

2016

SHORE LEAVE SURVEY



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2016 SHORE LEAVE SURVEY SUMMARY

The Seamen's Church Institute's ([SCI](#)) Center for Seafarers' Rights conducted its fifteenth annual Seafarer Shore Leave Survey during the week of May 1-7, 2016. During the survey week, North American Maritime Ministry Association ([NAMMA](#)) member organizations and other port ministries in 29¹ United States ports visited 475 vessels at 203 terminals. The vessels visited had 10,283 crewmembers on board representing approximately 55 nationalities. Chaplains reported that a total of 1,061 seafarers (10.3%) on 104 ships were denied shore leave. An overwhelming majority (81.6%) of these seafarers were denied shore leave because they did not have valid visas. Other reasons for denial of shore leave included seafarers who remained on their vessels in United States waters for more than 29 days (11.7%), seafarers who entered the United States on C-1 Transit Visas and were detained on board after joining the vessel (2.5%), Customs and Border Protection (CBP) restrictions (2%), and vessel operations (1.9%).

¹ Baltimore, MD; Boston, MA; Brunswick, GA; Charleston, SC; Cherry Point/Ferndale BP, WA; Corpus Christi, TX; Delaware City, DE; Destrehan, LA; Freeport, TX; Galveston, TX; Houston, TX; Lake Charles, LA; New Orleans, LA; Oceanport, NJ; Philadelphia, PA; Port Arthur, TX; Port Canaveral, FL; Port Everglades, FL; Port Hueneme, CA; Port Manatee, FL; Port Newark, NJ; San Diego, CA; San Juan, PR; Savannah, GA; Seattle/Tacoma, WA; Texas City, TX; Vancouver, WA; Wilmington, DE; and Wilmington, NC

Shore Leave Restrictions Data from Ship Visiting

During the week of May 1-7, 2016, North American Maritime Ministry Association (NAMMA) member organizations and other maritime ministries in 29 US ports visited 475 ships in 203 terminals to document seafarers' shore leave data. One-hundred four of the 475 ships (21.9%) had at least one seafarer on board denied shore leave. Of the 10,283 seafarers on board the vessels visited, survey administrators reported 1,061 (10.3%) detained.

Of the 1,061 seafarers denied shore leave this year, 866 of them (81.6%) were denied because they did not have valid visas—an increase compared to last year's 79%. One-hundred twenty-four seafarers (11.7%) were denied shore leave because their Customs and Border Protection (CBP) Form I-95 Crewmember Landing Permits had expired after 29 days—also an increase compared to last year's 7%. Twenty-six (2.5%) were detained on board after joining their vessels on a C-1 transit visa. Twenty-one (2%) were detained by CBP (compared to 1% last year). Twenty were detained (1.9%) because of vessel operations (compared to 5% reported last year). No reason was given for 4 seafarers detained (0.4%).

Crewmember Visas

In this year's survey, 81.6% of seafarers denied shore leave were denied it because they lacked a valid crewmember (D or C-1/D) visa. The Convention on Facilitation of International Maritime Traffic (FAL) prohibits countries from requiring seafarers to have a visa for shore leave. Although the United States has ratified the FAL, it still requires crewmembers on merchant ships to have a visa before being allowed off their vessels.

Ratification of the International Labour Organization's (ILO) Seafarer's Identity Documents Convention (Revised), 2003 (ILO-185) would both enhance maritime security and increase seafarers' shore leave opportunities in the United States. The Convention enhances maritime security by setting international standards for seafarer identification documents that provide reliable, positively verifiable and internationally acceptable seafarer identification. Countries that have ratified ILO-185 are obligated to accept valid ILO-185 seafarers' identification documents in place of visas for the purposes of shore leave. The United States could comply with ILO-185 by waiving visa requirements for seafarers who have valid ILO-185 seafarer identity documents. Effective security could be maintained through the existing 96-hour pre-arrival crewmember vetting process and the seafarers' identity could be verified with ILO-185 seafarers' identity documents, supplemented by implementing the US-VISIT program in American seaports.

This year's survey was the third to be conducted after the Maritime Labour Convention, 2006 (MLC, 2006) came into force. The MLC, 2006 was in force in 65 countries during the survey week.² Standard A1.4 Paragraph 5(b) of the MLC, 2006 requires ship owners to pay for seafarers' visas.³ Furthermore, flag states must verify ship owners' compliance with the MLC, 2006 recruitment and placement requirements, which include Standard A1.4 Paragraph 5(b), before issuing a Maritime Labour Certificate.⁴ Seven-hundred thirty-eight of the 866 seafarers

² http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11300:0::NO::P11300_INSTRUMENT_ID:312331

³ MLC, 2006 Standard A1.4¶5(b)

⁴ MLC, 2006 Standard A5.1.3¶5(b). See also MLC, 2006 Appendix A5-1

(85.2%) denied shore leave because of lack of visa were serving on ships registered in countries where the MLC, 2006 was in force: Panama (237); Marshall Islands (169); Liberia (79); Malta (64); Singapore (49); Norway (41); Cyprus (22); Bahamas (17); Greece (13); St. Vincent and the Grenadines (12); Antigua and Barbuda (11); Italy (11); Cayman Islands (3); Spain (3); Japan (3); France (2); and Isle of Man (2).

Very few of the reports indicated why seafarers did not have a visa. Reasons that were reported in the survey included: there was no time to get a visa, change in ship's schedule, shipowner or crewing agent didn't help obtain a visa, the cost was prohibitive and misinformation from the ship's agent.

CBP Restrictions

Twenty-one seafarers were denied shore leave by CBP despite having valid visas. No reason was given why CBP refused shore leave for four seafarers in Texas City, TX and one in Destrehan, LA. Survey administrators reported that CBP officers refused shore leave to 14 seafarers in Port Newark, NJ and two in Port Hueneme, CA because it was the seafarers' first visits to the United States.

Ship Operations Restrictions

Twenty seafarers were not able to go ashore because their vessels' brief time in port coupled with operational requirements on the vessel.

Twenty-Nine Day Rule

Seafarers who enter the United States on a crewmember D visa are given a CBP Form I-95 Crewman's Landing Permit (commonly called a shore pass). The I-95 provides shore leave for the seafarer for up to 29 days or until the vessel departs the United States, whichever is earlier. Some ships call at several ports in the United States before departing for a foreign port, and their stay in the United States waters can sometimes exceed 29 days. One-hundred twenty-four seafarers (11.7%) were reported to have been detained because they were in the United States waters on their vessels for more than 29 days and their I-95s expired. In last year's survey, only 7% of the seafarers were denied shore leave for this reason.

Transit Visa Restrictions

Non-USA citizen seafarers who join their ships in the United States enter the United States on a transit visa (C-1). Entry on a C-1 visa is authorized for immediate and continuous transit from the port of entry (usually an airport) to the vessel. Admission on a C-1 visa is valid for up to 29 days or until the seafarer joins the vessel. Seafarers cannot be re-inspected by CBP while in the United States or be given a change in status. Therefore, after joining their vessels, seafarers who entered the United States on C-1 visas must remain on their vessels until they depart the United States. Twenty-six seafarers (2.4%) who entered the United States on C-1 statuses to join their vessels were reported detained on their vessels after joining their vessels. Last year only 1% of the detentions were reported for this reason.

Cruise Ships

Both Puerto Rico and Cherry Point/Ferndale, WA reported cruise ships in their ports during the survey week. The *Independence of the Seas*, a Bahamian-flagged ship with 1,360 crew aboard, was reported out of San Juan, Puerto Rico. The *Nieuw Amsterdam*, a Netherlands-flagged cruise ship with 860 crew, was reported in Cherry Point/Ferndale, WA. CBP treats crewmembers on cruise vessels differently from those on merchant vessels. Additionally, the numbers of the crew aboard these ships have the potential to skew the data set for reporting merchant ships. For these reasons, the crew information reported from these ships is not included in the shore leave survey report data.

PORT NARRATIVES

Best Practices

Port ministries were asked to document terminals' best practices. The following reports were submitted:

PORT	TERMINAL	COMMENTS
Charleston, SC	Wando	Provides facilities to work from and free access on to terminal
Charleston, SC	Columbus St.	Provides facilities to work from and free access on to terminal
Charleston, SC	N. Charleston	Provides facilities to work from and free access on to terminal
Charleston, SC	Veterans	Provides facilities to work from and free access on to terminal
Freeport, TX		All terminals provide free and timely access to seafarers with valid shore passes and to port chaplains.
New Orleans, LA	Port of America, Nashville Ave. Warf	Terminal provides security, but also allows welfare organizations easy access to seafarers. Seafarers are provided with the port workers' bus phone number. They may catch a ride to the gate to get out on their own.
Seattle, WA	Seattle Terminals 18 & 46	Both terminals have one or two shuttle buses that provide timely access for both seafarers and chaplains. When buses are not available when there are no cargo operations, the terminals allow us to drive our cars to the quayside
Seattle, WA	Everett	The Port of Everett has created a USCG-approved video escort system allowing seafarers to walk from their ships along the terminal to the main gate without a physical TWIC escort. This is excellent. The terminal also allows chaplains and ship visitors to drive in the terminal.
Seattle, WA	Seattle Terminal 30	Allows chaplains and ship visitors to drive in the terminal and take seafarers from the vessel to the main gate. There is also a timely shuttle bus.

Other Reports of Terminal Procedures

Port ministries were also asked to describe any obstacles that terminals imposed on seafarers or representatives of seafarers' welfare organizations. The following are summaries of reports received:

PORT	TERMINAL	COMMENTS
Port Arthur, TX	Valero Refining	Ship's agent must provide authorization to the terminal for representatives from seafarers' welfare organizations to gain access to the terminal.
Port of Houston, TX		Seafarers can get taxis that come to vessels' gangways, so they are paying to leave the terminal but it is very convenient. Other terminals provide shuttles, but it is not clear if the ship owner is paying for that service or not.
Baltimore, MD	Maryland Port Authority Terminals: Dundalk Marine Terminal Seagirt North Locust Point, South Locust Point	MPA terminals do not escort seafarers or provide free shuttle service. Seafarers, including those with TWICs, are not allowed to walk from ship to gate, even at Fairfield terminal where Ro-Ro's stern ramp is very close to gate. Seafarers' centers and designated expensive private services are allowed to escort seafarers. Seafarers' center personnel are not charged for entry and are credentialed after a reasonable amount of training/paperwork. Arrangements for private services vary. If seafarers' center personnel are not available, seafarers pay \$75.00 for escort between vessel and gate. Crews pay \$200 round-trip for a group of up to seven for escort and transportation to the mall.

Baltimore, MD	CNX	No CNX terminal personnel will escort crew to gate. They may not walk unescorted to inner gate (not even U.S. crews with TWICs), even on a fenced-in narrow pier. No free shuttle provided by terminal. Seafarers' centers and designated private services may escort on foot; private services in private terminals are cheaper than transport from state terminals, but details vary. Also, everyone including Coast Guard must park near inner gate and walk length of pier to gangway. Seafarers' center personnel are not charged for entry and are credentialed after a reasonable amount of training/paperwork. Chaplains are not allowed to board (much less transport) until the DOS has traveled from a distant office to the front gate, sometimes an hour or more after Immigration has left
Baltimore, MD	American Sugar Domino	No Domino terminal personnel will escort crew to gate. They may not walk unescorted to inner gate (end of TWIC territory), even though gangway is extremely close. No free shuttle provided by terminal. Seafarers' centers and designated private services (some cheaper than at MPA) may escort. Seafarers' center personnel are not charged for entry and are credentialed after a reasonable amount of training/paperwork.
Baltimore, MD	Nustar	Nustar sees only about 3 vessels a year. Seafarers may go ashore if escorted by chaplains provided terminal is notified of the names of seafarers wishing to go ashore 24 hours before vessel docks.
Baltimore, MD	Apex	This little-used terminal does not provide free escort service to seafarers.
Baltimore, MD	Steinweg (aka Fort McHenry)	This terminal has often provided escort for seafarers in the past but did not do so for crew docked here this week.
Brunswick, GA	Mayor's Point (Georgia Ports Authority)	With approval from Coast Guard, a walking corridor was established so that seafarers can walk the few hundred feet from their vessels to the security gates.

Brunswick, GA	Colonel's Island (Georgia Ports Authority)	With approval from Coast Guard, walking corridors were established so that seafarers can walk between their vessels at each of 3 berths and the International Seafarers' Center, which is located adjacent to Berth 1.
Brunswick, GA	Marine Port Terminal (operated by Logister USA)	Under order from the Coast Guard, terminal abandoned line-of-sight escorting. This means that seafarers can no longer walk from their ships to the International Seafarers' Center, which is located just outside the terminal gate. International Seafarers' Center volunteers must now escort seafarers to and from their vessels. In addition, all seafarers and all their bags are checked twice, at both the front gate and at the dock, both coming and going.
Destrehan, LA	St. Rose IMTT	The terminal charges a fee of between \$400 and \$500 for the seafarers to get off the ship.
Destrehan, LA	Kinder Morgan	Chaplains on the gate list receive a badge that allows them unlimited access to various gates.
Port Hueneme, CA		Port requires each seafarer leaving the ship to have or be accompanied by someone with an annual Hueneme Escort badge (at no cost for renewals), which is only available to TWIC holders.
New York/New Jersey	Bayonne-IMTT	Seafarers have free access ashore. Free shuttle service for seafarers is being provided by the terminal. Chaplains have free access but need to be on gate list.
New York/New Jersey	Bayonne-Hess	Seafarers have free access ashore with authorized escort. Chaplains have free access but need to be on the gate list.
New York/New Jersey	Bayonne-Gordon	Seafarers have free access ashore with authorized escort. Chaplains have free access but need to be on the gate list.
New York/New Jersey	KMI Carteret	Seafarers have free access ashore only between 12:30 PM to 5:00 PM and only when pre-arranged by ship agents. Chaplains have free access but need to be on the gate list.
New York/New Jersey	KMI, Staten Island	Seafarers have free access ashore with authorized escort. Chaplains have free access.
New York/New Jersey	Hess, Port Reading	Seafarers have free access ashore. Chaplains have free access.

New York/New Jersey	Chevron, Sewaren	Chaplains have free access. Seafarers have free access ashore when pre-arranged by ship agents.
New York/New Jersey	Motiva I and II, Sewaren	Chaplains have free access only if escorted by ship agents. Seafarers have free access ashore only between 12:30 PM to 5:00 PM and only when pre-arranged by ship agents.
New York/New Jersey	KMI OBT, Port Amboy	Chaplains have free access. Seafarers have free access ashore only between 12:30 PM to 5:00 PM and only when pre-arranged by ship agents.
New York/New Jersey	Bayway, Linden	Seafarers are allowed ashore with fee paid by ship owners and pre-arranged by ship agents. Chaplains have free access only after a 4-hour advance notice.
New York/New Jersey	Nu Star, Linden	Chaplains have free access. Seafarers have free access ashore only between 12:30 PM to 5:00 PM and only when pre-arranged by ship agents.
New York/New Jersey	Domino Sugar, Yonkers	Chaplains have free access but cannot transport seafarers. Seafarers say they are charged \$500.00 for transportation out of the terminal.
New York/New Jersey	Maher Terminal, Elizabeth	Seafarers and chaplains have free access through terminal. No shuttle bus is provided. If chaplains are not available to transport seafarers, seafarers cannot get off the ship. Seafarers must return by 10:00 PM when seafarers' center and van service closes for the evening. Otherwise, they cannot get back to their ship.
New York/New Jersey	PNCT	Chaplains and seafarers must be escorted by terminal security van through the terminal to ships. Waiting time averages about 30 minutes with waits lasting up to one hour.
New York/New Jersey	APM	Chaplains and seafarers must be escorted through terminal by terminal security van. Waiting time for security van averages about 30-40 minutes; top waiting time 75 minutes.
New York/New Jersey	Global (Bayonne)	Seafarers are not picked up in a timely fashion and the gate staff is unhelpful in coordinating logistics for seafarers on shore leave.

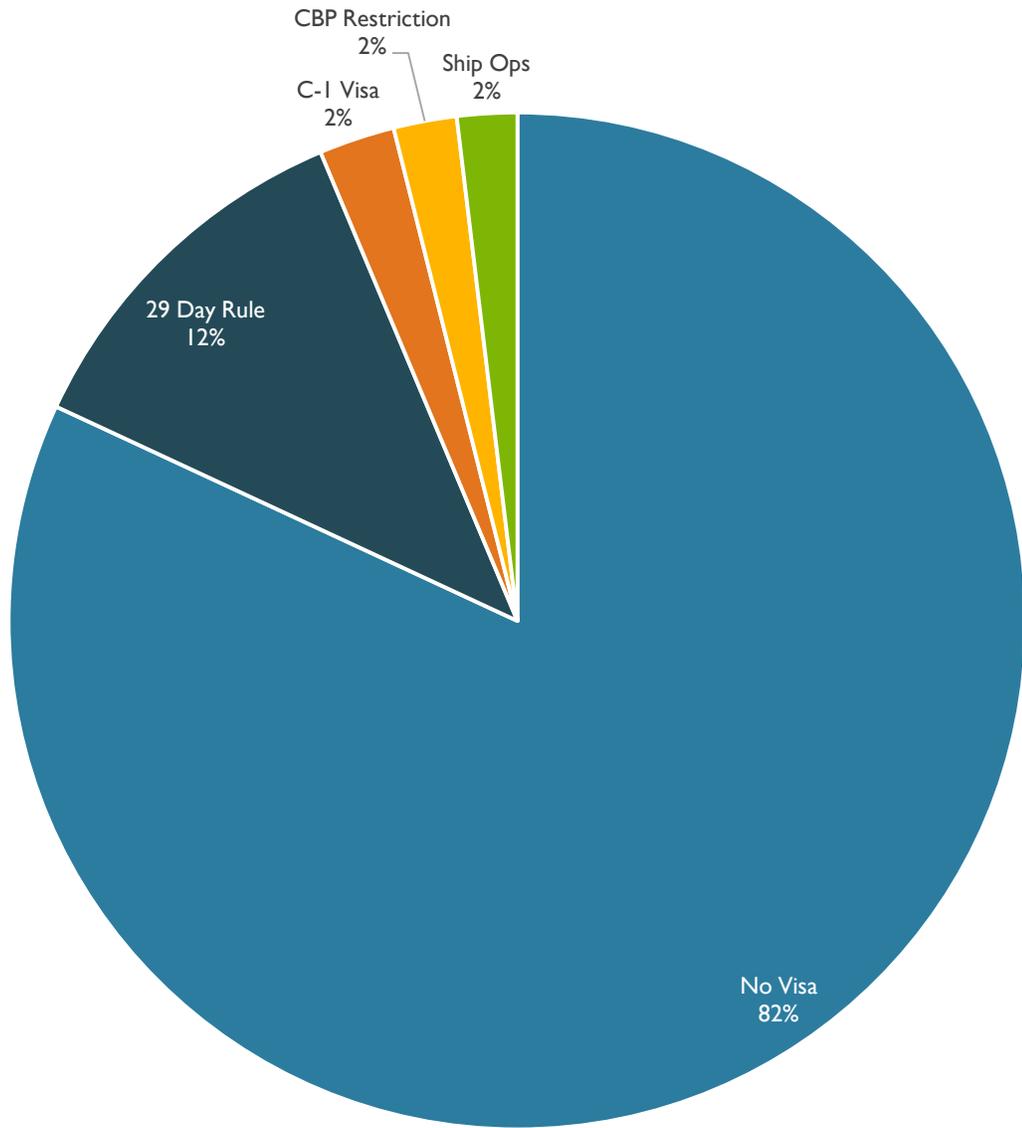
Port of Savannah		Terminal guards are strict on identification card construction. Seafarers have been denied departure from facility by security guards because ships' ID cards were not properly laminated according to terminal's standards.
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PORT	TERMINALS VISITED	SHIPS VISITED	SEAFARERS ON SHIPS	SEAFARERS DETAINED
Baltimore, MD	11	21	462	19
Boston, MA	4	4	94	20
Brunswick, GA	3	12	274	39
Charleston, SC	17	17	388	0
Cherry Point/Ferndale BP, WA*	2	1	24	20
Corpus Christi, TX	8	10	241	0
Delaware City, DE	0	0	0	0
Destrehan, LA	6	12	268	63
Freeport, TX	3	7	168	4
Galveston, TX	3	7	143	14
Houston, TX	41	132	2888	456
Lake Charles, LA	8	19	405	58
New Orleans, LA	5	12	228	65
Oceanport, NJ	0	0	0	0
Philadelphia, PA	14	33	714	42
Port Arthur, TX	3	3	56	14
Port Canaveral, FL	7	7	106	1
Port Everglades, FL	29	42	759	70
Port Hueneme, CA	1	6	140	2
Port Manatee, FL	1	6	124	0
Port Newark, NJ	10	31	798	93
San Diego, CA	1	5	113	0
San Juan, PR*	1	0	0	0

Savannah, GA	11	49	1078	0
Seattle/Tacoma, WA	8	12	252	3
Texas City, TX	3	7	162	8
Vancouver, WA;	1	5	112	42
Wilmington, DE	1	6	144	6
Wilmington, NC	1	9	142	22
Totals	203	475	10283	1061

* Cruise vessel data not included

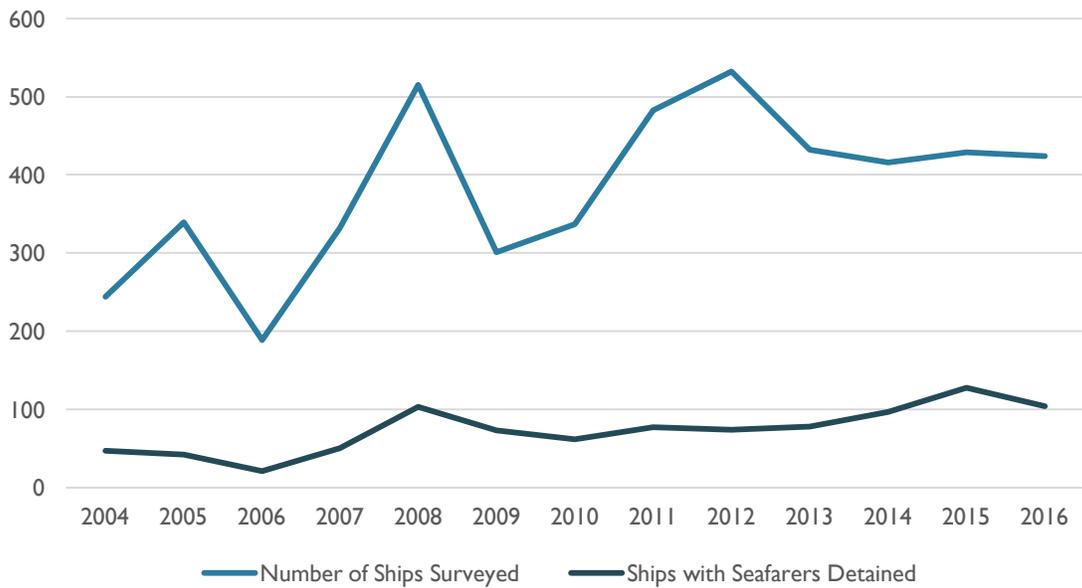
Reasons for Shore Leave Denials



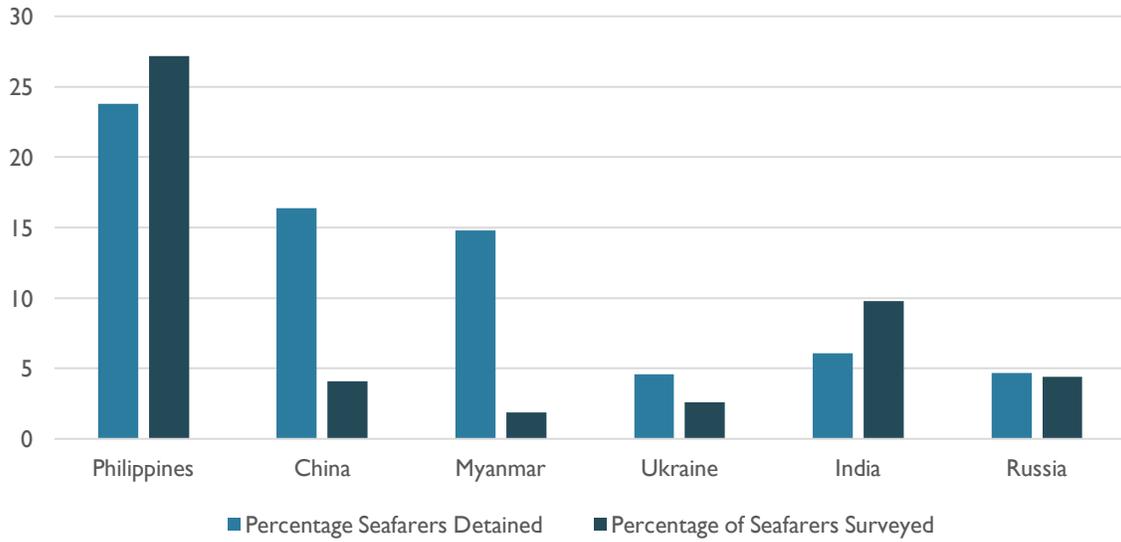
Seafarers Detained and Seafarers Detained for Lack of Visa



Ships Surveyed and Ships With Seafarers Detained



% of seafarers detained by nationality
and
% of all seafarers surveyed by their nationality
(of nationalities with greater than 1% detention)



Detention Trends

