GLOBAL REGULATION OF SEAFARER CERTIFICATION[1]

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INTRODUCTION

The problem of fraudulent certification continues to provoke deep concern within the maritime community. Should they exist, the presence of seafarers plying their trade around the world without the necessary skills and qualifications needed to perform their duties would, self-evidently, be detrimental to the functioning of the maritime industry. Indeed, the maritime industry depends upon the professional qualities of these individuals for the safe and effective operation of vessels in the practice of world seaborne trade.

The development both of the system of open registers and a truly global labour market has meant that crews from a variety of nationalities, possessing a variety of certificates, regularly alight on vessels under a plethora of flags (Lane et al 2002). As they ply their trade across the world, their certificates become passports that enable their entrance into the global labour market. As they pursue qualifications in order to enhance their earning capacity, seafarers enrol themselves with a variety of training institutions, similarly spread across the world. On being engaged by companies and / or crewing agents, their qualifications legitimate their right to secure employment. Thus, seafarers' qualifications underpin their employment, and the sheaf of certificates that derive from both their training and their employment facilitate their continuing efforts to work.

CONTEXT

As training and certification has become fully internationalised, so too has the emphasis on the regulation of the system of certification shifted from the national to the global level. Attempts to address standards of certification have taken the form of regulation; of particular significance are the IMO's Convention on Standards of Training Certification and Watchkeeping, updated from the original STCW-78 convention (STCW-95), and the relevant provisions in the International Safety Management (ISM) Code within chapter IX of the Convention on Safety of Life at Sea (SOLAS). These provisions have concentrated on defining standards and outlining the rights and responsibilities of stakeholders in the maritime industry. Underpinning these conventions is the shift from the idea of the state as the sole site of regulatory authority, to the idea of the development of roles and duties outside of national administrations. In formal terms this has entailed the move from a system of 'national' or 'international' regulation to a mode of global governance (Held, 1993; Väyrynen, 1999).

In the formation of an effective regime of global governance for seafarer certification, they are two key elements. Firstly, the establishment of adequate internal procedures for the validation of certificates by institutions at which they are presented. Secondly, the relations between organisations issuing, and being presented with, certificates. If only the former element is present global governance is restricted to an increase in the number of institutions involved in regulatory practice. However, once these institutions relate to each other in meaningful ways, a change in quality occurs and a network of inter-linked regulatory bodies should emerge which, theoretically, increases the effectiveness of the practice of regulatory authority. Hence, in order to comprehend and gain insight into the practice of the regulation of seafarer certification it is necessary to consider both of these aspects of the regulatory process.

Rather than assessing the effectiveness of any single piece of legislation. In the following discussion, the aim will be to analyse the practice of regulation in terms of the relevant institutions and the relations between them. In so doing, it will identify strengths and weaknesses in the practice of regulation in the area of certification and discuss issues in the practical implementation of a regime of global governance.

CERTIFICATES

Seafarers typically possess a number of certificates obtained in the course of their work or training, these include:

- Certificate of Competency (CoC)
- Flag State Endorsement (FSE)
- Discharge book
- Sea service testimonials
- Ancillary certificates
- Medical certificate

The following sections describes these documents in further detail.

Certificate of Competency (CoC)

A Certificate of Competency (CoC) is the key document attesting to a seafarer's qualification. The document states the rank for which the seafarer is qualified and any restrictions on their sphere of operation, for example area of operation or type of vessel. Additionally it may contain information on specialist training, e.g. ability to serve on tankers. These certificates are issued by maritime administrations after a seafarer passes a prescribed examination and presents the relevant supporting documentation to enter the qualification process. The issuing authority of a CoC is dependant on where the seafarer undergoes their training, and not on the nationality of the seafarer.

In submitting an application for a CoC, a seafarer has to submit the appropriate main certificate underlying the application. For example, in applying for a Chief Mate's certificate, a seafarer will have to submit their Officer of the Watch certificate. The main underlying certificate is issued by a maritime administration which will be dependant upon where the seafarer studied and took the examination. These certificates may also be presented at different training establishments for enrolment onto long courses leading to a CoC.

Flag State Endorsement (FSE)

Flag State Endorsements[2] (FSEs) are issued by overseas administrations on the basis of recognition of a CoC. Under the requirements of the STCW-95 Convention, seafarers who serve on flags other than the one issuing their CoC are required to apply for an endorsement of recognition (FSE) issued by the relevant flag state.

As an example of the process, in the UK holders of CoC issued by foreign administrations who want to apply for a UK FSE are required to submit their CoC in support of their application. The MCA will only accept CoC issued by countries whose certificates have been recognised as equivalent by the UK administration. Foreign certificates are recognised by the administration after an evaluation is carried out with respect to training and certification provision.

Sea Service

A central element in the application process for most CoC is the demonstration of an adequate level of sea service to match the requirement for the certificate being sought by the applicant. The regulations concerning CoC state minimum service requirements that need to be acquired in order for a certificate to be issued; these vary by rank. Proof of sea service appears in two types of documents: Sea Service Testimonials and Discharge Books.

Discharge Book. This document outlines a full record of the time served by an individual seafarer. For each period of employment on board a vessel, the dates of service and details of the vessel are recorded. The latter is frequently noted by use of a stamp which contains basic information such as the vessel name, flag of vessel, Gross Tonnage and/or Net Tonnage. There is no standard form for the stamp, nor are there regulations concerning the information contained on a stamp; this information may also be filled in by hand, in ink. The details of service also contain the signature of the master of the vessel, acting as an accreditation of the service.

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[2] Those issued by the UK are termed Certificates of Equivalent Competency.

Sea Service Testimonials.   These documents constitute a further validation of the sea service outlined within the discharge book. They also contain a basic assessment of a seafarer's conduct, limited to either a simple phrase or a short paragraph. The information contained rarely deviates from the terms 'Good' or 'Very Good' concerning conduct, ability and sobriety; with the latter introducing the phrase 'Strictly Sober'. This fact indicates that the assessment component of a sea service testimonial is more a matter of custom and practice than an actual indication of the qualities of a seafarer. Testimonials are contained on a single sheet of paper. They may contain the letterhead of the company, a standard phraseology within its body incorporating dates served, assessment information, the signature of the master and frequently the stamp of the vessel. There is no standard format for testimonials and there are no security features of any kind. Some testimonials arrive with significant design elements from the company concerned or a standardised format deriving from a governmental body, whilst others are basic documents produced using word processors.

ANCILLARY CERTIFICATES

Seafarers possess ancillary certificates relating to qualifications such as proficiency in survival craft and rescue boats, advanced fire fighting, oil tanker familiarisation, medical first aid, or training in the Global Maritime Distress and Safety System (GMDSS). The certificate provided depends on the certificate being applied for. These certificates are issued by Maritime Education and Training (MET) establishments and come in a variety of styles deriving from a variety of institutions around the world. Ancillary certificates are issued on behalf of the maritime administration concerned by colleges which they have approved. The certificates have no common format and tend to have very basic security features and, on occasion, none at all.

Medical Certificate

In order to gain employment a seafarer has to possess a valid medical certificate that attests to an acceptable level of health deemed necessary for them to perform their

job; additionally every application for a CoC must include a valid medical fitness certificate. There is no global standard for medical certificates. Certificates are issued by various medical practitioners located across the globe. It is, however, common for maritime administrations to draw up a list of accepted medical certificates, in terms of both issuing countries and approved medical practitioners.

ANALYSIS

When a seafarer interacts with an institution for the purposes of gaining a certificate or employment, the institution is afforded the opportunity to inspect the qualities and qualifications of the individual concerned. In essence the institution is given the chance to exercise regulatory control at the point of intersection between the institution and the seafarer. There are two types of action which the institution can perform. Firstly it can make an assessment of the certificates presented and decide, based upon some criteria, to accept these certificates as valid. These can be termed 'internal' procedures as they take place solely within the institution as a discrete unit. Secondly, the body can adopt practices by which certificates are checked with another institution, commonly that which issued the certificate, for the purposes of verification. These can be characterised as 'external' procedures as they involve interaction with a separate external institution. To assess the practices of regulation within the system of seafarer certification, it is necessary to trace the exercise of regulatory authority along these two lines.

The attempt to define the operation and nature of the internal procedures and external relations within the complex and many layered networks of institutions within the maritime sector would require exhaustive research, beyond the scope of this paper. With this in mind, the paper is restricted to analysing the practices of a limited range of institutions that perform different functions. In so doing, it highlights indicative trends concerning the practice of regulation of seafarer certification and reaches preliminary conclusions in terms of its functioning.

The data in this paper is drawn from a larger project investigating regulatory practices involved in seafarer certification. The paper reports on a selection of institutions who receive and /or issue certificates. These institutions were selected to represent a range

of bodies involved in seafarer certification and include 3 Employers, 3 Maritime Education and Training Establishments and 5 Maritime Administrations involved in issuing FSEs. The research into the procedures is based on a mixture of methods. Staff in institutions based in the UK were interviewed face-to-face by the research team using a semi-structured interview guide. At two overseas organisations visited by the research team similar interviews were conducted; other overseas respondents were contacted by email and were sent electronic questionnaires. In addition, documentary data was collected concerning procedures relating to certification.

The following sections outline each of these institution's procedures in turn; each section concludes with a summary of the regulatory practices of the particular type of institution.

EMPLOYERS

Employer 1

Employer 1 possesses a small fleet of vessels, employing approximately 100 seafarers. For non-national seafarers[3], pre-employment checks of certificates and other documents are carried out by the crewing agencies within the country of origin of the seafarer. The employer does not directly verify any of the certificates with the issuing authorities or check references for agency employed personnel. All the verification procedures are left to crewing agencies in the seafarer's country of origin.

Certificate verification procedures are set out in the company's Safety Management Manual. When a non-national officer is employed, the guidelines state that the personnel manager of the recruiting agency will contact the issuing authority and request a traceable form of verification in order to establish the authenticity of the certificate prior to employment. For national seafarers, the guidelines prescribe that if the personnel manager decides that a prospective seafarer's certificate of competency

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[3] The term 'non-national seafarers' refers to those seafarers whose certificates do not derive from the same country as the location of the institution, the term 'national seafarer' refers to where the state of issue of the certificate is equivalent to the location of the institution. Often there is a link between the nationality of a seafarer and the place from which their certificates is issued, but this is by no means always the case.

is suspect they shall consult with the issuing authority. The personnel manager of Employer 1 states that *'the company takes reasonable steps to verify certificates, by the contract we have with the manning agencies, in which we hope such checks will have been done for us. We also use visual verifications, and where possible check with the issuing institution.'* (Personnel Manager, Employer 1, 2004).

Employer 2

Employer 2 is a large company and acts as both a ship-owner and ship-manager of chartered tonnage. The company employs approximately 1700 seafarers from a variety of countries. Most officers are trained through its own cadet scheme. Junior officers who have not passed through the cadet scheme are mainly recruited from the Philippines through the company's own crewing agency in Manila. Other officers, mainly from Eastern Europe, are recruited on behalf of the employer by other vetted crewing agencies.

Employer 2 does not check ancillary certificates as they claim that these are arranged directly between the colleges and the employer and will be checked when the seafarer presents this documentation to obtain a CoC.   The employer does require all colleges to send copies of seafarer's certificates on completion of a course.

For seafarers recruited at officer level through the employer's crewing agency, the agency carries out the verification of CoC with the issuing authority. In the case of seafarers holding Filipino certificates, these are checked online using the web-based checking facility of the Filipino maritime administration. For those seafarers not recruited through the employer's agency, it is assumed that the certificates have been verified by the relevant crewing agency. Ancillary certificates are not checked with issuing organisations, i.e. colleges or other training providers; in this case only a visual check of the certificate is carried out by the crewing agency. To safeguard against any fraud involving CoC or ancillary certificates, the employer will only recruit seafarers who have completed their training in vetted MET establishments. In other countries, the verification of certificates is left to local recruiting agents.

Employer 2 carries out a monthly check on the certification of their seagoing personnel. A randomly selected seafarer serving on the fleet is asked to provide a copy of all their certificates to the master. Copies of these are sent back to the head office. The personnel manager will check them visually to ensure that the seafarer carries all required certificates. No check is done with the issuing authorities. This check is more to do with ensuring that seafarers always carry the necessary certification rather than checking their authenticity.

In the case of seafarers recruited through an agency, the personnel manager of the company stated that *'the responsibility for detecting fraudulent certificates is down to the agency that recruits the seafarer, as we employed them to check this'*. He also adds that *'...any employment of seafarers not on our books is done through agents who we trust check certificates'* (Personnel Manager, Employer 2, 2004).

Employer 3

Employer 3's core business is the recruitment and placement of seafarers, both officers and ratings. The company does not own or manage vessels. The company maintains a pool of seafarers, i.e. personnel registered with the agency who may be employed through them or looking for employment. It places approximately 1,000 seafarers per year.

All candidates who register with Employer 3, have to submit an application form. Copies of certificates and relevant documents must be provided with this application. As part of a detailed pre-employment check the company attempts to verify all certificate copies received with the applications, which involves in-house cross referencing of sea time and certificate number. The certificates, however, are not checked with the issuing authorities, overseas administrations or colleges. Only visual checks are carried out by the screening staff. The company relies on their experience and judgement when checking these certificates. If there is any suspicion about the validity of a certificate they will contact their national maritime administration. References from ship owners are always checked, and the company will not employ anyone without references. As companies are not legally required to give references,

the company relies on its extensive network of contacts in other shipping companies to obtain them.

There are no prescribed or specific verification procedures set down by the organisation. The only checklists in use are to verify that the seafarer has all the certificates required for the rank being applied for. According to the company, the main obstacle in verifying certificates is the amount of time involved in checking them with the issuing bodies. It is claimed that it would be uneconomical for the company to check all certificates.

Table 1. Summary of Practices (Employers)

	Employer 1	Employer 2	Employer3
Type of Company	Ship-owner	Ship-owner Ship-manager	Crewing agency
Number of seafarers employed	100	1700	1,000 placements per year
Type of documents held by seafarers	CoC FSE	CoC FSE	CoC FSE
Verifies CoC with issuing administrations	Only national seafarers if certificate deemed suspicious, others by crewing agencies in seafarer's country of origin	Only for seafarers recruited through employer's agency. Other seafarers have been trained through their cadet scheme	No, unless there is cause for suspicion. No contact with overseas administrations
Verifies ancillary certificates with issuing colleges	No, only visual check	No, only visual check	No, only visual check
Relies on recruitment agencies to verify certificates of agency personnel	Yes	Yes	N/A

MARITIME EDUCATION AND TRAINING ESTABLISHMENTS (MET)

MET 1

MET 1 is part of a larger college in which over 1,000 students are involved in maritime training. MET 1 offers long courses for deck and engineering personnel from cadet to senior officer certification. The student body is approximately 60% national and 40% overseas. Short courses at MET 1 cover the full range of ancillary statutory courses for officers and ratings such as medical courses, sea survival and tanker cargo endorsement courses.

On enrolment, each candidate is expected to have all original certificates with them. Failure to produce these may result in the candidate being denied enrolment or a delay in a issue of the certificate at the end of the course. Proof of identity is also required. The college checks all certificates with a visual inspection. They do not contact any issuing administration (national or overseas), any employer, or any other college, to check the authenticity of the documents presented to them. The head of faculty stated that they do not have the resources or the knowledge to do this kind verification and that it is outside the remit of the college. For long course certificates, MET 1 relies entirely on the national administration to check all certificates and sea time when the candidate presents them to the governmental body for entrance into an examination.

A number of short courses require prior certification, e.g. the advanced fire fighting course requires candidates to have completed a basic fire fighting course. In order to gain the proficiency in sea-craft certificate a certain level of sea time is needed; a pre-requisite for medical first aid and medical care is the basic medical first aid course and one year of sea-time. In these cases, upon enrolment course tutors ask to see original certificates and will check documents visually. If there are any suspected problems tutors check certificates with their national administration, i.e. the administration in the same nation as the MET. The college verifies sea-time for some of the short courses and for enrolment on the long courses. This is checked by looking at entries in discharge books. Sea service testimonials are not required by the college.

MET 2

MET 2 is part of a larger college and offers marine courses for deck and engine personnel from cadet to senior officer certification. It also offers short courses for the marine, offshore and leisure sectors. There are over 1,000 annual enrolments for long courses. Approximately 50% of students for higher certificates are overseas nationals.

For enrolment onto long courses leading to a CoC, the only documents candidates are asked to produce are proofs of identity such as a passport or discharge book. On enrolment, all candidates are given all the necessary information on the certificates they need to provide and the requirements they need to meet in order to be eligible to apply to the national maritime administration for entry into the relevant examination.

MET 2 does not check any CoC (irrespective of its country of issue), discharge books or any other documents. The college operates on the premise that all candidates are *bona fide* individuals and so all verification is left to their national maritime administration. The Head of Faculty points out that *'I think the verification of certificates is to do mainly with the [national maritime administration] as the awarding body.'* (Head of Faculty, MET 2, 2004). It is the responsibility of the candidate to ensure that they meet all the criteria to be eligible to obtain a CoC once they finish the course.

For enrolment onto some short courses, candidates will have to present proof of identity and, if required, certificates from previous courses. In these cases, course lecturers check certificates visually and sign enrolment sheets confirming that original certificates have been checked. If for any reason lecturers have doubts about the authenticity of any certificate they will make a copy of the certificate and make a query to the relevant issuing authority or the issuing college. For short course certificates issued by overseas colleges, perhaps unknown to the lecturer, the certificate will be assumed to be genuine.

MET 3

MET 3 has an annual intake of 500 students for long courses leading to a CoC and 9,000 for short courses. About 70% of students enrolled on the long courses for chief mate and masters are overseas nationals; approximately 10% of all cadets are overseas nationals.

Applicants for long courses must present all their supporting documentation to course tutors upon enrolment. Candidates are also informed of the national requirements for entrance into examinations; it is the responsibility of candidates to apply to the national administration. For statutory short courses approved by the national administration, applicants are asked to present supporting certificates to their tutor to confirm their eligibility; these are visually checked by tutors. For non-statutory short courses applicants do not have to show any certification. MET 3 has internal procedures for the verification of certificates. However, there are no specific guidelines other than a checklist that is used at the time of enrolment.

The visual inspection of certificates relies entirely on the experience of tutors, who are aware of certificate requirements and the format of certificates. Tutors do not check any certificates against external sources, i.e. issuing administrations or colleges. Only if there is doubt about the validity of documents will these be checked with the national administration. CoC issued by overseas administrations and other certificates will only be verified if they look suspicious to tutors. In such cases verification of these documents is carried out through the national administration, which will in turn contact the issuing authorities or colleges.

Table 2. Summary of Practices (METs)

	MET 1	MET 2	MET 3
Verification of certificates on enrolment (long courses) Visually checked	Yes	Yes	Yes
Checked with national administration	No	No	No
Checked with other issuing admin or colleges	No	No	No
Verification of certificates on enrolment (short courses requiring prior certification) Visually checked	Yes	Yes	Yes
Checked with national administration	Yes, if suspicious	Yes, if suspicious	Yes, if suspicious
Checked with other issuing admin or colleges	No, if suspicious MET asks national administration to perform a check	Yes, only if suspicious and certificate from same nation as MET	No, if suspicious MET asks national administration to perform a check

MARITIME ADMINISTRATIONS (MA)

MA 1

MA 1 is a small[4] open register[5]. It receives an average of 250 applications per month to issue deck and engine officer endorsements of recognition. The administration states that in all instances   underlying certificates are verified with the issuing authority using online verification tools, where they exist, or by email.

MA 2

MA 2 is a large open register. On a monthly basis, MA 2 receives approximately 1,000 applications for officer endorsements. MA 2 has established a network of Authorised Filing Agents in major seaports world-wide. These agents have contractual agreements with the administration with respect to reviewing and forwarding applications for crew documents. Amongst the items reviewed are applicants' national certificates. These certificates must be visually sighted by the filing agent, who is used to seeing authentic documents and, it is claimed, can usually detect a forgery. If the application appears to be in order, it is forwarded to MA 2's main office.

All permanent crew documents are issued from the head office and all records are maintained there. MA 2 does not accept applications for original crew documents from individuals. The first step in the evaluation process is to determine if the individual is already listed in their internal database. If that is the case, the administration will check to see if the individual has had their certificate or other documents suspended for any reason. In evaluating an application, all the information and certification is reviewed, including sea service, training certificates, as well as the copy of the national certificate. MA 2 has established a data file of valid, national certificates. Anyone evaluating the application can view a sample of a national certificate for comparison. If there is any reason to query a document, the

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[4] These descriptive terms refer to the amount of registered tonnage appearing on the vessel register.

administration carries out a check with the appropriate issuing authority using fax email, or online verification. Approximately 15% of all applications undergo a verification procedure with the issuing authority.

MA 3

MA 3 is a medium sized open register. MA 3 receives some 600 officer applications per month for the issue of endorsements of recognition. All applications are checked to ensure that all the underlying documents are included and the information is entered into a database. CoC and ancillary certificates are checked visually by an evaluator. 60% of CoC are also checked with the issuing administration; mainly through email and online verification tools. Once all the criteria are met, the endorsement is printed and sent to the Deputy Commissioner for approval and signature.

MA 4

MA 4 is a large open register. MA 4 receives, on average 3,700 officer applications per month for the issue of endorsements of recognition. Applications for CoC, FSEs and other documents, such as seaman's book or GMDSS certificates, are handled through the network of consulates world-wide. Applications and supporting documentation can be filed in any consular office. The consul collects the fee and checks that all supporting documents appear to be correct. No verification checks are carried out at this point. On receipt of an application the consul issues the holder with a transitory endorsement valid for three months. The application is sent to one of the four regional offices authorised to issue FSEs and other documents. The underlying documentation is checked and verified by evaluators before a FSE is issued. The administration's head office reports that their evaluators verify 100% of all underlying documents. However this claim clashes with what the research team found in two regional offices. Here, evaluators stated that, due to the large volume of applications,

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[5] Stopford defines open register as follows: 'open registers have been set up with the specific aim of offering shipowners a registration service, often as a means of earning revenue for the flag state.' (Stopford, 1997: 434).

certificates were not verified with the issuing administration, or college, unless there was a glaring discrepancy.

MA 5

MA 5 is a small second register[6]. MA 5 receives, on average, 70 monthly applications to issue officer endorsements of recognition. On receipt of an application the administration issues the holder with a transitory endorsement valid for three months. In all cases, evaluators contact the issuing administration to verify the authenticity of the certificate. For master and chief engineer certificates, applicants are required to sit an assessment concerning the administration's maritime legislation. Once all these conditions are met, a FSE is issued.

Table 3. Summary of Practices (Maritime Administrations)

	MA 1	MA 2	MA 3	MA 4	MA 5
Number of monthly endorsements issued (officers)	250	1000	600	3700	70
Percentage of certificates presented for verification (officers)	100%	15%	60%	100%	100%

DISCUSSION

Recalling the distinction between external procedures, i.e. ways of verifying certification that involve relations with institutions outside of their own, and internal procedures, i.e. verification practices that occur solely within an institution, it is possible to identify trends in the actions of institutions as they receive, verify and issue certificates.

In terms of their internal procedures all of the employers included in this study adopted similar positions. In the first instance certificates are sighted in order to check

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[6] Second registers are vessel registers set up by states that provide a different regulatory framework to the main national register. They are either located within the state or in one of its overseas territories.

that seafarers possess the relevant qualifications. Additionally, certificates undergo a form of professional evaluation, i.e. for those within the institution the knowledge of certification gained throughout the course of their work history is utilised to make an assessment of the veracity of a document[7]. In the case of ancillary certificates, the indication is that inspections emphasise the existence of a certificate and not its qualities[8] In respect of CoC, the matter is materially different in that the visual inspection provokes, or can provoke, the practice of verifying a certificate with the issuing authority. In terms of their relations to institutions outside of their own, none of the employers possess formal relations with providers of ancillary certificates and references from employers are obtained and checked only via indirect means.

In the case of CoC, external relations exist, however employers adopt different strategies. Employer 3 treats a CoC as *prima facie* evidence of qualification and would only approach an issuing institution when internal assessment arouses suspicion – the internal procedure acts as a gatekeeper to the practice of external verification. Both Employers 1 and 3 restrict external procedures to certificates issued by their national administration. For certificates from outside their state of operation, it is presupposed that either a certificate is, by definition, valid or the assumption is made that another organisation that provides crew is satisfied that the certification is valid. In contrast, Employer 2 possesses external relations with overseas administrations, indeed it is a matter of procedure for the presentation of a CoC to result in an approach to an administration outside of their state. With employers, a clear distinction is made between types of certificates, ancillaries are visually sighted and checked for their simple existence. It is only in the case of CoC that employers might consider approaching an external organisation.

Turning to METs, once again there is some similarity in terms of their procedures. As with Employers, METs adopt a checklist and visual inspection approach to the internal treatment of certificates. The former is restricted to checking the simple existence of certain certificates, the latter relies on professional evaluation, and is

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[7] Although Employer 2 carries out random checks of certificates, it is a difference in the number of checks performed and not their quality.

[8] Given that no common standard exists for such certificates, and seafarers will present them from a variety of institutions across the globe, verifying these certificates is substantially more complex and time-consuming.

underpinned by autonomously defined professional standards. In contrast to Employers, METs do not possess any formal external procedures for verification. Comments made by those within METs, suggest that they perceive regulatory authority to lie with the national administration that issues the certificate, and that the MET's role is not to contribute to this process. Any interaction with issuing administrations occurs only in the case of suspected fraud. METs do not see themselves as sites of regulatory authority nor as part of a system of institutions that form a regime of global governance.

In contrast to Employers and METs, a significant amount of legislative and administrative effort has focussed on the relations between maritime institutions for the purpose of issuing FSEs. Internal procedures for the inspection of FSE applications involves different levels of inspection which tend to coalesce around the meeting of requirements as set out in the appropriate legislation. An element of professional evaluation occurs, but in one of the MAs, there is a database of national CoC, against which comparisons may be made. Ancillary certificates, once again, are accorded a different status[9] and are not checked with issuing institutions. External relations are restricted to a maritime administration-to-maritime administration level for the verification of data, Whilst these states are afforded the opportunity to verify all CoC, two report levels of external verification significantly beneath 100%; another claims 100% verification but, according to individuals within the organisation, its practice falls short of its assertion.

Across these organisations, differing levels of priority are accorded to CoC and Ancillary Certificates, the former are considered central to the identification of a seafarer's qualifications, hence they have a propensity to undergo a process of verification. The latter are treated as somewhat ephemeral and are not verified at the point of presentation by the individual seafarer. However, this bifurcation between the two forms of certificates needs to be considered in terms of the relationship between certificate types. Whilst a CoC is a specific qualification resulting from a successful result in an examination, the eligibility requirements for a CoC state the need for extensive demonstration of prior qualification. The possession of a CoC implies the

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[9] It should be noted that only a limited number of such certificates are presented in support of an application for a Flag State Endorsement.

possession of a plethora of certificates (e.g. Medical Certificate, Sea Service Testimonials, Various Ancillary Certificates) that have been seen and have been deemed acceptable to an administration. The manner in which METs, Employers and FSE issuing Maritime Administrations act suggests that CoC are taken to indicate the validity of *all* certificates that underpin them. The intersection of the seafarer and an institution whilst, theoretically, provoking the application of regulatory authority in practice results in the disavowal of the possibility of the exercise of such authority as inappropriate and unnecessary. State-to-state interactions take a similar form. The confirmation of the presented CoC with the state, where this occurs, is sufficient as a legitimation of a certificate and, by implication, all those certificates that have gone up to make the CoC a possibility; which, of course, can derive from multiple sites across the globe. When a process of verification does not occur, there is a systematic assumption that states possess robust and effective systems of regulatory authority.

CONCLUSION

Global governance is seen as an appropriate re-framing of regulatory practice in the complex global arrangements of the contemporary world. By emphasising the interrelationships across various institutions in global space, effective regulation becomes possible under extensively globalised conditions. The passage to such a regime is by no means a simple affair and requires the re-orientation of institutional actors to their roles and relationships. Within the system of seafarer certification there is an attempt to produce, what might be termed, a culture of verification at the institutional level. However, both the procedures adopted within institutions and the relations between them display key problems in terms of the production of a robust and effective system of global governance. The following policy recommendations address a number of key issues:

1. Harmonised certificate format. Seafarers possess many different types of certificates from a variety of different institutions. These certificates do not exhibit any harmonisation in terms of either security features or format. This limits the effectiveness of visual inspection of certificates as a means to check for fraud.

2. Enhanced communication between institutions. In order to verify certificates from the place of issue, there must be effective means of communication in place between issuing institutions. This can take the form of personal contacts, e.g. phone, fax or email, or web-based on-line verifying systems. Unless an effective and robust system of inter-institutional communication exists, then achieving high levels of verification is problematic.

3. Centralised database of certificates. When a certificate is issued, its details, and a copy of the certificate could be placed onto a centralised database that is accessible by all legitimate institutions. If this data source exited, then practices of verification could be enabled, making checking certificates an everyday and simple process. Although creating such a database may well be legislatively and administratively difficult, the gains are obvious.

4. Training in certification types and basic security features. The visual inspection of certificates represents a first step in detecting cases of fraud. However, the effectiveness of this practice depends upon the knowledge of those sighting the certificates. In order to enhance this process, it is necessary to provide training to those inspecting certificates relating to the key features of certificates of the different types from different institutions.

5. All certificates presented for verification. There is some indication that institutions are treating the presentation of a certificate as *prima facie* evidence of a qualification. Hence, in some cases, a certificate is only presented for verification when it seems suspicious. A change is practice is recommended to make the verification of all certificates a matter of common practice. Whilst presenting all certificates to issuing administrations and institutions seems impractical, it could be considered a desirable goal; a goal which could be enabled through the creation of either a centralised database and/or enhanced formal communication channels between institutions.

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