

# **SECTORAL SOCIAL DIALOGUE COMMITTEE FOR MARITIME TRANSPORT**

**9 OCTOBER 2018**

## **DRAFT MINUTES**

Chair: Mr George Koltsidopoulos

### **1. APPROVAL OF THE DRAFT AGENDA**

The SSDC approved the agenda.

### **2. APPROVAL OF THE MINUTES OF THE SSDC MEETING OF 25.06.2018**

The SSDC approved the minutes of the above SSDC meeting with amendments as proposed by the social partners.

### **3. MATTERS ARISING – WORK PROGRAMME**

#### **a. Shipboard living & working conditions**

##### **i. Health and Safety: Working group on seafarers' Health and Safety – confirmation of revised terms of reference, membership and topics for consideration**

Both sides approved the revised terms of reference. The first meeting of the working group will take place on 9 October. The SSDC will follow up on the progress.

ETF proposed a number of topics for consideration: mental health, healthy eating, women in shipping, MLC H&S provisions, burnout, noise and vibration, working/rest time, exposure to chemicals, speed of medical attention, migrants; and suggested correspondence/Skype as working method. ECSA stressed the need to focus on selected topics based on evidence and identify best practice.

##### **ii. Communication facilities for seafarers: discussion on possible ways to improve provision and appropriate use**

ECSA informed that they would like to carry out own research to analyse the existing practices, company policies, obstacles and progress made. ECSA will prepare a report and will share it in advance of the next SSDC meeting. Staffan Ekwall, DG MOVE informed that DG MOVE will also contribute to analysis on the topic. ETF expressed disappointment about postponing the discussion.

##### **iii. Reduction of administrative burdens on seafarers and shipowners**

ECSA informed that on 17 May 2018 the European Commission adopted a Proposal for a Regulation of the EP and of the Council establishing a European Maritime Single Window environment and repealing Directive 2010/65/EU. The proposal has

been discussed in the Council, debate at the EP will start the following week. The intention is to adopt the Regulation by the current Commission. ECSA considered that the proposal addresses the right items but it could have been more ambitious. ECSA stressed the importance of exchanging minimum data and respecting once-only principle for reporting. For the latter, ECSA would have preferred its implementation at EU level as opposed to national level, as per EC proposal.

ETF informed that they are broadly in line with ECSA's position paper and have drafted a joint statement. They pointed to the need to ensure that adequate resources are available on board and in the offices to support the crews.

It was agreed that the Secretariats will finalise the joint statement.

## **b. Quality shipping**

### **i. Education, training and certification of seafarers (STCW matters): Proposal for the revision of Directive 2008/106 on the minimum level of training of seafarers and Directive 2005/45/EC on the mutual recognition of seafarers' certificates by Member States - update by the Commission**

Pantelis Lamprianidis, DG MOVE provided an update on the process: Council general approach is expected end-October, TRAN Rapporteur will deliver a report in October, trilogue to start early 2019. With regard to the content of the proposal Mr. Lamprianidis clarified two elements in particular.

1. Practical implementation of the new Art.19 and in particular of the Implementing Decision with regard to initiation of the recognition process (*at the request of ship-owners*): a request is to be submitted by a Member State, supported by preliminary analysis on the compliance of the new third country with STCW and estimates on expected employment of third country's seafarers (and some additional elements, where appropriate, e.g. local trading requirements). The Commission will then refer the request to the COSS Regulatory Committee<sup>1</sup> who will decide if to initiate the process. This will raise transparency of the decision- making and efficiency.

Withdrawal of recognition (de-recognition) would take place in exceptional cases –if for 5 consecutive years no seafarer from the given third country has been employed on ships flying EU flags. The Commission will give notice of 2 months about the intention to de-recognise. The EC opinion will be based on EMSA statistics, provided by the Member States. COSS will take a decision, idem as for initiation.

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<sup>1</sup> Committee on Safe Seas and prevention of pollution from ships (COSS)

2. Brexit<sup>2</sup>: in case withdrawal agreement with the UK could not be reached, the UK would become a non-recognised third country on 30 March 2019. Endorsements issued by EU Member States on the basis of UK issued COCs<sup>3</sup> will remain valid until their expiration. MS would need to submit a request for the UK to become recognised at EU level as a third country. On the basis of such a request the Commission will act as fast as possible to initiate the recognition process. However, the normal recognition process by sending EMSA for an on ground inspection will have to be followed, as per any third country under the current Directive. To be also noted that the process cannot be initiated while the UK is a Member State. In order to minimise the risk that seafarers<sup>4</sup> might not be able to work on EU ships Mr Lamprianidis invited the social partners to raise awareness about the need to timely renew COCs

Both ETF and ECSA appreciated the extensive presentation and clarifications by Mr Lamprianidis. ETF considered the Commission proposal fair and balanced and invited the Commission to limit compromises. ETF called the employers to support employment of European seafarers. In ECSA's view the proposal is about upholding quality standards and compliance with STCW and not about rationalising supply of seafarers. ECSA encourages ship owners to register ships in EU but recognises that staffing is an issue.

ECSA proposed to consider a joint statement calling for special measures/transitional process for seafarers and their employers in relation to Brexit. ETF agreed to discuss this matter with the members inviting the Secretariats to follow up.

## **ii. Commission's work on its report to Council and EP on the implementation and application of Regulation 5.3 of the MLC regarding labour supplying countries (pursuant to Article 6.2 of Council Directive 2013/54/EU) - update by the Commission.**

The content of the report was presented in the previous SSDC meeting. Staffan Ekwall, DG MOVE informed that the timing of the report needs to be confirmed in line with internal procedure. The content of the report is not being questioned.

ETF and ECSA expressed concerns on possible timing slippage and would consider a joint position on this matter.

Furthermore, ECSA enquired about the study on social aspects of maritime transport. Mr Ekwall informed that the study will be carried out by external consultants and is in the process of contracting. It will look at implementation of recommendations of the 2011 task force, enforcement/compliance issues,

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<sup>2</sup> Notice to stakeholders <https://ec.europa.eu/transport/sites/transport/files/legislation/brexit-notice-to-stakeholders-maritime-transport.pdf>

<sup>3</sup> Certificate of Competency (CoC)

<sup>4</sup> 22,000 seafarers with COCs issued by the UK employed on EU ships

digitalisation. The social partners will not be consulted on the Terms of Reference, in line with the contracting procedure. Their inputs, however, will be instrumental and they will be consulted at all stages including on draft reports. Both ETF and ECSA expressed readiness to contribute.

### **iii. Joint social partners project proposal on data collection on maritime professionals – update**

ECSA thanked ETF for preparing the project proposal. Both sides hope to start activities as planned.

### **iv. Women in shipping – follow-up of the thematic workshop held on 26 June 2018**

ETF and ECSA thanked the Secretariats for the successful event. Both sides agreed to draft a joint declaration to improve attractiveness of shipping for women and asked the Secretariat to undertake further work on areas that need addressing in this context.

Sophie Marin-Combeaud, DG MOVE, congratulated the social partners for addressing the topic jointly. She explained that the Women in Transport – EU Platform for change is action oriented and encouraged the social partners to share good practices and to bring concrete actions to the Platform<sup>5</sup>. Ms Marin-Combeaud informed of a conference on “How to attract women to the transport sector” on 27 November 2018<sup>6</sup>. She added that a toolkit targeting teachers with primary and secondary school students will be developed to fight gender stereotypes and to raise awareness about professions and career paths in the different transport modes. Any contribution to the toolkit would be welcome (e.g. by sharing existing good videos presenting maritime jobs, etc).

## **c. Maritime Safety and Security**

### **i. Migrants at Sea and stowaways: consideration of possible joint initiatives**

ETF and ECSA informed about recent efforts made in light of increasing stowaway incidents, in particular a joint letter sent to Commissioners Bulc and Avramopolous. Staffan Ekwall, DG MOVE confirmed that a response to the letter is under preparation and invited the social partners to provide data to quantify the problem.

Mr Chateil, ETF informed about a conference on sea rescue that will take place on 15 November in France and will result in a declaration to be widely shared with all stakeholders.

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<sup>5</sup> [https://ec.europa.eu/transport/themes/social/women-transport-eu-platform-change\\_en](https://ec.europa.eu/transport/themes/social/women-transport-eu-platform-change_en)

<sup>6</sup> <https://eu.eventscloud.com/ehome/200183393?&t=7e71cecca4c38293b98055262c29aef5>

- ii. **Piracy, Armed Robbery and Kidnapping: 2018 Amendments to ILO Maritime Labour Convention, 2006 (MLC 2006), as approved by the ILO 170<sup>th</sup> Conference, Geneva, 5 June 2018**

Both sides agreed to draft a joint letter to the Commission to start the process of transposing the MLC amendments in EU law.

#### **d. Training and Skills**

- i. **Blueprint for Sectoral Cooperation in Skills: SkillSea project: preparing the start of the project**

Both sides expressed satisfaction about the award of the ambitious project.

### **4. REPORT ITEMS**

#### **a. Home Affairs Files affecting seafarers/shipping companies**

- i. **Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 810/2009 establishing a Community Code on Visas (Visa Code) – update on the negotiations and joint lobby efforts**

ECSA and ETF participated in the hearing of EP LIBE Committee on 10 July, the vote is expected in January 2019. TRAN Committee has proposed a helpful amendment, the vote is expected in December 2018. ECSA called for maintaining the lobbying effort. ETF supports the process.

- ii. **Other files – na**

#### **b. Health and Safety**

- i. **Proposed amendments to the Annexes of Directive 92/29/EC on the minimum safety and health requirements for improved medical treatment on board vessels – update on Comitology procedure**

Kristine Krivmane, DG EMPL<sup>7</sup> informed that following extensive consultations with stakeholders and experts, draft measures for amendment of Annexes II and IV of the Directive are currently being prepared<sup>8</sup>. In line with “regulatory procedure with scrutiny” the draft measures will be submitted to Technical Progress Committee. If the Committee adopts a positive opinion, the measures will be sent to the European Parliament and the Council for scrutiny. If, within 3 months from the date of referral to them, the European Parliament or the Council do not oppose the draft

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<sup>7</sup> On behalf of Jan-Willem Ebeling, DG EMPL

<sup>8</sup> Annex II lists the compulsory medical supplies. Annex IV contains a general framework for the inspection of vessels’ medical supplies which will be adapted in view of the changes in Annex II.

Directive, it will subsequently be adopted by the Commission. The procedure is currently suffering some delays, date of adoption is not known yet.

The social partners informed about the joint letter to Permanent Representations calling for full review of the Directive.

## **5. SOCIO-ECONOMIC IMPACT OF DIGITALISATION IN SHIPPING**

ETF has developed a position paper on the topic to start reflection at EU level and pave way for a debate in international fora. ECSA agreed to consider the position paper in detail, at latest for the following SSSC meeting. ETF welcomed feedback in due course.

Staffan Ekwall, DG MOVE confirmed receipt of the position paper and the intention of DG MOVE to respond to it. Sophie Marin – Combeaud, DG MOVE informed about a related seminar taking place on 4 November.

**The 2019 SSSC meetings will take place on Tuesday 23 January 2019, Monday 20 May 2019 and Friday 27 September 2019<sup>9</sup>.**

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<sup>9</sup> As per the schedule that was agreed and communicated after the meeting.