

SECTORAL SOCIAL DIALOGUE COMMITTEE FOR PORTS

PLENARY MEETING 7 NOVEMBER 2018

DRAFT MINUTES

Chair: Mr Guy Vankrunkelsven

1. Election of the new Chair

Mr Guy Vankrunkelsven was elected Chair of the Committee.

2. Adoption of the agenda

The agenda was adopted. The presentation of the project “Women in transport - Education for Valuable Employment” was included under AOB at the request of ETF.

3. Adoption of the report of the previous meeting

The report was adopted without changes.

4. Evaluation of the Consortia Block Exemption Regulation (Council Regulation (EC) No 246/2009) - discussion with DG COMP

Itai Rabinovici, DG COMP informed the Committee about the evaluation of the Consortia Block Exemption Regulation (“Consortia BER”; see ppt).

IDC expressed opinion that the evaluation comes too late and alliances have done damage. IDC pointed to social and environmental impacts that would have needed to be assessed. Mr Rabinovici explained that all extensions of the Regulation were subject to consultation and social partners had an opportunity to present their concerns.

Niek Stam, ETF raised further concerns of the dockers: monopolized system of pooling, high price, vessel sharing versus work sharing, price-fixing. Mr Rabinovici explained that the European Commission follows market developments and would consider complaints in this respect.

In the view of Gian Luca Vianello, ETF impact of the Regulation on shipping companies has been positive while the ports have suffered. Mr Rabinovici confirmed that the evaluation will consider how both carriers and ports have been affected.

In response to queries by FEPORT Mr Rabinovici clarified that the Consortia BER does not look at vertical links (e.g. carriers’ ownership of terminals), an issue that is regularly examined in merger decisions relating to carriers. He confirmed that vertical issues could also be considered in the evaluation to the extent that they are relevant.

ESPO urged the Commission to carry out evaluation targeting the whole market.

Mr Rabinovici thanked the social partners for the valuable feedback and invited them to take part in the public consultation¹.

¹ http://ec.europa.eu/competition/consultations/2018_consortia/index_en.html

5. Presentation of the OECD-ITF report on shipping alliances

Olaf Merk, OECD-ITF presented the report (see ppt). The social partners welcomed the report. ESPO informed that they had some reservations about recommendations that they will address in different fora.

6. Presentation on the ‘Reporting formalities’ Directive

Ioanna Statu, DG MOVE apologised for the absence of competent colleagues due to an overlapping meeting. She informed that the Commission proposal is being discussed at the Council who is expected to adopt its general approach under the Austrian Presidency, followed by adoption of the proposal under the current European Parliament.

FEPOR clarified that they are mainly interested in the actual implementation of the Directive and would be keen to learn more about practical arrangements for implementing the proposed reporting.

It was agreed to organise an exchange with DG MOVE on the above.

7. Safety on board

a. Update on the monitoring of the implementation of Directive 2001/96 (DG MOVE/EMSA)

Ioanna Statu, DG MOVE informed that no further information to that provided to the Committee in the previous meeting is available.

b. Discussion on dialogue with ECSA

FEPOR informed that they have approached ECSA to discuss systematic use of checklist of safe loading. ECSA agrees in principle, the topic will be addressed in ECSA’s Safety and Environment Committee. FEPOR proposed to hold a follow-up meeting with ECSA and potentially establish a Working Group on the topic. ETF concurred.

8. Update on the social partners’ project “*The changing face of ports: socio-economic impact of market-based and technological developments on EU ports*”

ETF updated the Committee on progress of the outsourced study. Due to sensitive nature of the information consultants encountered difficulties to obtain responses from the ports. ~70% response rate was finally achieved.

The Steering Group met in October 2018 to review the draft study. In December 2018 the Steering Group will meet to review the final study and prepare dissemination. The final conference is planned on 23 January 2019 in Brussels.

FEPOR added that the study provides a good outlook how the sector is evolving, however, more inputs on evolution of jobs and mapping of profiles is needed.

9. Any other business

- a. Rossana Obreshkova, an expert, presented Module on violence and harassment against women that was produced by **the project “Women in transport - Education for Valuable Employment”**, jointly implemented by the Federation of Transport Trade Unions in Bulgaria (FTTUB) and ETF. This fourth module adds to previous modules of the ETF gender-training package². It is available in five languages, both electronically and on paper.

ESPO informed about its **2018 annual award** "ports as a good work environment for everyone". The award ceremony will take place on 7 November 2018.

- b. Niek Stam, ETF informed that with regard to **automation of Rotterdam APM Terminal** the unions maintain position that the operations need to remain in the terminal. If not successful in negotiations, IDC will be asked to carry out action.

In the same context, José Jorge García Faerna, ETF pointed to the need to closely follow construction of a new terminal in Tangier (by APM Terminals).

- c. The 2019 SSDC meetings will take place on **15 March, 12 June and 18 October**.

² <https://www.etf-europe.org/activity/gender-training-package/>