, equipment capable of reading two-dimensional bar codes was not widely available at borders.

Changing the biometric from a fingerprint in a bar code to a facial image

- 52.** The Shipowner Vice-Chairperson observed that, while facial image technology was more modern, clarification was needed concerning its reliability.
- 53.** A technical expert assisting the Office recalled that, when Convention No. 185 was adopted, fingerprint recognition technology had been selected over facial recognition technology because the latter was not sufficiently accurate. Since then, the accuracy of facial recognition technology had improved greatly and both options were viable.
- 54.** The Seafarer Vice-Chairperson indicated a preference for the facial image, which appeared to offer better protection. Moreover, facial recognition technology was widely used in passports.
- 55.** A representative of the Government of Panama said that it had emerged from consultations with experts that facial recognition was not the best system and that digital signature and digital fingerprinting systems were more reliable for seafarer identification and document security.
- 56.** The technical expert observed that, in many countries, fingerprint data were treated with greater sensitivity than facial images. He added that an advantage of facial images was that they could be verified manually. In accordance with the relevant ISO standards, contactless chips could contain both fingerprint data, facial image and iris data. He explained that ISO/IEC 19794-2:2005 already established a standard for facial image data, which was referred to in SID-0002. If existing SIDs had been issued in close compliance with SID-0002, the facial images would already be compliant with that standard.
- 57.** A representative of the Government of Liberia commented that, if contactless chips and facial recognition technologies were adopted, SIDs would resemble ePassports in their form and functions. In view of the requirement for SIDs to be stand-alone documents, seafarers would be required to carry two documents with almost the same functions.
- 58.** A representative of the Government of the Russian Federation observed that, despite technological improvements, facial recognition was not as accurate as fingerprint recognition.
- 59.** A representative of the Government of India noted that passports and ePassports would coexist with SIDs. It was necessary for the governments to understand the costs involved in the implementation of the new technologies, the need and desire for those technologies and their impact on countries, such as India, which were at an advanced stage of the implementation of SIDs that complied with the current Annexes.
- 60.** A representative of the Government of Croatia stated that the SIDs currently issued by her country already included both fingerprint and facial image data.
- 61.** A representative of the Government of Brazil recalled that the goal of the meeting was to achieve the more widespread ratification of the Convention, which was not as broadly ratified as Convention No. 108. Although countries that had already implemented the bar

code technology might be reluctant to make the necessary changes, her Government preferred the adoption of facial image technology.

62. The Seafarer Vice-Chairperson concurred that the aim of the meeting was to encourage the ratification of the Convention and to facilitate the lives of seafarers. In that respect, it was important to hear the view of major port States.
63. A representative of the Government of the United States indicated that, notwithstanding the continued requirement for visas, from a technical standpoint it would be better for SIDs to be closer to ePassports, and therefore to include contactless chips and facial images.
64. Representatives of the Governments of Brazil, Denmark, Norway and the United Kingdom indicated a preference for facial image recognition.
65. A representative of the Government of Canada observed that, although her country had developed a system based on fingerprint technology, consideration could be given to upgrading the technology in due course. She added that fingerprint technology presented some challenges and that facial images might be the better solution.
66. A representative of the Government of France observed that the inclusion of a facial image would be a new element for SIDs, although it was already present in passports. A new photograph would probably not be required for SIDs, which could use the same image as the passport. The technological advances that were under discussion would have the effect of bringing SIDs much closer to passports, even though SIDs were not travel documents. The technology selected for SIDs would not remain up to date for long, which gave rise to the difficulty that countries which implemented the Convention would have to modify their systems again.

Addition of a digital signature

67. A technical expert assisting the Office, in response to a request for clarification from the Shipowner Vice-Chairperson, explained that digital signatures were a mathematical way of ensuring that a document had not been altered after signature. Digital signatures could be used in a variety of ways, such as in a chip or hidden in a photograph. Moreover, compliance with ICAO Document 9303 required the use of digital signatures by the issuing authority which could be verified by the authority inspecting the document. Digital signatures did not entail the use of a different code for each seafarer, as there was a single signature for each government, which had its own master key.
68. The Shipowner and Seafarer Vice-Chairpersons supported the inclusion of digital signatures in SIDs.
69. The technical expert, in response to a comment by the representative of the Government of the United States, agreed that cost was one of the biggest concerns in adopting digital signature technology. The cost for members of the ICAO PKD system was currently around US\$56,000 a year, which was reviewed annually and which included both fixed costs and variable costs based on the number of countries participating in the system.
70. A representative of the Government of the Russian Federation was not in favour of adopting the digital signature as it would involve a considerable cost increase. Although SIDs were independent documents, they had to be accompanied by a passport, which already had a digital signature.
71. A representative of the Government of Indonesia agreed that the most widely used technology should be adopted which offered the best protection for the rights of seafarers.

However, financial implications should be taken into account to ensure that issuing SIDs did not become a greater burden for ratifying countries.

72. A representative of the Government of the United Kingdom expressed a preference for the inclusion of digital signatures in SIDs.
73. The technical adviser observed that, as consideration was being given to bringing SIDs into line with ePassport technology, it was clear that they would indeed have a digital signature based on the ICAO PKD system. Responding to concerns raised by a representative of the Government of Indonesia, he agreed that member States would need sufficient time to implement the digital signature, especially in the case of ratifying countries that were not currently members of the ICAO PKD. While becoming a member of the ICAO PKD was not difficult and only required signing the Memorandum of Understanding through the country's representative at the ICAO, the infrastructure would need to be developed for the digital signature. The time required for the implementation of the necessary technical changes would have to be taken into account when deciding on the transitional period for the amendments to come into effect.
74. The Seafarer Vice-Chairperson expressed the understanding that, if a country was already a member of the ICAO PKD system for ePassports, there would be no additional cost for its use with SIDs. Moreover, he also understood that the costs would be lower if more governments signed up to the system.

Authentication – A focal point coordination centre or ICAO PKD

75. A technical expert assisting the Office explained that Convention No. 185 contained a requirement for each ratifying State to designate a permanent focal point to respond to inquiries from immigration or other authorities concerning the authenticity and validity of SIDs. Those focal points existed in some countries. However, it was not always easy for the authorities in one country to know which authority to contact in the issuing country for the purposes of SID verification. The ILO could set up and operate a focal point coordination centre for telephone or electronic verification, although such a centre would be costly to establish and operate. Alternatively, the ICAO PKD system offered the same service so that passports could be verified automatically, but could only be used if the option of a digital signature was adopted. Otherwise, a specific focal point coordination centre for SIDs would need to be created.
76. The Shipowner and Seafarer Vice-Chairpersons expressed their preference for the ICAO PKD system.
77. A representative of the Government of Panama said that the verification of SIDs needed to go through the issuing authority, as was the case in his country.
78. A representative of the Government of Denmark expressed a preference for the ICAO PKD system. Although his country was not currently a participant, the creation of a focal point coordination centre would be likely to give rise to difficulties in terms of both data protection and costs.
79. A representative of the Government of the United States confirmed that his country participated in the ICAO PKD.
80. A representative of the United Kingdom confirmed that only one authority issued the public keys necessary for the use of the system, and that there would be no supplementary charge for the use of the system for an additional service, such as the verification of SIDs.

Promoting the ratification and implementation of Convention No. 185

- 81.** The Chairperson asked the experts to indicate what needed to be done to encourage countries which had not yet done so to ratify Convention No. 185.
- 82.** A representative of the Government of Denmark referred to the new visa exemption rules applicable in his country for non-Danish seafarers, which had been adopted in consultation with the social partners and applied when a seafarer had a valid SID issued in accordance with Conventions Nos 108 or 185. Those rules had been helpful in securing more flexible access to shore leave, transit and crew change, without compromising security. The rules also applied to ships carrying out a crew change without calling into a Danish port, for example when passing through Danish territorial waters or being at anchorage. Seafarers were also exempt from the requirement to obtain a visa for shore leave in the ship's port of call if a crew list had been submitted to the authorities prior to the arrival of the ship in the port. Identity documents issued to seafarers in accordance with Conventions Nos 108 and 185 were therefore recognized as having the same validity as a passport. It was clear that Denmark had taken the Conventions into account when establishing those rules.
- 83.** A representative of the Government of Norway indicated that his country was moving towards the use of new SIDs consistent with the technology currently required by Convention No. 185. He emphasized that the biggest challenge was the visa issue, and that dialogue was needed with countries that continued to experience problems in that respect. If that issue were to be solved, Norway might consider ratifying Convention No. 185, although its current objective was to issue SIDs compliant with the Convention, without formally ratifying it.
- 84.** A representative of the Government of India indicated that his country had moved towards issuing SIDs compliant with the two-dimensional bar code technology. The progress made in that process and the gap with the new technology under discussion would need to be reviewed. He called for the technology used to be frozen for a certain period of time so as to give those countries that implemented it a margin of comfort.
- 85.** A technical expert assisting the Office said that, although it was not generally possible to freeze technological progress, the ISO was currently considering the possibility, following a precedent set by the ICAO, of guaranteeing that a list of biometric standards would remain valid until 2033.
- 86.** A representative of the Government of the United Kingdom said that her country facilitated the entry of seafarers for shore leave. It also recognized SIDs issued in accordance with Convention No. 108 for visa-free access for repatriation or transfer. If facial recognition technology and biometric chips were to be used in future SIDs issued under Convention No. 185, it might be possible to examine whether visa-free access could be granted for all seafarers holding SIDs issued in accordance with the Convention.
- 87.** A representative of the Government of Latvia indicated that, although her country recognized SIDs issued in accordance with Convention No. 185 for shore leave and transit purposes, it did not currently envisage ratifying the Convention, essentially due to cost concerns.

Use of SIDs by non-ratifying countries

- 88.** A technical expert assisting the Office, in response to a request for clarification concerning situations in which it might be beneficial for non-ratifying countries to make use of SIDs

issued in accordance with Convention No. 185, explained that, if SIDs were to resemble passports closely by including facial recognition technology, a chip and a digital signature, seafarers would hold two documents that could be very widely read: their normal passport and the SID. Although, under the terms of Convention No. 185, seafarers were not required to hold a visa for the purpose of shore leave, they might have to apply for a visa in a consulate in case of transfer or transit, when they would present their passport to verify their identity and their SID to verify their status as seafarers. In such cases, SIDs could be of use in facilitating the procedure for obtaining a visa. If the same technology were to be used for passports and visas, consulates would be equipped to read and verify SIDs using their passport readers. In the case of seafarers arriving at a border, such as an airport, they would also have to present both documents, although governments might choose to adopt measures, such as special lines at passport control, to expedite procedures for seafarers. For shore leave in secure port areas, the SID could be the only required document and, if SIDs contained a facial image, they could be read manually. Non-ratifying countries would therefore be able to use SIDs issued in accordance with Convention No. 185 to facilitate the shore leave, transit and transfer of seafarers, in accordance with the Convention.

89. The Seafarer Vice-Chairperson recalled that States parties to the IMO FAL Convention were required to allow shore leave for seafarers without visas, except in cases of concerns relating to national security. However, the United States did not give effect to that provision. He added that, under the Schengen Agreement, facilitated shore leave was confined to the vicinity of the port area.
90. A representative of the Government of Denmark confirmed that no visa was required for seafarers for shore leave in his country for up to 90 days, provided that a crew list had been submitted in advance and that the seafarers remained in the vicinity of the port.
91. A representative of the Government of the United States reiterated that SIDs could be helpful in facilitating the issuance of visas. During screening interviews, SIDs, as modified in accordance with the technical standards discussed, could potentially assist in establishing that the applicant was indeed a seafarer. He would propose that possibility to the appropriate national authorities.
92. The Seafarer Vice-Chairperson thanked the representative of the United States for taking the issue of using SIDs to facilitate the issuance of visas for seafarers to his Government. That would be a large step and would help in facilitating a better life for seafarers.
93. The Secretary-General, in response to a request for clarification from the representative of the Government of India, indicated that Article 6(6) of Convention No. 185 provided that seafarers shall not be required to hold a visa for the purpose of shore leave. Ratifying States not in a position to fully implement that requirement shall ensure that their laws, regulations or practice provide arrangements that are substantially equivalent.

VI. The way forward

94. The Chairperson observed that the meeting had expressed a preference for options A-4 (Development of a chip-enabled SID) and A-5 (Changing the biometric from a fingerprint in a bar code to a facial image) set out in the technical background paper.
95. The Shipowner and Seafarer Vice-Chairpersons agreed with those options.
96. A representative of the Government of India sought clarification concerning the additional round of interoperability testing for fingerprint systems proposed in option A-5.

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- 97.** The technical expert recalled that there could be a lengthy transition period between the time that the amended Annexes were accepted by the International Labour Conference and their implementation, during which countries that had invested heavily in the fingerprint technology in the two-dimensional bar code would require the continued availability of fingerprint technology so that the SIDs that they issued would still be operable. The last round of interoperability testing had been conducted by the ILO in 2008. The Minutia Exchange (MINEX) programme was an example of the need for continued testing for the use of fingerprint technology. Even if SIDs were changed to include a facial image, one final round of interoperability testing for fingerprint systems would therefore be needed in order to support countries still using that technology and, in view of the costs involved, it would need to be included in the recommendation to the Governing Body. The ILO could help countries facing difficulties in finding fingerprint technology that was included on the ILO list and remained available.
- 98.** A representative of the Government of the United States, referring to the time needed for the adoption of the proposed new technology, suggested that different transition periods could be established for the acceptance of new technology and the applicability of old technology.
- 99.** The Seafarer Vice-Chairperson recalled that there were several different categories of countries, including: those that had ratified and fully implemented the Convention; those that had ratified, but not implemented, the Convention; and, those that had not ratified the Convention. Each of the different categories of countries should have a reasonable implementation period, rather than a blanket five-year transition period. For example, there could be a maximum of two years for countries that were already using ePassports and which were enrolled in the ICAO PKD system, but which had not implemented Convention No. 185. There could be a maximum three-year period for countries that were not using ePassports and were not enrolled in the ICAO PKD system, and which had not implemented the Convention. For countries that had ratified and fully implemented the Convention, there could be a maximum five-year period, as they had made a considerable investment and had issued SIDs. A one-year period could be provided for non-ratifying countries following the date of entry into force of their ratification. It was important to ensure that, if an individual had obtained a valid SID, the SID would be valid for five years.
- 100.** A representative of the Government of India said that the various intermediate dates during the transition period would depend on the progress made in each country. He suggested that an overall period of five years should be set for the transition period following the entry into force of the amended Annexes, and that it should be left to the government of each country, in consultation with the social partners, to set any intermediate dates.
- 101.** A representative of the Government of Denmark, speaking on behalf of the Governments of Denmark, Latvia, Norway and the United Kingdom, recalled that it was important to ensure that the issuance of SIDs, whether under Convention No. 185 or not, offered benefits for seafarers. It was therefore important to consider all possibilities. There was a need for a simplified procedure for identifying seafarers, which might involve a substantive change to the Convention. However, it might be wise to consider options that would work properly, rather than simple options that would not solve the problem in the longer term. He referred to a proposal made by the representative of the Government of the United Kingdom, whereby her country was considering the use of a “vignette” for seafarers which would be affixed to the seafarers’ passports and would serve as a supplementary source of identification for seafarers. He agreed that this would simplify the procedure for seafarers and governments, as it would only require one document for travel and would therefore facilitate transit. It could be a cost-effective way of verifying the identity of seafarers, for which most countries already had the necessary technology.

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- 102.** The Seafarer Vice-Chairperson expressed concern at the proposal for a “vignette” which, he recalled, had been made previously, and rejected, at the 2010 meeting on the Convention. He emphasized the unique nature of SIDs, which were the only professional credentials that could actually serve the purposes of facilitating entry and exit of ports. If “vignettes” were used, seafarers would be the only professionals whose occupations were recorded in their passports, which could raise problems on occasions when they wished to travel for reasons unconnected with their seafaring activities. The objective of the meeting was to consider amendments to the Annexes of Convention No. 185, particularly with a view to assuring port States that were reluctant to accept the current SID that the technology used would improve. The meeting should not discuss the revision of the provisions of the Convention itself.
- 103.** The Shipowner Vice-Chairperson agreed that the inclusion of a “vignette” in the passports of seafarers was likely to give rise to difficulties, particularly in cases where seafarers held other occupations, worked as seafarers on a part-time basis, or simply wished to travel for private reasons, such as leisure. While he was also sympathetic to the argument raised by government representatives concerning the cost associated with the additional document, without taking a position on the matter, he concurred with the Seafarers’ group that it would be better not to pursue the proposal.
- 104.** A representative of the Government of Canada indicated that combining the SIDs and ePassports would be problematic in her country, noting, for example, that passports were not mandatory for seafarers working within Waters Canadian jurisdiction. Nevertheless, consideration could be given to issuing voluntary SIDs that were compatible with ePassport technology. The SID would remain a stand-alone document.
- 105.** A representative of the ICMA, supporting the statement made by the Seafarers’ group, observed that there was an important reason for keeping SIDs as separate documents. Article 7(1) of Convention No. 185, required seafarers to keep their credentials in their possession at all times. However, some countries, such as the United States, required seafarers’ passports to be locked in the ship’s safe. Accordingly, a separate SID would permit seafarers to go on shore carrying proof of their identity as seafarers.
- 106.** A representative of the Government of France recalled that his country had ratified the Convention, and was therefore required to continue implementing it. The option selected for implementation would need to be recognizable by other countries, as well as being operational, reliable and not subject to constant change.
- 107.** The Secretary-General recalled that the SID was not a travel document, and pointed out that ICAO Document 9303 referred to travel documents. She added that Article 3(5)(b), of the Convention provided that SIDs were stand-alone documents and not passports. The expedited amendment procedure only covered the Annexes to the Convention, and any decision to amend the substantive provisions of the Convention would be much more complex and time-consuming. The mandate of the meeting was to examine the feasibility and to carry out a cost-benefit analysis of the various technological options. She recalled that Convention No. 185 had revised Convention No. 108, to which 60 countries remained bound, and which also provided for shore leave. The core principle of Conventions Nos 108 and 185 – that seafarers should be provided with identity documents – was not at issue. The present challenges related to establishing the appropriate technology for SIDs, while remaining user-friendly and cost effective. The proposal for a “vignette” would require the revision of the substantive provisions of the Convention, and not just its Annexes. Any proposal to revise the Convention as a whole would require consensus among the tripartite constituents and would trigger the procedure for the selection of items on the agenda of the International Labour Conference, which would almost certainly be a very lengthy process, in contrast with the expeditious procedure envisaged for the amendment of the Annexes.

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- 108.** The Seafarer Vice-Chairperson thanked the Secretary-General for her comments and recalled that Conventions Nos 108 and 185 were linked to the IMO FAL Convention. His group did not support the proposal for a “vignette”.
- 109.** The Shipowner Vice-Chairperson recalled that the mandate of the meeting, as indicated by the Governing Body, was to examine the feasibility of amending the Annexes, and not to consider whether a new Convention was necessary.

Proposal by the Russian Federation

- 110.** A representative of the Government of the Russian Federation presented an alternative proposal. He recalled the low number of ratifications of Convention No. 185 and observed that the motivation for ratification was visa-free transit. Despite the difficulties encountered, some countries had established SID issuance systems and had begun to issue SIDs. The revision of the technical standards set out in the Annexes to Convention No. 185 would take a long time. It would be necessary to develop new technical solutions and infrastructure which would result in a further five- to ten-year delay and additional costs. In that respect, he proposed to promote the widespread implementation of the Convention by offering his Government’s SID-issuing software, free of charge, to implementing member States. Those countries would only be required to purchase equipment and system implementation consultation services. Equipment for the system was simple and accessible, and technical support would be provided worldwide. This proposal would significantly reduce the cost of the implementation of the Convention for member States.
- 111.** The Shipowner Vice-Chairperson welcomed the assistance proposed by the Russian Federation and invited governments to consider availing themselves of the offer.
- 112.** The Seafarer Vice-Chairperson, while welcoming the offer made by the Russian Federation, considered that the proposal would result in maintaining the current technology, which was unlikely to facilitate further ratifications, as the system needed to be modernized.
- 113.** The Secretary-General requested clarification as to whether the system proposed by the Russian Federation was offered as a donor, and whether the offer was considered to be a transitional solution for countries that had already ratified the Convention, pending the adoption of amendments to its Annexes, with a view to ensuring that the Convention could be ratified by other countries. She emphasized the importance of having mechanisms in place to read SIDs at the ports of entry or airports of countries through which seafarers were transiting.
- 114.** A representative of the Government of Senegal thanked the Russian Federation for its offer. Recalling that the Convention aimed to address security issues, however, she emphasized that SIDs needed to be secure and should ensure that seafarers were able to enjoy shore leave without requiring a visa. If such a system required immediate updating, that would involve further costs and would constitute an obstacle to the ratification of the Convention.
- 115.** A representative of the Government of the Russian Federation, in reply, confirmed that the offer consisted of sharing current technologies to facilitate the implementation of Convention No. 185. Once there was a viable market, it would be practical to update the system. He confirmed that, under the system, all seafarers would have ePassports and SIDs, which could be verified by port States. Many ePassport readers could read full passports as well as two-dimensional bar codes. He confirmed that technical support would be feasible, and that further technical details and clarifications could be provided. He added that, if the SID system became complicated, it would also be expensive for

seafarers. Port States which had high-resolution full-page scanners would only need to make a small investment to develop the software required to verify SIDs using their current systems.

116. The Seafarer Vice-Chairperson recalled that many labour-supplying countries and major port States were currently signatories to the ICAO PKD, which meant that the infrastructure was already in place for the identification of seafarers.
117. The Secretary-General, noting the appreciation expressed by several speakers for the offer made by the Russian Federation, suggested that the Office could channel requests by member States wishing to avail themselves of the offer, or they could contact the Government of the Russian Federation directly.

VII. Consideration of draft recommendations

118. The Secretary-General introduced the draft general conclusion and recommendations, which were intended to reflect the discussions in the meeting, identify constructive suggestions concerning a way forward and take account of the offer made by the Russian Federation.
119. The technical expert assisting the Office, in response to a comment by the Shipowner Vice-Chairperson, explained that the inclusion of a reference to ICAO Document 9303, without indicating a specific version of the document, was one way of ensuring that the Convention could remain up to date with inevitably changing technology. In the revised version of Annex I, mention could be made of the need for a transition period to permit adjustments to changing technology.

Entry into force

120. The draft recommendations concerning entry into force and transitional periods considered by the meeting originally sought to: specify the period following which the amendments would enter into force following their adoption by the International Labour Conference; specify the period for the entry into force of the amendments for countries which ratified the Convention on or after the date of the entry into force of the amendments; provide a further transitional period for countries which had ratified the Convention and were issuing SIDs in accordance with the provisions of the Annexes prior to their amendment, as well as a further period for countries in that situation which were not enrolled in the ICAO PKD system; and a transitional period for all other countries that had ratified the Convention prior to the entry into force of the amendments.
121. The Seafarer Vice-Chairperson agreed with the proposed “one year” period set out in the draft recommendations for the entry into force of amendments to the Annexes.
122. The Shipowner Vice-Chairperson, referring to Article 12(3) of the Convention, which provided that the Convention would come into force for any Member six months after the date on which its ratification was registered, proposed that the amendments should enter into force six months after their adoption by the Conference.

Transitional period

123. The Secretary-General observed that a transitional period would ensure that investments made in the technology currently required by the Annexes were not lost and that there was

sufficient time for those countries to adapt gradually to the new technologies. Consideration of the length of the transitional period would also have to take into account the date on which the amendments entered into force. Under Article 8(2) of the Convention, countries which did not consider that they could implement such amendments could “opt out”. Although there was no time limit, countries availing themselves of that provision would need to take into account the possible consequences, as the situation might arise in which SIDs issued by countries under an older technology were no longer accepted by countries applying the new technology.

- 124.** A representative of the Government of the Russian Federation indicated that five years would be the minimum acceptable transitional period. He added that the 100,000 SIDs which had been issued in his country could not be modified earlier.
- 125.** The Secretary-General, in response to a request for clarification from the representative of the Government of Spain concerning the validity of SIDs issued in accordance with the current technology, referred to the requirement set out in Article 3(6) of the Convention that the maximum validity of SIDs would in no case exceed ten years, subject to renewal after the first five years. She therefore suggested that a five-year period might seem to be a reasonable transitional period.
- 126.** A representative of the Government of the Russian Federation stated that the main question remained unresolved, namely how to attract widespread ratifications of Convention No. 185 and improve its implementation. He recalled his Government’s offer discussed above, which essentially presented two options. First, members could accept the donation of the SID software from the Russian Federation and implement Convention No. 185 without delay. Second, members could implement the Convention based on the new technologies currently under discussion. Those options were not mutually exclusive. If there was a transitional period of between five and ten years, the second option could be a logical continuation of the first option. In that case, printers that also functioned as radio-frequency identification readers could be chosen so that they could continue to be used for new SIDs with updated software, which his Government was also prepared to provide.
- 127.** A representative of the Government of India suggested that a correspondence group of interested member States could be established to share experience of implementing the requirements of the Convention as a means of ensuring further international cooperation. He added that, during the transitional period, some governments would be issuing SIDs based on the older technology, while others would be at a more advanced stage of implementing the new technology. During that period, similar benefits would need to be accorded to SIDs using both technologies.
- 128.** The Shipowner Vice-Chairperson noted that the transitional periods would apply to all SIDs issued in a valid manner. He added that the meeting was proposing the adoption of robust SIDs which provided for additional protections to address national security concerns. It was clear that improved SIDs would offer greater benefits, including the more expeditious transfer of seafarers.
- 129.** The Secretary-General emphasized that, during the transitional period, it would be necessary to recognize the continued validity of all the SIDs issued. While it was clear that it would be easier and faster to verify SIDs that used ePassport modalities, the SIDs currently issued should still offer transit, transfer and shore leave benefits for seafarers.
- 130.** The Shipowner Vice-Chairperson considered that a firm transitional period was required. Members that could not implement the amendments within that period could avail themselves of Article 8(2) of the Convention to set their own time frame to conform to the amendments. However, if certain countries continued to issue SIDs using the outdated

technology, that might act as a disincentive to the more widespread ratification and implementation of the Convention in accordance with the amended Annexes.

131. A Seafarer member added that a long transition period might lead to uncertainty concerning when the new SIDs would be issued, and port States might lose the incentive to ratify the Convention.
132. Representatives of the Governments of Croatia and Indonesia supported the proposed transitional period of five years for member States that had ratified the Convention and had begun to implement and issue SIDs under that system.
133. The Shipowner Vice-Chairperson proposed that the wording relating to the transitional period should specify “a period not exceeding five years” to emphasize that countries should implement the amendments within, but not beyond, the five-year period.
134. The Seafarer Vice-Chairperson supported the proposal made by the Shipowner Vice-Chairperson. He suggested that the reference to SIDs should be qualified by the term “valid”, noting that at present valid SIDs had only been issued by the Russian Federation. He added that the term “valid” was used in Article 6(1) of the Convention.
135. The Secretary-General observed that it would be difficult to ascertain who would determine the validity of SIDs.
136. A representative of the Government of Brazil, in response to a proposal to refer to SIDs issued by “countries that are included in the list of compliant countries in accordance with Article 5(4) of the Convention”, expressed the view that this might act as a disincentive to further ratification.
137. A representative of the Government of Liberia recalled that the list of compliant countries had not been established.
138. A technical expert assisting the Office, in response to a request for clarification from the Seafarer Vice-Chairperson, indicated that two years might be considered a reasonable period for enrolment in, and implementation of, the ICAO PKD system by a country.
139. The Seafarer Vice-Chairperson stated that a long transitional period might act as a disincentive in practice to the implementation of the Convention. Moreover, it might not be necessary to give countries additional time to enrol in the ICAO PKD system, as the adoption of the new technology for SIDs, including the digital signature, could run in parallel.
140. A representative of the Government of the United States added that the coexistence of two technologies for a transitional period might also be an obstacle to ratification, if it were necessary for countries that ratified the Convention during the transitional period to acquire the necessary technology to read fingerprint data that might not be used thereafter.
141. The Shipowner Vice-Chairperson agreed that there was a danger, if the PKD technology were adopted, of countries that had already issued SIDs finding that they were not widely recognized.
142. The Secretary-General observed that it might be simpler to specify a single transitional period for all countries, irrespective of whether they had implemented the Convention. If the expression “not exceeding three years” were to be used, countries which ratified the Convention in the meantime, or which had ratified it but not implemented it, would be able to adopt the new technology earlier, which would be an advantage for them. In any case,

countries which had ratified the Convention, but not implemented it, would be unlikely to go back to fingerprint technology.

143. A representative of the Government of the Russian Federation supported the proposal that there should be a single transitional period for all countries, which should preferably be five years.
144. The technical expert, in response to a request for clarification from the Seafarer Vice-Chairperson, said that if the ePassport technology were to be adopted, the technical changes required would be relatively minor and would only take a few months. However, the process of reaching agreement between the competent government authorities might be more time consuming.
145. Representatives of the Governments of Canada, Denmark, France and the United Kingdom agreed that time would be needed for administrative and legislative procedures. Time would also be necessary to comply with the respective procedures concerning, for example, procurement or reaching agreement between the competent authorities.
146. The Seafarer Vice-Chairperson suggested that, given the problems faced by governments in coordinating the necessary measures to adopt the new technology, a uniform period of three years could be adopted as a transitional period for all countries, following the entry into force of the amended Annexes.
147. A representative of the Government of Indonesia said that his country was not enrolled in the ICAO PKD system and might require longer than three years to obtain agreement concerning his Government's participation in the system.
148. The Secretary-General noted that there appeared to be agreement that the transitional period should not exceed three years for all countries following the entry into force of the amendments, which in practice meant at least five years from the present time. She added that, once the amendments entered into force, countries would only be able to ratify the Convention in its amended form.

Request to the Governing Body to convene a tripartite maritime body

149. The Seafarer Vice-Chairperson proposed that the meeting adopt a recommendation to the Governing Body calling for the convening of a duly constituted tripartite maritime body to consider amendments to the Annexes to Convention No. 185.
150. The Shipowner Vice-Chairperson, while agreeing with the recommendation proposed by the Seafarers, suggested that, to reduce costs, the Governing Body might wish to include consideration of the recommendations of the present meeting on the agenda of the meeting of the Special Tripartite Committee (STC) established for the MLC, 2006, which was scheduled to be held in 2016, or alternatively to hold the meeting of the tripartite maritime body in parallel with the STC meeting in 2016.
151. The Secretary-General expressed her appreciation of the proposal made by the Shipowners' group. The Officers of the STC would need to agree to add consideration of the recommendations of the present meeting to the agenda of the STC. It would also be necessary to ensure the participation of visa and immigration experts.

Request for IMO assistance

- 152.** The Seafarer Vice-Chairperson proposed that the meeting's recommendations to the Governing Body request the Director-General of the ILO to seek IMO assistance in reminding the parties to the IMO FAL Convention to facilitate shore leave for seafarers without the need for a visa, as provided for in the FAL Convention.
- 153.** The Secretary-General, in response to a concern expressed by the Shipowner Vice-Chairperson, indicated that it was not unusual for a United Nations organization to submit a request to another organization such as the IMO.
- 154.** The representative of the IMO confirmed that it was relatively common for his organization to receive recommendations from other organizations, such as the ILO.

Promoting the ratification and implementation of Convention No. 185

- 155.** The Seafarer Vice-Chairperson proposed a draft recommendation requesting the Governing Body to recommend the ratification of Convention No. 185, especially by countries which had already ratified Convention No. 108.
- 156.** The Chairperson noted that, with the changes discussed, the meeting approved the draft general conclusion and recommendations.
- 157.** *It was so agreed.*

Closure of the meeting

- 158.** In their closing comments, the Shipowner and Seafarer Vice-Chairpersons, the representative of the European Union and the representative of the ICMA, speaking on behalf of NGOs active in the sector, expressed full and warm appreciation of the contribution made over the years to the well-being of seafarers, particularly through the MLC, 2006, by the Secretary-General, Ms Cleopatra Doumbia-Henry, who was officiating at her last seafarers' meeting before her retirement from the ILO. They wished her well in her new appointment and expressed confidence that she would continue to work for the cause of seafarers throughout the world.

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