

SUBCHAPTER I—SHIPPING AND SEAMEN

PART 89—PROHIBITIONS ON LONGSHORE WORK BY U.S. NATIONALS

AUTHORITY: 8 U.S.C. 1288, Public Law 101-649, 104 Stat. 4878.

§ 89.1 Prohibitions on Longshore work by U.S. nationals; listing by country.

The Secretary of State has determined that, in the following countries, longshore work by crewmembers aboard United States vessels is prohibited by law, regulation, or in practice, with respect to the particular activities noted:

Algeria

- (a) All longshore activities.

Angola

- (a) All longshore activities.
- (b) Exceptions:
 - (1) Opening and closing of hatches
 - (2) Rigging of ship's gear, and
 - (3) Loading and discharge of cargo on board the ship if local labor is paid as if they had done the work.

Argentina

- (a) All longshore activities.
- (b) Exceptions:
 - (1) Cargo tiedown and untying,
 - (2) When a disaster occurs,
 - (3) Provision of vessel supplies, and
 - (4) Opening and closing of hatches.

Australia

- (a) All longshore activities.
- (b) Exceptions:
 - (1) When shore labor cannot be obtained at rates prescribed by collective bargaining agreements,
 - (2) Opening and closing of hatches, and
 - (3) Rigging of ship's gear.

Bahamas

- (a) All longshore activities.
- (b) Exceptions:
 - (1) Operation of cargo related equipment on board the ship,
 - (2) Opening and closing of hatches,

- (3) Rigging of ship's gear, and
- (4) Use of specialized equipment which port workers cannot handle alone, with the concurrence of the local longshore union.

Bangladesh

- (a) All longshore activities.
- (b) Exceptions:
 - (1) Operation of cargo-related equipment integral to the vessel when there is a shortage of port workers able to operate the equipment and with the permission of the port authority, and
 - (2) Opening and closing of hatches.

Belgium

- (a) All longshore activities.

Belize

- (a) All longshore activities.
- (b) Exceptions:
 - (1) Operation of cargo related equipment,
 - (2) Opening and closing of hatches, and
 - (3) Rigging of ship's gear.

Benin

- (a) All longshore activities.
- (b) Exceptions:
 - (1) Operation of cargo related equipment,
 - (2) Opening and closing of hatches, and
 - (3) Rigging of ship's gear.

Bermuda

- (a) Loading and discharge of cargo using cranes and loading equipment situated on the docks or wharves.
- (b) Line handling on the docks.

Brazil

- (a) All longshore activities at public terminals.

Bulgaria

- (a) All longshore activities.
- (b) Exceptions:
 - (1) Operation of cargo related equipment,
 - (2) Opening and closing of hatches,
 - (3) Rigging of ship's gear,

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(4) Mooring and line handling, and
(5) Operation of special equipment and discharge of dangerous cargo, with the preliminary authorization of the Port Administration and Harbor Master.

Burma

(a) All longshore activities.
(b) Exceptions:
(1) Opening and closing of hatches, and
(2) Rigging of ship's gear.

Cameroon

(a) All longshore activities.
(b) Exceptions:
(1) Opening and closing of hatches, and
(2) Rigging of ship's gear.

Canada

(a) All longshore activities.
(b) Exceptions:
(1) Opening and closing of hatches,
(2) Cleaning of holds and tanks,
(3) Loading of ship's stores,
(4) Operation of onboard rented equipment,
(5) Ballasting and deballasting,
(6) Rigging of ship's gear,
(7) Exceptions in connection with bulk cargo at Great Lakes ports only:
(i) Handling of mooring lines on the dock when the vessel is made fast, shifted or let go,
(ii) Moving the vessel to place it under shoreside loading and unloading equipment,
(iii) Moving the vessel in position to unload the vessel onto specific cargo piles, hoppers or conveyor belt systems, and
(iv) Operation of cargo related equipment integral to the vessel.
(8) Operation of self-loading/unloading equipment and line handling by the crews of bulk vessels calling at private terminals, and
(9) Operation of specialized self-loading/unloading log carriers on the Pacific Coast.

Cape Verde

(a) All longshore activities.

China

(a) Handling of mooring lines.

Colombia

(a) All longshore activities.
(b) Exception: When local workers are unable or unavailable to provide longshore services.

Comoros

(a) All longshore activities.
(b) Exceptions:
(1) Operation of cargo related equipment,
(2) Opening and closing of hatches,
(3) Rigging of ship's gear, and
(4) Other activities with government authorization.

Costa Rica

(a) Operation of equipment fixed to the ground.

Cote d'Ivoire

(a) All longshore activities.
(b) Exceptions:
(1) Opening and closing of hatches, and
(2) Rigging of automated ship's gear.

Croatia

(a) All longshore activities.
(b) Exceptions:
(1) Operation of cargo-related equipment on board the ship when outside of port, and
(2) Operation of specialized unloading equipment.

Cyprus

(a) All longshore activities.
(b) Exceptions:
(1) Opening and closing of hatches, and
(2) Rigging of ship's gear.

Djibouti

(a) All longshore activities.
(b) Exception: Operation of cranes aboard ship.

Dominica

(a) All longshore activities.

Dominican Republic

(a) All longshore activities.
(b) Exception: Operation of equipment with which local port workers are not familiar.

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Ecuador

- (a) All longshore activities.

Egypt

- (a) Cargo loading and unloading activities not on board the ship.

El Salvador

- (a) All longshore activities.

Eritrea

- (a) All longshore activities.
- (b) Exception: Opening and closing of hatches and rigging of ship's gear if port labor is paid as if it had done the work.

Estonia

- (a) All longshore activities.
- (b) Exceptions:
 - (1) On-board mooring activities,
 - (2) Replacement of lines,
 - (3) Lifting and movement of ladders,
 - (4) Movement of vessel's equipment,
 - (5) Loading of food and vessel's equipment by cargo-related equipment of the vessel, and
 - (6) Securing of general cargo, vehicles and containers to the vessel.

Fiji

- (a) All longshore activities.
- (b) Exceptions:
 - (1) Operation of cargo related equipment, except for discharging cargo,
 - (2) Opening and closing of hatches, and
 - (3) Rigging of ship's gear.

Finland

- (a) All longshore activities.
- (b) Exceptions, when not related to cargo loading and discharge:
 - (1) Operation of cargo-related equipment,
 - (2) Opening and closing of hatches, and
 - (3) Rigging of ship's gear.

France

- (a) All longshore activities.
- (b) Exceptions:
 - (1) Loading and discharge of the ship's own material and provisions if done by the ship's own equipment or by the owner of the merchandise using his own personnel,
 - (2) Opening and closing of hatches,

- (3) Rigging of ship's gear,
- (4) Operation of cargo-related equipment to shift cargo internally,
- (5) Handling operations connected with shipbuilding and refitting, and
- (6) Offloading fish by the crew or personnel working for the ship owner.

Gabon

- (a) All longshore activities.
- (b) Exception: All longshore activities if local workers are paid as if they had done the work.

Georgia

- (a) All longshore activities.
- (b) Exception: All longshore activities if local workers are paid as if they had done the work.

Germany

- (a) All longshore activities.
- (b) Exceptions:
 - (1) Opening and closing of hatches, and
 - (2) Rigging of ship's gear.

Ghana

- (a) All longshore activities.
- (b) Exceptions:
 - (1) Operation of cargo-related equipment,
 - (2) Opening and closing of hatches, and
 - (3) Rigging of ship's gear.

Greece

- (a) Operation of shore-based equipment to load/unload a vessel.

Guatemala

- (a) All longshore activities.

Guinea

- (a) All longshore activities.
- (b) Exceptions:
 - (1) Opening and closing of hatches, and
 - (2) Rigging of ship's gear.

Guyana

- (a) All longshore activities.
- (b) Exceptions:
 - (1) Operation of cargo-related equipment aboard ship,
 - (2) Opening and closing of hatches, and

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- (3) Rigging of ship's gear.
- Haiti
- (a) All longshore activities.
- Honduras
- (a) All longshore activities.
- (b) Exceptions:
- (1) Operation of cargo-related equipment,
- (2) Opening and closing of hatches, and
- (3) Rigging of ship's gear.
- Hong Kong
- (a) Operation of equipment on the pier.
- Iceland
- (a) All longshore activities.
- (b) Exception: Operation of shipboard equipment and cranes.
- India
- (a) All longshore activities.
- (b) Exception: Operation of shipboard equipment that local port workers cannot operate.
- Indonesia
- (a) All longshore activities.
- (b) Exceptions:
- (1) With the permission of the port administrator, when no local port workers with requisite skills are available, and
- (2) In the event of an emergency.
- Ireland
- (a) All longshore activities.
- Israel
- (a) All longshore activities.
- Italy
- (a) Cargo loading, discharge and transfer without the permission of the Maritime Administration or the local port authority, if no office of the Maritime Administration is present, and a deposit for possible use of port stevedoring services.
- (b) Handling of lines on the dock and other longshore activities not immediate related to cargo handling.
- Jamaica
- (a) All longshore activities.
- (b) Exceptions:
- (1) Operation of equipment integral to the vessel,
- (2) Opening and closing of hatches, jointly with local port workers, and
- (3) Rigging of ship's gear jointly with local port workers.
- Japan
- (a) All longshore activities.
- Jordan
- (a) All longshore activities.
- Kenya
- (a) All longshore activities.
- (b) Exceptions:
- (1) Opening and closing of hatches,
- (2) Rigging of ship's gear,
- (3) In an emergency declared by the port authority, and
- (4) Direct transfer of cargo from one ship to another.
- Korea
- (a) All longshore activities.
- Kuwait
- (a) All longshore activities.
- (b) Exceptions, when activities are declined by port workers:
- (1) Operation of cargo-related equipment,
- (2) Opening and closing of hatches, and
- (3) Rigging of ship's gear.
- Liberia
- (a) Longshore activities on shore.
- Lithuania
- (a) The following activities in harbor:
- (1) Loading and discharge of cargo,
- (2) Maintenance of port equipment,
- (3) Receiving and fixing of dock ropes to harbor equipment,
- (4) Transportation of cargo within the port, and
- (5) Warehousing and security.
- (b) Exception: Opening and closing of hatches.
- Madagascar
- (a) All longshore activities.

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Malaysia

- (a) All longshore activities.
- (b) Exception: Loading and discharge of hazardous materials.

Maldives Islands

- (a) All longshore activities.
- (b) Exceptions:
 - (1) Operation of cargo-related equipment aboard ship,
 - (2) Opening and closing of hatches,
 - (3) Rigging of ship's gear, and
 - (4) Other longshore activities within port limits, when authorized by the port authority in cases when the port authority is unable to provide longshore workers.

Malta

- (a) All longshore activities.
- (b) Exceptions:
 - (1) Opening and closing of hatches, and
 - (2) Rigging of ship's gear.

Mauritania

- (a) All longshore activities on shore.

Mauritius

- (a) All longshore activities.
- (b) Exceptions:
 - (1) Opening and closing of hatches, and
 - (2) Rigging of ship's gear.

Mexico

- (a) All longshore activities.
- (b) Exception: Onboard activities if local workers are paid as if they had done the work.

Micronesia

- (a) All longshore activities.
- (b) Exceptions:
 - (1) Operation and rigging of gear which local port workers cannot do, and
 - (2) When no qualified citizens are available.

Morocco

- (a) All longshore activities.
- (b) Exceptions:
 - (1) Operation of ship's gear which port workers cannot operate,
 - (2) Opening and closing of hatches,

- (3) Rigging of ship's gear aboard ship, and

- (4) Fastening and unfastening containers.

Mozambique

- (a) All longshore activities on shore.

Namibia

- (a) Longshore activities on shore.

Nauru

- (a) All longshore activities.

Netherlands

- (a) All longshore activities.
- (b) Exception: Regular crew activities on board ship, including operation of cargo-related equipment, opening and closing of hatches, and rigging of ship's gear.

Netherlands Antilles

- (a) All longshore activities.
- (b) Exceptions:
 - (1) Operation of ship's gear,
 - (2) Opening and closing of hatches, and
 - (3) Rigging of ship's gear.

New Zealand

- (a) All longshore activities.

Nicaragua

- (a) All longshore activities.
- (b) Exception: Shipboard activities if local workers are paid as if they had done the work.

Pakistan

- (a) Longshore activities on shore.
- (b) Handling of mooring lines.
- (c) Exception: Operation of equipment which dock workers are not capable of operating.

Panama

- (a) All longshore activities.
- (b) Exceptions:
 - (1) Rigging of ship's gear,
 - (2) Cargo handling operations with ship's gear, when port authority equipment is not available to load or unload a vessel.

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Papua New Guinea

- (a) All longshore activities.
- (b) Exceptions:
 - (1) Opening and closing of hatches, and
 - (2) Rigging of ship's gear.

Peru

- (a) All longshore activities.
- (b) Exceptions:
 - (1) Handling of certain types of hazardous cargo, and
 - (2) Operation of shipboard equipment requiring special training.

Philippines

- (a) All longshore activities.
- (b) Exceptions:
 - (1) Activities on board ship, except for loading and discharge of cargo,
 - (2) Longshore activities for hazardous or polluting cargoes, and
 - (3) Longshore activities on government vessels.

Poland

- (a) All longshore activities.
- (b) Exceptions:
 - (1) Operation of cargo-related equipment,
 - (2) Opening and closing of hatches, and
 - (3) Rigging of ship's gear.

Portugal (including Azores)

- (a) All longshore activities.
- (b) Exceptions:
 - (1) Military operations,
 - (2) Operations in an emergency, when under the supervision of the maritime authorities,
 - (3) Security or inspection operations,
 - (4) Loading and discharge of supplies for the vessel and its crew,
 - (5) Loading and discharge of fuel and petroleum products at special terminals,
 - (6) Loading and discharge of chemical products if required for safety reasons,
 - (7) Placing of trailers and similar material in parking areas when done before loading or after discharge,
 - (8) Cleaning of the vessel, and
 - (9) Loading, discharge and disposal of merchandise in other boats.

Qatar

- (a) All longshore activities.

Romania

- (a) All longshore activities.
- (b) Exceptions:
 - (1) Operation of specialized shipboard equipment, and
 - (2) Loading and discharge of cargo requiring special operations.

St. Lucia

- (a) All longshore activities.

St. Vincent and the Grenadines

- (a) All longshore activities.

Saudi Arabia

- (a) All longshore activities.

Senegal

- (a) All longshore activities.
- (b) Exceptions:
 - (1) Opening and closing of hatches,
 - (2) Rigging of ship's gear, and
 - (3) Cargo handling when necessary to ensure the safety or stability of the vessel.

Seychelles

- (a) All longshore activities.
- (b) Exceptions:
 - (1) Opening and closing of hatches, and
 - (2) Rigging of ship's gear.

Sierra Leone

- (a) All longshore activities.

Slovenia

- (a) All longshore activities.
- (b) Exceptions:
 - (1) Opening and closing of hatches, and
 - (2) Rigging of ship's gear.

Solomon Islands

- (a) All longshore activities.
- (b) Exceptions:
 - (1) Opening and closing of hatches, and
 - (2) Rigging of ship's gear.

South Africa

- (a) All longshore activities.
- (b) Exceptions:

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- (1) Opening and closing of hatches, and
- (2) Rigging of ship's gear.

Spain

- (a) All longshore activities.

Sri Lanka

- (a) Longshore activities on shore.

Sweden

- (a) Loading and discharge of cargo.
- (b) Rigging of cargo nets, straps and wires to make ready for loading by the crane.
- (c) Cargo handling.
- (d) Line handling on the dock.

Taiwan

- (a) All longshore activities.
- (b) Exceptions:
 - (1) Operation of cargo-related equipment which local longshoremen cannot operate, and
 - (2) Opening and closing of hatches operated automatically.

Tanzania

- (a) All longshore activities.
- (b) Exception: All longshore activities if local workers are paid as if they had done the work.

Thailand

- (a) Longshore activities on shore.
- (b) Exception: Longshore activities in private ports.

Togo

- (a) All longshore activities.
- (b) Exceptions:
 - (1) Operation of cargo-related equipment on board the ship, and
 - (2) Opening and closing of hatches, upon the agreement of the port officer on duty.

Trinidad and Tobago

- (a) All longshore activities.

- (b) Exceptions:
 - (1) Opening and closing of hatches, if done automatically, and
 - (2) Rigging of ship's gear.

Tunisia

- (a) All longshore activities.
- (b) Exception: When the number of local dock workers is insufficient or when the workers are not qualified to do the work.

Uruguay

- (a) Stowing, unstowing, loading and discharge, and related activities on board ships in commercial ports.
- (b) Cargo handling on the docks and piers of commercial ports.
- (c) Exception: Activities usually performed by the ship's crew, including operation of cargo-related equipment, opening and closing of hatches and rigging of ship's gear.

Vanuatu

- (a) All longshore activities on shore.

Venezuela

- (a) Longshore activities in private ports and terminals.

Western Samoa

- (a) All longshore activities.
- (b) Exceptions:
 - (1) Opening and closing of hatches, and
 - (2) Rigging of ship's gear.

Yemen

- (a) All longshore activities.

Zaire

- (a) All longshore activities.
- (b) Exception: Operation of cargo-related equipment, when authorized by the Port Authority.

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