

## Direct Request (CEACR) - adopted 2009.

### Seafarers' Identity Documents Convention, 1958 (No. 108) - Italy (Ratification: 1963)

The Committee notes the support expressed by the Italian Confederation of Private Shipowners (CONFITARMA) regarding the ratification and implementation of the Seafarers' Identity Documents Convention (Revised), 2003 (No. 185), as well as the Government's present position that it does not consider it desirable to proceed with the ratification of that Convention.

The Committee notes the Government's confirmation that the seafarer's identity card adopted by Ministerial Decree of 2 February 1981, which was meeting the requirements of the present Convention, is no longer issued. It also notes that the seafarer's booklet, which according to section 122 of the Navigation Code is valid as an identity document, is issued instead. As regards the seafarer's booklet, the Committee draws the Government's attention to the following shortcomings.

*Article 3 of the Convention. Possession.* In response to the Committee's previous comments concerning section 221 of the Regulation implementing the Navigation Code, the General Directorate for Maritime Transport and Inland Waterways in the Ministry of Infrastructure and Transport states that the handing over of the seafarer's booklet to the master at the time of embarkation, serves the purpose of facilitating checks of the ship in the framework of port State control. It is further emphasized that the seafarer's booklet is returned to the seafarer at the time of discharge. The Government therefore maintains that section 221 does not conflict with this provision of the Convention.

The Committee recalls that, under *Article 3*, the seafarer's identity document shall remain in the seafarer's possession at all times. Whereas Article 7(1) of Convention No. 185 provides for flexibility in the case that the seafarers' identity document is held for safekeeping by the master of the ship concerned, with the seafarer's written consent, *Article 3* of the present Convention does not allow for any exception. ***The Committee therefore reiterates that section 221 of the Regulation implementing the Navigation Code is not in compliance with Article 3 of the Convention and asks the Government to take the necessary measures to bring national legislation into conformity with the present Convention.***

*Article 4, paragraph 2. Statement.* The Committee had previously commented on the lack of the statement in the seafarer's booklet that the document is a seafarer's identity document for the purpose of this Convention. The Government states that the General Directorate for Maritime Transport and Inland Waterways has noted the request formulated by the Committee and will make the requested changes. ***The Committee hopes that the necessary measures to ensure that the statement required in Article 4(2) is added into the seafarer's booklet will be taken in the near future. It requests the Government to enclose with its next report a copy of the booklet as amended.***