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SUB-COMMITTEE ON STANDARDS OF
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UNLAWFUL PRACTICES ASSOCIATED WITH CERTIFICATES OF COMPETENCY

International certificates database

Submitted by the International Shipping Federation (ISF)

SUMMARY

Executive summary: ISF suggests that the Sub-Committee should give further consideration to means of encouraging the establishment of *national* electronic registers of certificates to which there could be *controlled* electronic access via the internet, or the establishment of dedicated national e-mail addresses to which requests concerning verification of certificates could be made and responded to in good time. It is suggested that rather than overseeing the development of a centralised international certificates database, it might be more productive for IMO to consider maintaining a list of internet website and e-mail addresses so that requests about national certificates could be made from a single point (e.g. the IMO website).

Action to be taken: Paragraph 9

Related documents: STW 31/6/2

1 This paper comments on STW 31/6/2 (Secretariat) in accordance with paragraph 46.5 of the Guidelines on the Organization and Method of Work of the MSC and the MEPC and their subsidiary bodies.

2 The International Shipping Federation (ISF) has examined the report of the feasibility study into the practicality of establishing an international certificates database and wishes to make the following comments.

3 The industry has in fact given detailed consideration to the establishment of such a database since as long ago as 1990, following the publication of the first BIMCO/ISF study into the worldwide supply and demand for seafarers. However, the industry has concluded that the establishment of a *centralised* database would be impractical due the following reasons:

- prohibitive cost (there are estimated to be in the order of 500,000 certificated officers world-wide);
- the fact that the majority of the world's seafarers come from developing countries in which considerable work remains to be done with regard to the establishment of national registers of certificates that are accurate and reliable;
- the difficulty in maintaining reliable and up-to-date information on the status of certificates, taking into account the issue of new certificates, the periodic revalidation of certificates, the withdrawal or suspension of certificates and the issue of flag state recognition endorsements;
- associated questions of liability in the event that incorrect information contained on an international database were to lead to the employment of unqualified seafarers who might become involved in a maritime casualty;
- problems relating to legislation which exists in many countries concerning data protection and access to information which is held by governments which concern the rights of the individual; and
- an international database would be an unnecessary duplication and waste of resources if national administrations continued to maintain national registers in parallel (as suggested by the feasibility study).

4 In view of the above, ISF believes that the attention of IMO might be better focused on ensuring that Parties to STCW 95 establish national registers of certificates, as required by the Convention, and that administrations are able to respond to requests from other Parties and companies seeking verification of the validity of individual certificates of competence, as also required by STCW 95.

5 ISF notes that Section B-I/9 of the STCW Code recommends there that should be controlled electronic access, where electronic registers of certificates exist, to allow other Parties and companies to confirm the status of certificates. Ideally, it should be possible for administrations and companies to make such requests "on-line", perhaps via a *national* internet web site which has a search facility whereby confirmation of an individual's details can only be given if the enquiry is made by someone in possession of the seafarer's personal details in the first place.

6 If national registers of certificates were accessible, in such a controlled way, via internet web sites, it should be possible to list all of the addresses (URLs) of the various national web sites in a single place (e.g. the IMO web site). The task of maintaining such a list of web sites would be relatively simple in comparison to maintaining an international database of certificates, but it would fulfil the same purpose with greater reliability and at considerably less cost.

7 ISF also wishes to point out that access may not in fact be needed to *electronic* registers of certificates. With the current worldwide use of e-mail it should be now be possible for all administrations to establish dedicated e-mail addresses through which requests for verification of the details of individual certificates could be made. What is important is that administrations undertake to make provision to ensure, whatever means is used, that such requests for verification are responded to in good time (e.g. within the next working day) in order to meet the needs of the modern shipping industry.

8 As a matter of principle, ISF also wishes to state its opposition to any suggestion that the user should pay for access to registers of certificates. This will only serve as a deterrent to flag states and companies, discouraging them from making checks on certificates whose validity might otherwise seem unquestionable and thus undermining the objectives of STCW 95 and the elimination of unlawfully issued certificates. Responsibility for maintaining registers of certificates is an obligation under STCW 95 and the costs should be funded from revenue from tonnage fees, certificate issuing fees or general taxation received as a result of national seafarers finding employment from national or foreign shipping companies. Moreover, with the use of modern technology the costs involved in verifying the validity of certificates should be minimal.

Action requested of the Sub-Committee

9 The Sub-Committee is requested to agree that further consideration should be given to means of encouraging the establishment of electronic registers of certificates to which there could be *controlled* electronic access via the Internet, or the establishment of dedicated e-mail addresses to which requests concerning verification of certificates could be made and responded to in good time. In addition, the Sub Committee is requested to consider whether it might be more productive for IMO to maintain a list of internet web site and e-mail addresses so that requests about national certificates could be made from a single point (e.g. the IMO web site) rather than overseeing the development of a centralised international certificate database.
