Visa: ratification by the Member States of the ILO Convention 185 on seafarers' identity documents

2004/0180(CNS) - 30/07/2004 - Legislative proposal

PURPOSE : to authorise Member States to ratify in the interests of the Community the Seafarers' Identity Documents Convention of the International Labour Organization (Convention 185).

PROPOSED ACT : Council Decision.

CONTENT : to recall, Convention 185 of the International Labour Organization (ILO) on seafarers' identity documents was adopted on 19 June 2003 by the General Conference of the ILO convened in Geneva. The ultimate aim of the Convention is to improve the system of identifying seafarers as a necessary means of ensuring a balance between security in the shipping sector and the promotion of decent living and working conditions for seafarers. In order to attain these objectives, the Convention lays down certain rules on visas for seafarers taking shore leave; it also refers to the entry of seafarers into Member States' territory, notably in the event of transit, transfer or repatriation.

However, in accordance with Title IV of the Treaty establishing the European Community, competence over visas is a Community competence, which has been exercised. In this context and in order to ensure compliance with the sharing of competences as laid down by the Treaty, the Commission proposes in the present document that the Council should authorise those Member States which are bound by Community rules in the area of visas to ratify the Convention in the interests of the Community. This departure from the normal manner of exercising Community competence under Article 300 of the Treaty establishing the European Community can be justified exceptionally by the importance of the Convention to seafarers and by the need to ensure that it enters into force as quickly as possible. This Decision must nevertheless remain exceptional and must in no way form a precedent for the future. The present Decision will therefore enable Member States to take without further delay all the steps necessary for ratification. What is more, common ratification arrangements may be envisaged to show the rest of the world the importance the Community attaches to the Convention.

Lastly, in accordance with the specific measures of the Treaty, this Decision is accordingly also addressed to Denmark. The present Decision applies neither to Ireland nor to the United Kingdom.