



Ad-Hoc Query on ILO Seafarer’s Identity Documents Convention

Requested by EE EMN NCP on 18 March 2011

Compilation produced on 19 April 2011

Responses from Austria, Estonia, Finland, Hungary, Germany, Italy, Latvia, Lithuania, Netherlands, Portugal, Slovak Republic, Spain, Sweden, United Kingdom plus Norway (15 in Total)

Disclaimer: The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.

1. Background Information

According to Article 2 subparagraph 2 of the ILO Seafarers' Identity Documents Convention, 1958 (C108) “each Member for which this Convention is in force may issue a seafarer's identity document to any other seafarer either serving on board a vessel registered in its territory or registered at an employment office within its territory who applies for such a document”.






Estonia’s Identity Documents Act § 23 and § 33 state that a seafarer's discharge book is issued to an Estonian citizen who is a seafarer and a certificate of record of service on Estonian ships is issued to a seafarer who is an alien residing in Estonia on the basis of a residence permit or right on the basis of his or her application. Both of these seafarer’s identity documents are in compliance with the above ILO Convention.

The practice of the Police and Border Guard Board today is that abovementioned seafarer’s identity documents are issued to everyone (meaning Estonian citizens and aliens residing on the basis of a residence permit or right) who provides a statement that they are taking up work on a ship, irrespective of whether the ship is registered in Estonia or another foreign country.

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We would like to know whether other Member States issue seafarer's identity documents only to those seafarers that take up work on a ship registered in that Member State or have a similar practice to Estonia where seafarer's identity documents are issued also in cases where the persons is taking up work on a ship registered in a foreign country.

2. Responses¹









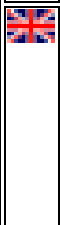

		Wider Dissemination? ²	Based on ILO Seafarer's Identity Documents Convention Article 2 subparagraph 2, do Member States issue seafarer's identity documents only to those seafarers that take up work on a ship registered in that Member State or have a similar practice to Estonia where seafarer's identity documents are issued also in cases where the persons is taking up work on a ship registered in a foreign country?
	Austria	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further.
	Estonia	Yes	The practice of the Police and Border Guard Board today is that seafarer's identity documents are issued to everyone (meaning Estonian citizens and aliens residing on the basis of a residence permit or right) who provides a statement that they are taking up work on a ship, irrespective of whether the ship is registered in Estonia or another foreign country.
	Finland	Yes	According to the Police, seafarer's identity document is issued only to Finnish citizens: a national seafarer's card is a national identity card for seamen. A person may hold both a passport and a national seafarer's card at the same time. A national seafarer's card is only accepted as a travel document for travel associated with the holder's occupation as a seaman. When applying for a national seafarer's card, certification of the applicant's occupation must be included, which may be a seaman's discharge book, or a certificate issued by an employer, an employment office or an institute of learning. Two photographs must also be attached to an application for a national seafarer's card. A national seafarer's card does not have a technical part (microchip).
	Germany	Yes	Germany has not ratified the ILO Seafarer's Identity Documents Convention, 1958 (C 108).
	Hungary	Yes	Hungary has ratified the ILO Seafarer's Identity Documents Convention 1958 (C108) in 2005 with the Act CII of 2005. Seafarer's identity documents (Hajós Szolgálati Útleveél) are issued only to Hungarian citizens, who will be working on a maritime ship or on river vessel, irrespective of whether the ship is registered in Hungary or abroad.

¹ If possible at time of making the request, the Requesting EMN NCP should add their response(s) to the query. Otherwise, this should be done at the time of making the compilation.

² A default "Yes" is given for your response to be circulated further (e.g. to other EMN NCPs and their national network members). A "No" should be added here if you do not wish your response to be disseminated beyond other EMN NCPs. In case of "No" and wider dissemination beyond other EMN NCPs, then for the Compilation for Wider Dissemination the response should be removed and the following statement should be added in the relevant response box: "This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further."

EMN Ad-Hoc Query: ILO Seafarer's Identity Documents Convention

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	Italy	Yes	According to Article 119 of the Navigation Code, the seafarer's identity document cannot be released to non-EU citizens. These can embark on Italian vessels only if in possession of a certification released by the Italian consular authorities, aimed at validating the documentation issued by the foreign seafarer's country of origin.
	Latvia	Yes	Seafarer's documents in Latvia are issued to persons who have right to permanent residence in Latvia and it does not matter if ship has been registered in Latvia or abroad.
	Lithuania	Yes	In Lithuania the seafarer's identity document is issued to Lithuanian citizens and persons holding a permanent resident permit in Lithuania irrespective of where a ship is registered.
	Netherlands	Yes	The Netherlands has not ratified the ILO Seafarer's Identity Documents Convention, 1958 (C 108).
	Portugal	Yes	Portugal issues the seaman's book ("cédula marítima") to Portuguese or EU seaman. As a rule, resident foreigners or other foreigners are not entitled to obtain this document. Based on bilateral agreements, these documents may also be used to other foreigner's seaman. Working on a Portuguese flag ship is not condition enough to obtain the Portuguese seaman's book.
	Slovak Republic	Yes	The Slovak Republic has not ratified ILO Seafarer's Identity Documents Convention.
	Spain	Yes	The seafarers' identity documents in Spain are issued by the Ministry of Development (Ministerio de Fomento) only for Spanish citizens (people who have Spanish identity card), being indifferent that the ship is registered in Spain or in another foreign country. In no case, foreigners with a Spanish residence permit or with a similar document are included.
	Sweden	Yes	In Sweden seafarer's identity documents are issued only to Swedish citizens but irrespective of the nationality of the ship.
	United Kingdom	Yes	<p>The UK issues Seafarers' Identity Documents (called the British Seaman's Card – "Red Book") (under ILO Convention 108) to British Citizens with the right of abode in the UK, who are currently employed as seafarers and do not hold a SID issued by other specified countries. The SID is issued to eligible seafarers regardless of the Flag registration of the ship.</p> <p>The UK also issues a UK Discharge Book ("Blue Book" - record of sea service) which in most cases is issued only to seafarers employed on UK registered vessels, irrespective of the nationality of the seafarer. We also issue Discharge Books to UK seafarers working on foreign flag vessels in cases where that Administration does not issue Discharge Books to foreign nationals.</p>
	Norway	Yes	<p>The relevant sections of the <i>Norwegian Immigration regulations</i> (as of November 2010), would seem to be the following (see also http://www.regjeringen.no/upload/JD/Vedlegg/Forskrifter/Immigration_Regulation.pdf):</p> <p>Section 2-8 <i>Seaman's identity card</i> A seaman's identity card may be valid as a travel document for a seaman coming to the realm (a) to take up a post on a ship that is in a port or that is in the process of arriving at a port in the Schengen territory. The seaman must provide proof of employment on the ship and intend to travel directly to the port concerned, (b) as a member of the crew of a ship, and who after signing off is to return to his/her country of origin or travel out of the Schengen territory. This is conditional on the seaman being able to show this to be probable by producing a ticket or documentary evidence of sufficient funds,</p>

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		<p>(c) as a member of the crew of a ship who during shore leave is in the port in which the ship is lying, (d) to work as necessary security and maintenance crew on a laid-up ship, or (e) because entry is necessary for other reasons.</p> <p>A seaman’s identity card shall be issued by a competent authority in the state of which the holder is a national, confer the right to return to that state and satisfy the conditions of section 2-4, second and third paragraphs.</p> <p>A seaman’s identity card issued in accordance with the IMO Convention of 9 April 1965 on facilitation of international maritime traffic may also be valid as a passport for a seaman coming to the realm who falls under the first paragraph. The identity card shall satisfy the conditions in the second paragraph. The condition that the text must be in one of the languages indicated does not apply, however, but the passport control authority may require a written translation of the document into Norwegian or into one of the other languages indicated.</p> <p>A seaman’s identity card issued in accordance with ILO Convention No. 108 relating to such documents may also be valid as a passport for a seaman coming to the realm who falls under the first paragraph. The identity card shall satisfy the conditions in the third paragraph. However, information concerning nationality is not necessary if the holder is not a national of the state that has issued the identity card. Even if this is not apparent from the identity card, the issuing state is obliged to readmit the holder for at least one year after the given date of expiry of its validity, see Article 5 of ILO Convention No. 108.</p> <p><i>Section 3-1 Exemption from the visa requirement</i></p> <p>The following foreign nationals are exempt from the visa requirement:</p> <p>(j) the holder of a seaman’s identity card issued in accordance with ILO Convention 108, see section 2-8, fourth paragraph, of the Regulations. A list of the states that have acceded to the Convention is attached to these Regulations as Appendix 8,</p> <p>(k) the holder of a Philippine “Seafarer 's Identification and Record Book” or a Philippine national passport, see the shipping agreement of 22 October 1999 between the Philippines and Norway. The holder must produce written confirmation from the shipowner or the shipowner’s representative that the holder is to take up a post on a ship in a Norwegian port.</p>
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