

## EU rules on professional qualifications fosters labour mobility in European inland navigation

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As part of Naiades II, a directive on the recognition of professional qualifications in inland navigation has been adopted. Certificates for qualifications for deck crew members will be based on competence rather than on experience and will be recognised on all inland waterways in the European Union. Better career prospects, approved training programmes and possibilities of modern examinations on simulators are just some of the novelties that will improve the sector's attractiveness and enhance safety. Member States have 4 years i.e. by 17 January 2022 to adopt the necessary measures to comply with the new directive.

### Context

Throughout the centuries inland waterway transport has been an efficient way of connecting people and trade. Now more than ever, safety, reliability and innovation are a major part of the development of inland navigation in Europe, next to the increasing multimodal and European integration. In this regard, directive (EU) 2017/2397 on the recognition of professional qualifications in inland navigation is an important milestone for the European IWT sector. It contributes to the EU goals to promote inland waterway transport as described in the NAIADES II programme where the "Jobs and skills" component is one of the priorities.

### Goals

The new directive aims to improve labour **mobility** on all European inland waterways. The recognition of professional qualifications concerns all deck crew members, as well as the persons that are qualified to take measures in emergency situations on board passenger vessels and the persons qualified to be involved in the bunkering procedure of a vessel using LNG as a fuel.

Concretely, the directive aims at solving the difficulties crew members are still facing today with the recognition of their qualifications when exercising their profession in another Member State. Henceforward, crew members will be able to move more freely where their skills are needed as they will have their qualifications automatically recognised in all Member States of the EU and Member States of the Central Commission for the Navigation of the Rhine (CCNR). This is a clear improvement compared to the current EU legal framework because the mutual recognition of qualifications in the sector has so far only covered boatmasters and only when they operate on waterways other than the Rhine. With the new directive, the **legal frameworks** that apply to qualifications in the EU, including on the Rhine, will be **harmonised**.

At the same time, to avoid disproportionate administrative burdens, the new rules take account of the different characteristics of EU countries with possibilities of exemptions for some measures. This is the case in particular for waterways that are not connected to those of other member states and for countries where inland navigation is only seasonal or a very limited activity. In any case, all Member States with navigable inland waterways will have to recognise the Union certificates of qualification on their territory and ensure the effectiveness of this recognition.

The dawning of this new era in inland navigation will not only increase labour mobility within the EU but will also **promote the attractiveness of jobs** in this sector and provide new career prospects for both crew members and persons coming from other sectors, especially from the maritime sector. This is made possible by a **modern system based on the assessment of competences**. This therefore makes an examination mandatory to become qualified as a boat man or boat master. Compared to the former system mainly based on the accumulated experience, the new approach will bring flexibility for talented and motivated people to progress faster up the career ladder. Another substantial benefit is for future students as they will no longer need to undergo an examination organised by an administrative authority if they have successfully completed an approved training programme. Last but not least, the introduction of competence-based qualifications will bring a positive effect on navigational safety and sustainability.

In addition to the setting up of this approach based on competences, the directive establishes **objective criteria** on which the Member States can define **stretches of inland waterways posing specific risks** - previously deemed to be obstacles to mobility. Criteria have also been defined for the classification of **inland waterways with a maritime character**.

Finally, national **registers, sharing data** on the certificates, service record books and logbooks with a database kept by the Commission, will be set up to facilitate the exchange of information between the authorities.

The Member States' authorities, river commissions and sector representatives made significant contributions to the development of the new system and have welcomed the new directive.

### **CESNI standards centre stage of the directive**

The adoption of the new EU directive is accompanied by a fruitful and innovative cooperation between the European Union and the CCNR marked, in 2015, by the creation of the European Committee for drawing up standards in the field of inland navigation (CESNI).

The CESNI was set up in order to adopt technical standards in various fields, in particular as regards vessels, information technology and crew, to which the respective regulations at the European and international level, including those of the European Union and the CCNR, may refer with a view to their application.

CESNI is charged with defining and adopting the various standards as required by the directive. The CESNI working group on the professional qualifications of the CESNI, which is in charge of developing the draft standards, includes the main stakeholders of the sector (training institutes, social partners, authorities at national, European and River Commissions levels).

Regarding **competences, standards are** required for six categories:

- boatmasters (management level) and deck crew members i.e. boatmen, able boatmen and helmsmen (operational level),
- navigating on inland waterways of a maritime nature,
- sailing with the aid of radar,
- sailing craft using liquefied natural gas as a fuel and persons being involved in bunkering operations of such craft, and
- experts in passenger navigation.

No competence standard is envisaged for sailing large convoys. However, experience time in steering such convoys will be required before obtaining the authorisation to be the boatmaster on such convoy.

The work on competences carried out mostly by social partners and Edinna in the EU-financed PLATINA project, was inspired by STCW approach and fed into the drafting of the EU directive, and in particular in the future CESNI standards on the subject.

**It is also envisaged that CESNI will adopt standards for practical exams** with a view to obtaining certificates for qualification as a boatmaster, as LNG experts and as a passenger navigation expert as well as permission to navigate using radar. These standards will of course be developed on the basis of the competence standards. Practical examinations for boatmasters and for the specific authorisation for them to navigate using radar can be carried out on board vessels or on a simulator. That being so, the directive also envisages **standards on the approval of simulators**.

The directive also modernises and harmonises the requirements on **medical fitness** (physical and psychological). CESNI will propose medical criteria based on the system operated in near coastal waters used by ILO and IMO since 2013. CESNI will of course consider the specific context of inland waterway transport, such as the duration of journeys and the availability of medical care, as well as the most recent medical progress achieved since 2013.

Finally, and just as important, the new European rules also foresee **harmonized models for certificates** of qualifications, service record books and logbooks. The working group on the professional qualifications of the CESNI is currently working on the first draft models.

Certificates and service record books issued prior to 18 January 2022 remain valid for a maximum of 10 years after that date. During this period, it will be possible to exchange these documents for a certificate of qualification that complies with the directive, without undergoing an examination to establish competence.

These CESNI standards are intended to be incorporated in EU law through delegated acts or implementing acts supplementing the EU directive before 18 January 2020. In parallel, they should also be incorporated in the CCNR legal framework. Other International organisations or third countries will also be able to use these standards, akin to the ES-TRIN (European standard laying down technical requirements for inland navigation vessels).