

SECTORAL SOCIAL DIALOGUE COMMITTEE FOR MARITIME TRANSPORT

THURSDAY 5 MARCH 2015 – 11.00 H.

DRAFT SUMMARY RECORD

INTRODUCTION

The Chairman welcomed all participants attending the meeting and advised that the European Commission would be represented by Mrs Widera, Mr Sigve Soldal Bjorstad and Mr Martinelli from DG EMPL, and by Mr Crivellaro and Mr Norroy from DG MOVE.

ECSA thanked ETF for having arranged the meeting in their premises.

Attendance list (Annex 1)

1. APPROVAL OF THE DRAFT AGENDA

The SSDC approved the agenda of the meeting and agreed to discuss “migrants at sea” and “administrative burdens for shipping and seafarers” under AOB.

2. APPROVAL OF THE MINUTES OF THE SSDC MEETING OF 18.12.2014

The SSDC approved the minutes of the SSDC Plenary meeting of 18.12.2014.

The Committee noted that the ETF and ECSA Secretariats had finalized the SSDC Work Programme for 2015-2016.

3. MATTERS ARISING

a. Amendments to the ILO MLC – Social partners’ agreement

The Chairman recalled that a joint ECSA/ETF letter had been sent to Employment Commissioner Marianne Thyssen to stress the Social Partners’ willingness to start negotiating a SPA on the recent ILO MLC amendments. So far no response has been received from the Commissioner.

In addition, the Social Partners have requested (legal) clarifications and assistance from DG EMPL to assist them in preparing the ground for SPA negotiations, in the light of existing EU legislation. So far no response has been received from DG EMPL.

DG EMPL advised that a response to the joint letter to Commissioner Thyssen had been prepared but it has not yet gone through all hierarchic levels in the European

Commission. However, the Social Partners were promised to receive an answer soonest.

As regards the responses to the Social Partners' (legal) questions for clarification, a draft response has been prepared by DG EMPL but it needs to be checked and approved by the Commission's Legal Service and this takes time.

The Social Partners took note of this information and felt that they have very good arguments to start negotiating a SPA soonest. Furthermore, they referred to a recent statement from Vice President Dombrovskis, responsible for the Euro and Social Dialogue, stressing the need to have "*a social dialogue at its full potential to support and drive the changes currently needed in many countries*". This statement reinforces the argument to transpose the recently adopted ILO MLC amendments into EU law by means of a SPA. Finally, they hoped that the Commission's responses would be received soonest and preferably prior to the next SSDC meeting so that possibly the next meeting, scheduled for 7 May, could be used as a first meeting for starting SPA negotiations.

The Chairman concluded by urging DG EMPL to respond to the Social Partners' letter and (legal) questions for clarifications soonest and invited the two Secretariats to make the necessary arrangements in view of a first negotiation at the next meeting.

The SSDC agreed with the approach suggested by the Chairman.

b. Mid-term maritime strategy review

DG MOVE informed about the Commission's plans with regard to the mid-term maritime strategy review and drew attention to the questionnaire seeking views from interested stakeholders on this exercise. A copy of DG MOVE's presentation is attached as Separate **Annex 2**. The overall objective of the mid-term review is to identify whether the 2009 maritime strategy has been successful or not and to identify possible areas where additional initiatives are required. The deadline for submitting input to the questionnaire is 22.4.2015 but the social partners would receive some additional time in case they would manage to come forward with a joint position or declaration. DG MOVE also referred to two ongoing studies, notably on short sea shipping and on EU shipping in the global context.

ECSA and ETF advised that they will each make an individual submission to the questionnaire but reiterated their intention – as reflected in the SSDC's Work Programme for 2015-2016 – to come forward with a joint position or declaration. To that end, each organization will dedicate some people to form a small team, which should prepare the joint position or declaration.

ECSA also drew attention to the fact that, as explained during the ESW Flagship Conference, shipping is more than maritime transport and underlined the need to see this better reflected in future Commission initiatives.

Besides, further to a request from the ETF side concerning a preliminary assessment of the results of this policy since 2009, the Commission indicated that a first assessment of the maritime strategy should be available in June.

The SSDC agreed that the Social Partners should explore the possibility of a joint position or declaration on the mid-term maritime strategy review and invited the two Secretariats to make the necessary arrangements to that end. The SSDC, whilst being mindful of the Commission's calendar, invited DG MOVE to be flexible with the deadline of 22/4 so as to allow the Social Partners to be able to reach a joint position or declaration.

c. Exclusions of seafarers – State of play

The Chair advised that the Council had adopted a general approach on the Commission's proposal for a directive in December, taking into account the joint ECSA/ETF agreement. He also informed that the EP EMPL Committee had discussed the amendments proposed by the shadow Rapporteurs at its meeting on 26 February. A coordination meeting is planned between the Rapporteur and shadows on 12 March with an aim at finding compromise amendments, for which the vote is scheduled on 1 April 2015. The Secretariat is in ongoing contact with the Rapporteur on this matter.

The Committee commended the two Secretariats for their excellent work on this matter and for the fact that they had cooperated very closely and asked ETF to pass on this message to Philippe Alfonso.

The Committee invited the two Secretariats to assess the compromise text which is expected to result from the coordination meeting on 12 March.

The SSDC took note of the latest developments.

d. European Shipping Week – Exchange of views

The Chair thanked ECSA for having invited ETF to attend and speak at the ESW Flagship Conference.

ETF commended ECSA for a well-organized event and felt that there had been a positive and constructive atmosphere. ETF, however, regretted the fact that the moderator had refused to start a discussion on the Manning Directive. ETF also noted that ECSA's main message during the conference had been the need to offer EU shipowners with a global level playing field. ETF also regretted that there had not been sufficient time to discuss the real challenges for EU shipping, notably how to preserve maritime skills and competences of and jobs for EU seafarers even though this maritime skills crisis has been acknowledged by the ECSA, as well as the need to aim for quality shipping. ETF acknowledged that EU seafarers will not be the cheapest seafarers but they are believed to be the best ones and therefore it

is vital for the EU shipping industry as well as for the EU maritime cluster to adopt the necessary measures to ensure jobs for EU seafarers, if need be by means of legislation. ETF took note of the ECSA statement that there cannot be a generalized approach for EU seafarers and that the position of and need for EU seafarers should be looked at per individual Member State and per shipping segment. In the light of this ECSA statement, ETF reiterated its wish to discuss manning conditions for EU seafarers, to start with the ferry industry. ETF felt that, whilst the Maritime State Aid Guidelines had produced a number of positive effects, it cannot be ignored that they have not solved all problems. ETF nevertheless noticed with some degree of satisfaction that there still seems to be a desire in favour of EU seafarers, inter alia, for their skills and competences.

ECSA thanked ETF for their willingness to participate at the ESW Flagship conference. ECSA drew attention to the recently updated figures from the Oxford Economics' study which provides information on the direct, indirect and induced impacts of EU shipping, including on employment. This information is also available on the ECSA website. ECSA felt that this information constitutes important facts and not simple assumptions and these facts should be carefully looked at and taken into account when discussing relevant issues, such as jobs for EU seafarers. ECSA also repeated its statement from the ESW Flagship conference that there cannot be a generalized (one size fits all) approach of EU seafarers and stressed that this issue should be looked at per individual Member State and per shipping segment. In addition, the cost factor for employing EU seafarers is a vital element in the discussion that cannot be ignored. At the same time, ECSA is fully aware of the need to maintain jobs for EU seafarers, inter alia, because of their skills and competences for the maritime cluster but also for other industries. Whilst ECSA cannot support statements that the EU shipping industry would only need EU seafarers, it is willing to discuss all relevant matters, including employment, by making use of the platform offered by the mid-term maritime strategy review. Finally, ECSA stressed the need to maintain the Maritime State Aid Guidelines as they are, since they are of vital importance for EU shipping. Without them, there will not be any EU shipping industry left.

The SSDC took note.

**e. Promoting maritime professions through existing EU programmes –
Presentation by DG EMPL**

The Chair informed that this item had been raised at the request of DG EMPL with an aim at raising awareness of the Social Partners on programmes for EU funding that could be of relevance for the EU shipping industry.

DG EMPL gave a comprehensive overview of all possible and relevant EU funding schemes, as reflected in the attached power point presentation (**separate annex 3**). DG EMPL also clarified that it is mobilising stakeholders to join the European Alliance for Apprenticeships, and to make pledges on how they intend to work to strengthen the quality, supply or image of apprenticeships in the years ahead.

Those who join will be invited to a high-level half-day conference with a signing ceremony in Riga on 22 June. For more info on the Alliance: <http://ec.europa.eu/apprenticeships-alliance>.

The Social Partners thanked DG EMPL for this presentation but enquired whether it would be possible to receive a more tailored-made presentation of existing EU schemes that can be used for shipping companies and/or seafarers, including information on the steps that need to be taken to obtain EU funding and an indication of whether submissions for obtaining EU funding need to be made at EU or national level.

DG EMPL responded by stressing that they cannot offer such tailored-made presentation due to a lack of human resources within the Commission services. However, if the Social Partners would like a tailored-made solution, nothing should refrain them for submitting a proposal for EU funding to appoint an external expert who could do this exercise on behalf of the Social Partners instead of the Commission services.

The SSDC took note of this information and agreed to investigate the best way to map the various EU funding programmes, possibly by making use of an external expert via a submission of a dedicated project.

4. REPORT ITEMS

a. Schengen Visa Code

The Chair referred to the decision of the SSDC at its meeting in December last year and advised that a joint ECSA/ETF paper had been prepared by the two Secretariats. However, there were some outstanding issues that had to be sorted out before the joint paper could be finalized and the ETF Secretariat was now waiting for some feedback from the ITF.

ECSA drew attention to the fact that discussions are ongoing in the Council and have recently been launched in the European Parliament as well, making the finalization and submission of the joint ECSA/ETF paper rather urgent.

The SSDC took note.

b. Piracy

ECSA advised on a workshop on piracy, organized by the Danish Shipowners' Association immediately after the SSDC meeting. This event is organized in the European Parliament with the support of two Danish MEPS and it aims at ensuring that piracy is kept high on the political agenda. ECSA invited interested ETF members to attend this event.

c. Ebola

The Chair advised that a joint ECSA/ETF letter had been finalized and had been published on the respective ECSA and ETF websites.

ECSA suggested drafting a letter to DG MOVE to invite them to distribute this joint letter amongst the relevant Commission services.

The SSDC agreed with this suggestion and invited the two Secretariats to proceed to the necessary follow-up.

d. Representativeness' study

The Chair drew attention to an ongoing study on the representativeness of the Social Partners for maritime transport, both at EU and national level. He advised that, for the time being, only 3 ETF affiliates and 1 ECSA affiliate had been approached. Both ETF and ECSA expressed their concerns that so few of their members had been approached so far.

DG EMPL took note of this situation and promised to get in touch with Eurofound to ensure that they approach all relevant ECSA and ETF members and in time. DG EMPL also clarified that Eurofound may approach other associations as well, which are not necessarily members of ECSA or ETF.

5. A.O.B.

Migrants at sea

ECSA drew attention to the growing problem of migrants at sea and suggested sending a joint ECSA/ETF letter to DG MOVE inviting them to approach all relevant Commission services – bearing in mind that this matter is not just a border control issue – with an aim at discussing this matter thoroughly and at adopting the necessary measures. The approach could be inspired by the efforts made in the past as regards piracy in the Gulf of Aden.

The SSDC agreed to prepare a joint ECSA/ETF letter for DG MOVE on this matter with an aim at increasing political awareness.

Administrative burdens for shipping and seafarers

ETF invited DG MOVE to advise the Social Partners on the state of play as regards their plans for an E-Maritime Forum and on a reduction of administrative burdens for shipping and seafarers. ETF reminded that they had found two captains prepared to participate in the discussions of the E-Maritime Forum.

DG MOVE promised to provide an update at the next SSDC meeting.

6. DATE OF THE NEXT SSDC MEETING

The next SSDC meeting is scheduled on Thursday 7 May. Depending on the response from DG EMPL on the joint ECSA/ETF letter to Employment Commissioner Thyssen and to the (legal) questions for clarification on the SPA on the recent ILO MLC amendments, part of the SSDC meeting on 7 May could be dedicated to negotiating the SPA.

Attendance List

ECSA

- Voss Pia (Spokesperson)
- Jorgens Runa
- Springett Tim
- Kaunis Indra
- Petricevic Damir
- Koltsidopoulos George
- Simons Micky
- Raikunen Laura
- Kylstad Ingrid
- Kazakos Thomas
- Halmberg Fredrik
- Huchez Blandine
- Laurent Matthieu
- Waanders Wim
- Verhoeven Patrick
- Tytgat Christophe
- Gleyo Mélissa

ETF

- Kerkhofs Joris
- Kerkhof Jacques
- Petar Penchev Petrov
- Jerabek Milan
- Bondo Meyer Mille
- Berlau Henrik
- Kristensen Karsten
- Vask Kaia
- Martín Jorredo Desiderio J.
- Thomas Olivier
- Chateil Jean-Philippe
- Le Guevel Thierry
- Brazzoduro Predrag
- Jung Joël
- Kalnius Remigijus
- Vella Sandro
- Piatkowski Henryk
- Mihalcioiu Adrian
- Grahl Hans-Dieter

- Dickinson Mark (Spokesperson)
- Abrahamsson Thomas (Chair)
- Gelmini Rémi