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

2004/0180(CNS) - 14/04/2005 - Final act

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).

LEGISLATIVE ACT: Council Decision 2005/367/EC authorising Member States to ratify, in the interests of the European Community, the Seafarers' Identity Documents Convention of the International Labour Organisation (Convention 185).

CONTENT: 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.

In accordance with Title IV of the Treaty establishing the European Community, competence over visas is a community competence. In this context and in order to ensure compliance with the sharing of competences as laid down by the Treaty, those Member States which are bound by Community rules in the area of visas are authorised 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.

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.