



26 July 2016

European Commission

DG MOVE

Mr D. Theologitis

Concerning: legislative framework for inland navigation

Dear Mr Theologitis,

This letter reflects the state of play in an ongoing discussion between the Social Partners at European level, represented by EBU, ESO and ETF, and the major EU inland waterway enforcement authorities, represented by Aquapol.

European Social Partners have expressed a clear and solid commitment to develop improved controlling tools and implement them simultaneously with a fundamentally revised manning regulation. They anticipate that both discussions will run parallel to one another and that their results will be implemented at the same moment in time. In their view establishing modern and effective regulations requires a productive dialogue with the European Commission, international river commissions and control services aiming at administrative simplification.

The undersigned associations share the view that their members have a common interest in the development of a coherent and consistent legislative framework for the inland waterway transport sector. Such a framework is expected to improve enforceability of the applicable regulations significantly. As a consequence, it will firstly discourage unlawful social practices and secondly boost competitiveness and fair competition. A major reduction of relevant documents, as well as keeping and updating them electronically, could improve effectiveness of enforcement and alleviate administrative burdens whilst enabling control services to function more efficiently.

In our discussion we have distinguished three 'building blocks' as constituent parts of the envisaged framework:

Professional qualifications

We consider the current proposal for a Directive on the recognition of professional qualifications in the inland navigation sector a first step on the way towards a modern, sustainable, flexible and well-enforceable EU legislative framework.

Manning requirements

Recently a comprehensive research project proposal has been submitted to the EC in order to develop a documented proposal, with different options, for an easy to use (transparent, flexible,

sustainable) and easy to enforce manning instrument for the European inland waterway network. Thus a second step is planned in the form of a redesign of manning requirements (crew composition, navigation time and mandatory resting time). This process is the second building block.

Digital enforcement

The third building block is the implementation of digital enforcement in the form of connected digital crew qualification cards with a digital board unit for the vessels. This implementation will allow for a drastic reduction of the number of enforced rules. In fact, only two issues remain of relevance, once such a digital system is implemented. These issues are: was the vessel operated with enough crew members with the required professional qualifications on board and did these crew members comply with the rules for navigation-, work- and rest periods.

Together the three building blocks can change the present enforcement practice completely. A drastic simplification by means of a major reduction (80-90%) of the number of existing documents as well as a significant alleviation of administrative burdens on board is achievable. Consequently, effective and efficient enforcement can be realised whilst providing vessel operators with maximum flexibility. In this way a level playing field in which operators compete on the bases of quality, logistical added-value en clever planning of activities can be established.

It can be achieved within a limited number of years. However, there is concern, that not all three building blocks will be developed as integral parts of the required legislative framework and particularly that the third building block will be not be ready in due time.

Without going too much in detail: the undersigned associations are of the opinion that steps for the development and implementation of the electronic board unit and the (connected) electronic crew members card will have to be taken in parallel with the two first building blocks. It could be detrimental to postpone the development and implementation of building block three until building block two is completed. That will most likely take too long and entail a serious risk of losing the coherence and consistency of the framework.

We look forward to hearing your comments during our meeting on August 29th.

The signatories:

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