

SECTORAL SOCIAL DIALOGUE COMMITTEE FOR MARITIME TRANSPORT

25 MAY 2016

DRAFT MINUTES

Chair: Mr Tomas Abrahamsson

1. APPROVAL OF THE DRAFT AGENDA

The SSDC approved the draft agenda for the SSDC meeting of 25.05.2016.

2. APPROVAL OF THE MINUTES OF THE SSDC MEETING OF 27.11.2015

The SSDC approved the summary record of the SSDC meeting of 4.3.2016.

3. MATTERS ARISING

a. Mid-term review of the EU maritime transport strategy including the 2017 European Shipping Week (ESW)

DG MOVE provided an update of the current developments. The Mid-term review exercise of the EU maritime transport strategy will take the form of an Implementation Report. The relevant internal procedures for the adoption of this Report are progressing and DG MOVE will soon be able to publish it. Major shipping events like the 2017 European Shipping Week (ESW) are valuable platforms to present the results whilst promoting EU policy priorities and our planned initiatives. The ESW should be used effectively and wisely towards this direction. ECSA regards the 2017 European Shipping Week (ESW) as a 'social partners' event'. ETF will participate for the first time to the ESW, participating in the Steering Committee. ETF referred to the DG MOVE finalized studies (International Dimension of Shipping; Short Sea Shipping) and highlighted the need to remove the administrative burden and invest on training. ECSA shared the concerns of ETF.

b. Administrative burdens for Seafarers: setting up of an Industry Task Force

ECSA highlighted two main points:

1) Strong commitment is needed from the Commission to ensure that the project will lead to the relevant legislative procedures for the establishment of the European Single Window.

A strong signal is needed to encourage the continuation of the project.

2) Priority should also be given to "e-Manifest", seen as the project which will lead to the European Single Window.

ETF accepted ECSA's invitation to engage into this project.

c. Improving the environmental performance of shipping

ETF welcomed the shift in the perception of ship-owners as regards the green industry. Social Partners will create an informal working group to review the progress

made on this issue. ETF indicated that the ship-owners are in favour of international standards but not to regional ones.

ECSA highlighted that after COP-21 convened in Paris there is a clear workplan on how the international shipping industry will contribute to the Paris climate commitments. IMO/MEPC 96 agreed to set a global reporting data system and EU is committed to align its reporting system to the global one.

At the moment the Review of the European Trade Scheme is taking place. For ECSA, an ambitious plan can only be fulfilled at global level. The Chairman stressed that the global machinery is slow and there is a need for regional response too.

4. REPORT ITEMS

a. ETF-ECSA joint project implementing part of the SSDC Work Programme

ECSA and ETF indicated that they reached an agreement on the final text of their agreement, according to Articles 154 and 155 TFEU, on the 2014 ILO MLC amendments.

They thanked DG EMPL for its advice and hoped that the legal service of both the Commission and the Council will have no objection on the text of their agreement.

ECSA and ETF plan to finalise their text and sign it in the autumn. They will then send their text to the Commission with the request to amend their previous agreement on the ILO Maritime Labour Convention, 2006 implemented in EU legislation via Directive 2009/13/EC. ; they both acknowledged the fact that by now the Commission needs more time to give its green light, since it needs to undertake a proportionate impact assessment.

In relation to Maritime apprenticeships and training funding programmes, ECSA stressed that a Working Group including ETF was convened on the 5th of April. A report from the STC- Group consultancy is expected later in the year.

b. Criminalisation of seafarers: the Prestige case

ETF referred to Captain Mangouras as a symbolic figure of the 'Prestige Case'. ETF stressed the politicized nature of the criminalisation of seafarers and underlined the need to make a distinction between professional sanctions and criminal sanctions.

ECSA and ETF have already announced a joint statement entitled 'stop the criminalisation of seafarers'.

ECSA stressed that the 'Prestige Case' puts the spotlight on the importance to secure the supervision and implementation of the 2006 ILO/IMO Guidelines on fair treatment of seafarers in the event of a maritime accident. ECSA proposed a joint (ECSA-ETF) visit of symbolic nature to Mangouras' family to show their support to the Captain.

c. Schengen Visa Code: Update on the ongoing legislative procedure

A trilogue process is in place to take stock of the progress made on this issue. The Council was flexible towards the concerns of the maritime industry.

ECSA asked for the impact of the lift of VISA requirement for Georgian citizens in the Schengen area.

d. Exclusion of seafarers: Implementation of Directive 2015/1794

ECSA highlighted that Belgium began the process of implementing the Directive 2015/1794. However, there is no reference to any important 'exemption' of seafarers.

This item remains in the agenda of the SSDC in case that a relevant development occurs at national level.

e. Migrants at Sea

This item is a standing point in the SSDC's agenda.

ECSCA has publicized a press release thanking the Italian Maritime Rescue Coordination Center for rescuing migrants at sea. The European Union – Turkey Agreement on ending the irregular migration from Turkey to EU has reduced migrant arrivals from Turkey. However, the Italy-Libya route is again activated. The Chairman highlighted the interface between EMSA and the 'new' FRONTEX.

f. Piracy

This item remains as a standing point in the SSDC agenda as it is important for both ECSCA and ETF.

g. Representativeness' study

ECSCA and ETF have been recognized as representative of their sectors.

The Dublin Foundation will soon formally approve the final version of the study and should publish it by the end of June.

h. Commission Study on the Implementation of responsibilities of labour supplying countries pursuant to MLC, 2006

DG MOVE briefly presented the outcomes of the study conducted by a contractor on the responsibilities of Labour Supplying States pursuant to MLC-2006 with emphasis on the main findings and the relevant recommendations. It was reminded that the Commission is obliged to submit a report to the European Parliament and to the Council on the implementation and application of Regulation 5.3 of MLC 2006 regarding labour supplying responsibilities, by the end of December 2018.

In this context, DG MOVE invited the social partners to submit preferably a joint statement with their views on the subject. Individual comments on the study are of course welcome. The next step will be the publication of the report, and the presentation to the representatives of the Committee on Safe Seas and the Prevention of Pollution from Ships.

AOB

a. Presentation of the new project 'droppin' by DG EMPL

DG EMPL presented its new project 'droppin' which aims to mobilize private initiative to tackle youth employment. DG EMPL is interested in promoting the job of seafarers. ETF referred to lack of opportunity rather than lack of promotion and awareness. Social Partners will investigate on how to make the best use of this new project.

b. Eliminating Workplace Harassment and Bullying of Seafarers

ECSCA/ETF Guidelines to shipping companies on workplace harassment and bullying of seafarers constituted the basis of the new ITF/ICS guidelines on eliminating bullying and harassment at sea.

In February 2016, ILO decided to amend MLC. Amendments of MLC included, inter alia, the inclusion of the new ITF/ICS guidelines on eliminating bullying and harassment at sea.

ECSA and ETF agreed that the item of Workplace Harassment and Bullying of Seafarers should be back in the SSDC agenda.

DATE OF THE NEXT SSDC MEETING

The next SSDC Meeting will take place on Thursday 27 October 2016.

Attendance List

ETF

- Castaño Fernandez Jose Cristian
- Chateil Jean-Philippe
- Dickinson Mark
- Alfonso Philippe
- Grahl Hans-Dieter
- Kalnius Remigijus
- Le Guevel Thierry
- Meyer Mette Mille Bondo
- Mihalcioiu Adrian
- PetrovPetar
- Piatkowski Henryk
- Schroeter Klaus
- Vask Kaia
- Mark Carden
- Francesca Baiocchi
- Mats Jäderland
- Sascha Meijer
- Joris Kerkhofs
- Jacques Kerkhof
- Thomas Abrahamsson
- Jose Manuel Blanco Lojo
- Simeon Simeonov
- Perez Vega José Manuel
- Ockerman Lotte
- Jerabek Milan
- Todd Stephen

ECSA

- Tim Springett
- Boccardo Armando
- Petterson Hege Ajer
- Westra Tjitso
- Waanders Willem
- Inglis Stewart
- Gintautas Kutka
- Peeters Hilde
- Tytgat Christophe
- Joergens Runa
- Costel Virginie
- Christian Roos
- Eirini Tsakona
- Patrick Verhoeven
- Max Johns
- Tina Juul Vestergaard

