



Governing Body

309th Session, Geneva, November 2010

GB.309/18/5

FOR DECISION

EIGHTEENTH ITEM ON THE AGENDA

Report of the Director-General

Fifth Supplementary Report: Progress on the Seafarers' Identity Documents Convention (Revised), 2003 (No. 185)

Overview

Issue(s) covered

This paper reports on the Consultations on the Seafarers' Identity Documents Convention (Revised), 2003 (No. 185), Geneva, 23–24 September 2010 concerning ratification and implementation of the Convention, and summarizes the recommendations made for the improvement of the seafarers' identity documents according to the "biometric profile" (ISO/IEC 24713-3 standard).

Policy implications

Proposals will be made to the Governing Body at a later date, possibly in March 2011.

Financial implications

None.

Decision required

Paragraph 16.

References to other Governing Body documents and ILO instruments

GB.306/17/3.

Seafarers' Identity Documents Convention (Revised), 2003 (No. 185).

1. A paper on the Follow-up to the Seafarers' Identity Documents Convention (Revised), 2003 (No. 185)¹ was submitted to the Governing Body at its 306th Session (November 2009). The Governing Body was informed that the Office planned to hold consultations with governments from member States that had ratified Convention No. 185 or which were seriously considering ratification and with representatives from the International Shipping Federation (ISF) and the International Transport Workers' Federation (ITF). The purpose of the consultations was to discuss the details of a new "biometric profile" (ISO/IEC 24713-3 standard) and to consider whether its technical recommendations should be followed. This standard has been unanimously adopted by a technical committee of the International Organization for Standardization (ISO) and the International Electrotechnical Commission (IEC). It relates to *Biometrics-based verification and identification of seafarers* and contains several suggestions for potential improvements in the technical implementation of Convention No. 185.
2. The envisaged Consultations on the Seafarers' Identity Documents Convention (Revised), 2003 (No. 185) were held in Geneva on 23 and 24 September 2010. These Consultations fully met the Office's expectations not only by providing it with the technical expertise on a subject matter that is beyond its normal competence, but above all by throwing light on the question as to why the pace of ratification of this Convention and, in some cases, its implementation by ratifying countries, had been slow. The Consultations also confirmed the potential usefulness of certain solutions of a technical or administrative nature that were contained in the ISO/IEC 24713-3 standard or in the background paper that the Office had submitted to the Consultations.

The pace of ratification and implementation of Convention No. 185

3. It will be recalled that Convention No. 185 was adopted in 2003 by a large majority of the International Labour Conference and without any negative vote. Furthermore, the seafarers' identity document (SID) for which the Convention provides (in addition to a sophisticated infrastructure) has been demonstrated to be a viable, globally interoperable instrument in support of international security, thanks to the assistance that has been made available to the ILO by ISO, the International Civil Aviation Organization (ICAO) and the International Maritime Organization (IMO). In addition, the purpose of this secure system of identification is, in particular, to meet the essential need of seafarers for shore leave. Nevertheless, Convention No. 185 has a relatively low level of ratification (by 18 countries, with one other country making a declaration of provisional application in accordance with Article 9 of the Convention).
4. Perhaps the main reason that was highlighted during the Consultations in connection with the relatively slow pace of ratification was precisely the absence of ratification by other ILO Members, particularly port States. Because of this, countries considering whether to ratify the Convention saw little advantage in doing so at the present time, particularly as this would involve substantial investment by them in order to meet the security requirements of the Convention.
5. At the same time, it was pointed out in the Consultations that all countries should – whatever their stage of consideration with a view to ratification – at least respect the spirit of Convention No. 185, which they had overwhelmingly adopted, by allowing the countries which had ratified the Convention, and the seafarers in possession of valid SIDs

¹ GB.306/17/3.

issued by those countries, to benefit from their secure identity documents especially with regard to shore leave.

6. The question of cost was also in itself a reason for the hesitancy in ratification, especially in the case of developing countries and countries with very few seafarers. This problem had in fact been foreseen by the 91st Session of the International Labour Conference, 2003, in its Resolution concerning technical cooperation relating to seafarers' identity documents, which urged Members "to agree among themselves on measures of cooperation which would: (a) enable them to share their technology, expertise and resources, where appropriate; and (b) provide for countries with advanced technology and processes to assist Members that are less advanced in those areas". Apart from some notable examples of assistance provided in the situation referred to under (b), little application has so far been given to this Resolution.
7. Another concern, which was seen as also having cost implications, was expressed by a number of countries, especially in Europe, which would prefer that the SID be as interoperable as possible with the ePassport, reflecting technology that had been developed several years after Convention No. 185 was adopted. This matter is referred to further in paragraph 10(e) below.
8. Finally, a factor which had delayed implementation of the Convention by one ratifying country – but which had now been resolved by it – related to the protection of seafarers' data and support of the data protection and privacy legislation relevant to implementation.

Potential improvements recommended in the ISO/IEC standard

9. Since the details of some of the ideas based on the ISO/IEC 24713-3 standard have still to be worked out, especially from the point of view of cost and practicability, it is intended to submit specific proposals to the Governing Body at a later date. The following paragraphs outline the main substance of the consensus reached in the Consultations.
10. There was consensus on the following ideas based on the ISO/IEC 24713-3 standard:
 - (a) Certain technical details of the SID's barcode and its data content should be updated to follow the latest revisions of ISO standards, provided that this would not cause existing SIDs to become invalid and provided that the technology for verifying SIDs could support both the old and the new format simultaneously.
 - (b) The modification of this barcode to include a digital signature was considered appropriate and was, in addition, welcomed as providing extra security when complemented by a system of distribution of public keys to support verification of the digital signature. Such a system would however add cost, and the Office should investigate the most cost-effective means, including the possibility of sharing the infrastructure of the Public Key Distribution (PKD) organized by ICAO.
 - (c) The establishment of an international centre to coordinate the national focal points (or electronic access) which Members are required to make available 24 hours a day, seven days a week, under Article 4 of the Convention, was considered to be useful in reducing the cost and effort for individual Members in maintaining their own national focal points and in protecting the privacy of seafarers and security of data when the focal points respond to queries. In particular, such a centre would resolve the problem of verification authorities seeking to further investigate the validity of a particular SID not knowing if the national focal point they contact is genuine. It would also

allow national focal points to be comfortable that only genuine authorities with a legitimate right to ask questions about seafarers will be contacting them. Reference was made to the IMO experience with seafarers' credentials and the infrastructure established to allow them to be checked. The Office was advised to contact the IMO for more information on the lessons learned from its experience. The Office would need to make inquiries concerning the cost of such a coordination centre and to prepare a budget and a proposal for funding its development and operation. In particular, various options should be considered with respect to hosting such a centre: by the ILO, by another intergovernmental agency or by a private company, for example. Also, assurances regarding the protection of seafarers' data and the prevention of attacks on the security of the system would be needed.

- (d) An improvement to provide more precise database information relating to one of the data elements required by Annex II to Convention No. 185 was considered appropriate. In addition, it was agreed that it should be possible to allow the fingerprint images to be stored at the request of the seafarer concerned, in order to simplify re-enrolment, but the fingerprint images should never be exchanged with verification authorities and therefore should be stored separately from the national electronic database.
- (e) It was considered that the Office should accept a proposal made by the ISO/IEC committees concerned to develop their standard so as to support the optional addition to the SID of a microchip. The sole purpose of this innovation would be to enable the information already on the SID to be read by the existing infrastructures created to read ePassports (see paragraph 7 above). It was stressed that the inclusion of such a chip should in no circumstances be made mandatory. In addition, the Seafarer representatives in the Consultations indicated that, in exchange for their accepting this substantial technical improvement, port States should give significant weight to allowing shore leave for seafarers holding SIDs validly issued in accordance with Convention No. 185.

International cooperation in implementing Convention No. 185

11. On the subject of international cooperation and in addition to the normal technical cooperation activities of the Organization, one idea (which was indeed envisaged in the Conference's resolution mentioned in paragraph 6 above) would be for groups of countries, or the members of regional cooperation organizations, to share some of the infrastructure for issuing SIDs, provided that each country retains control over the security and decisions made for its own seafarers. Some aspects of cooperation of this kind are contemplated in Annex III to the Convention.
12. Another idea would be for the Office to conduct or to facilitate the conduct of an international procurement to establish a list of qualified vendors that could provide all elements of an SID issuance system at low cost. This would include hardware, software, consumables and support services. Various options could be offered for small and large systems and interested Members could then approach the vendor or vendors and acquire the systems at a fixed price without negotiation. This would permit systems of varying sizes to be available at reduced cost, although the procurement of such systems would still be up to individual Members based on their own national procurement processes. No Member would be under any obligation to use the products of those companies, but there might be advantages in using them. Specifically, the components provided on the list would have been demonstrated to be fully compliant with those requirements of Convention No. 185 related to information technology as part of the procurement process,

and this would greatly simplify the process of conducting an independent evaluation as required under Article 5 of Convention No. 185 for Members using those products.

13. Further, consideration might be given to including in the procurement a list of companies qualified to conduct independent evaluations so that Members would be able to refer to a list of qualified entities to conduct such evaluations at a fixed cost.

A proposed way forward

14. The present level of ratifications of Convention No. 185 is low if due account is taken of the enthusiasm with which it was adopted, the hardship that the Convention is designed to relieve and the quality of the technical and administrative measures that have been taken in implementation of its requirements. The ratifications made so far are nevertheless encouraging and the recent Consultations have confirmed this positive trend. It would seem that the apparent vicious circle of Members being unable to ratify until others have ratified can be broken (through political dialogue or legal means) once they are convinced that the Convention can be effectively implemented – by countries in very different situations – at a reasonable cost and effort.
15. Thanks to the Consultations, the Office is in a position, with the cooperation of Members, to investigate various potential options for an effective implementation of the requirements of the Convention, and to gain a more precise indication of the financial and other investment that would be required of Members individually or of groups of Members collectively, as well as information or suggestions relating to the means of reducing or sharing the cost and effort through international cooperation. In this regard, particular attention would be given to providing more details about the proposed focal point coordination centre and investigating ways to proceed with the possible procurement of a list of providers of SID systems at fixed cost.
16. *The Governing Body may therefore wish to request the Office to:*
 - (a) *follow up the ideas set out above, with a view to defining concrete proposals or options for implementing Convention No. 185 in a cost-effective way having regard to the different situations of interested ILO Members;*
 - (b) *report to the Governing Body on the result, if possible at its 310th Session in March 2011; and*
 - (c) *convey to ISO the ILO's appreciation for the assistance provided to it by ISO, and in particular for the ISO/IEC 24713-3 standard relating to the Biometrics-based verification and identification of seafarers.*

Geneva, 19 October 2010

Point for decision: Paragraph 16