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ETF reaction to the Ministerial Declaration on EU Waterborne Transport Sector (to be signed in Opatija, Croatia on 10 March 2020)

It is with great interest that we took note of the priorities EU Transport Ministers put forward for the future of the EU's waterborne transport sector. We support the attention given to ongoing challenges, such as the greening of the sector and digitalization, and the skills that waterborne transport workers (seafarers, crewmembers, fishers and dockers) will need to continue working in a changing industry. Creating smart, safe and sustainable waterborne transport services and operations will indeed require high-skilled workers and high-quality jobs.

1. A carbon-neutral and zero pollution waterborne transport sector

We generally welcome the support of the Ministers to the European Green Deal and the emphasis placed on the need for the waterborne transport sector to contribute to it "within a fair and prosperous society". In particular the reference made to **Just Transition** is to be supported. The green transition in waterborne transport needs to go hand in hand with attention to workers' health and safety, their skills needs and their working conditions – both onboard and onshore in e.g. (inland) ports.

We stress that a coordinated approach will be needed in order to pool resources among energy and transport actors to operate on renewables and supply clean fuel to transport, households and industries. We welcome the call for a **strong EU position on global level** to steer towards effective implementation of the IMO objectives for maritime transport, and for Member States and the EU to **support the greening of the EU fleet and invest in onshore infrastructures**.

When choosing the **maritime fuels of the future** including the technologies that will accompany them, **risk assessments need to consider workers' health, safety and skills needs**. Some alternatives might be dangerous or difficult to handle, and adequate consideration of the impact on training and education and general safety considerations should be part of any assessments made. On the same note, any new sustainable ship designs should consider the impact on working and living conditions for the crew (e.g. size of cabins). When discussing possible incentives to promote the uptake of alternative fuels, the dependence of certain sectors on **fuel subsidies** should also be considered (e.g. the exemptions for fishing and shipping vessels from the Energy Taxation Directive).

We welcome the support expressed to the development of green ports and programmes to further enhance the environmental sustainability of inland waterway transport in Europe. This needs to be complemented by investments in a **safe, cost-effective and climate resilient infrastructure network** ensuring swift links to other modes and including (inland) ports.



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2. Digital transformation

With regards to digitalisation, we acknowledge the **opportunities** new technologies and artificial intelligence can bring to better assist waterborne transport workers and make their work safer and less burdensome. It has the potential to be used in support of developments towards smart and sustainable jobs, fleets and infrastructure connected to other transport modes and sectors.

However, we think a cautious approach should be taken and we do **not support the reductive emphasis on automation as an end in itself**, without looking at the business case behind it or a proper assessment of consequences on productivity and safety. Automation and digitalisation can be introduced with different aims such as making operations more efficient, faster, safer, etc. - without necessarily aiming at unmanned vessels and fully automated port operations. We think the declaration overlooks this important nuance which does not take into account the impact on jobs and local communities that depend on waterborne transport. We therefore neither support the call for an automated waterborne transport sector, nor further automation of port operations as an end in itself.

In addition, the specific question of the **investments** needed for the introduction of any such changes should be addressed. We think this should consider the fact that the industry is highly subsidised and that existing alliances of businesses have the power to exert strategic pressure on other players along the maritime logistic chain (terminals, freight forwarder etc.) to make specific investments. Any (derived) investments by the industry **should therefore include a social assessment** as well. With regards to the question of data ownership, we think preventive measures should be agreed upon to avoid possible misuse of data collection systems.

Nevertheless, and as already mentioned, these technologies and systems can potentially improve working conditions and should be introduced with this in mind. The waterborne digital agenda and transformation should therefore specifically address clear aims and needs in terms of skills, and include a continuous and thorough **assessment of the effects the introduction of digitalised systems may have on working conditions**.

To this end, we **support the implementation of a European Maritime Single Window Environment** – which has the potential to significantly reduce the administrative burden placed on masters and officers - as long as it is accompanied by the provision of the necessary adequate technical programmes and shore-based support and assistance. If managed well, this initiative could improve onboard working conditions; if managed badly, it could even further enhance the burden placed on masters and officers.

Equally, the **electronification of documents and ship registration** could reduce administration and reporting formalities, as long as it is well implemented. The Estonian e-register, for example, leaves the door wide open for shipowners from outside the EU to register in the Estonian second register without obligations to apply Estonian social and labour legislation towards the seafarers they hire. When it comes to seafarers' documents, it would be recommended to continue calling for the ratification of the ILO Convention 185 on seafarers' identity documents to facilitate their travel and shore leave.

We welcome the encouragement expressed to ensure various modes of transport are interconnected and the important role of inland waterway transport within this network. To this end, we think that the **reduction of administrative burden and the paper reporting formalities should also be addressed in inland waterways**.



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3. Competence and training of future seafaring

We **welcome the importance the declaration attaches to ensuring future-proof skills for seafarers**. We already mentioned skills needs in the frame of both the greening of the industry and digitalisation. A revision of the STCW Convention will indeed be needed and we support the EU's initiative to prepare for a submission to this end. Parallel to this, we support the call for EU action to support initiatives aimed at improving and adapting the offer of maritime education and training in Europe. This will be vital in order to ensure a competitive advantage for European seafarers. Specific support and interaction with the SkillSea project¹ will be paramount to continue this initiative in the long-term.

We regret, however, that the declaration **does not refer to the skills needs of fishers and inland waterway transport crew members**. We think reference should be made to call on Member States to ratify the STCW-F Convention for fishers without further delay- including the role of the Commission to promote ratification. Similarly, for crew members in inland waterways, necessary steps should be taken in order to continuously train and retrain the personnel on & off board. In order to modernise the education infrastructure, structural financial support to the European Educational network is needed.

We furthermore welcome that the ministers “reaffirm the importance of the European Social Dialogue in maintaining high working conditions and social protection for the waterborne transport workforce”. **Effective social dialogue is indeed a cornerstone of growth, quality jobs and competitiveness in Europe**. Whilst we acknowledge that a lot has been done in the frame of European Sectoral Social Dialogue for maritime transport, inland waterways, and fisheries, **many challenges still remain**.

In maritime transport for instance, besides the application of international minimum standards in an EU context, or supply-side measures such as skills requirements, a lot more work can still be done to improve social protection, enhance working conditions and increase employment opportunities for European waterborne transport workers. We promote the concept of a European Maritime Space for Socially Sustainable Shipping including a stricter link to training and job creation for EU-domiciled workers and EU-flags when granting state aid to the industry. Port State Control could indeed also play a role in detecting compliance with the Maritime Labour Convention, preferably by closely collaborating with the ETF/ITF. In particular, a closer inspection of recruitment and placement services for seafarers would be necessary in this regard.

In fisheries, a lot of work remains to be done in terms of applying proper standards of working conditions and pay on an EU-level. This concerns EU workers, but also third country nationals (e.g. in the case of human rights' violations of migrant fishers in Ireland).

4. Zero accidents

When it comes to safety, we welcome the attention given to the need to **strengthen the EU legislative framework** in view of improving the effectiveness of Member States responsibilities. The prevalence of EU standards and control is still the best insurance for having zero accidents. This is of course linked to the number of vessels operating under EU flags (which is decreasing dramatically) and the role of EU Port State Control. In this context, safety is severely compromised by unfair competition in the sector, with the distinction between workers protected by EU legislation and non-EU workforce on board of non-EU flag vessels on which Labour Inspectorate officers do not have jurisdiction. For these reasons we think reference should be made to the

¹ <https://www.skillsea.eu/>



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need to analyse how unfair competition impacts on safety issues in the EU Waterborne Transport Sector.

An industry can **only be safe when it is social** and when high standards prevail. An integrated approach is required in order to reach sustainable results, both socially as well as economically. A good example here is the 2016 joint statement between European social partners for inland waterways, referring to the need to register individual crewmembers' working & resting times in full transparency.

The **quality of waterborne transport workers' education and training** will also have an effect on the onboard safety culture and measures to counter the lack of qualified personnel in inland waterways have to be taken. When it comes to maritime transport, rigorous inspections of third country maritime education and training institutes by EMSA remains vital in this regard. We reiterate our call to only endorse certificates from METs coming from countries that ratified the MLC. We therefore support the call to further strengthen the EMSA activities in order to ensure safe, secure and sustainable EU shipping.

We welcome the reference made to the existing international agreements and conventions relating to fishing vessels. **Ratifying and implementing international standards on safety and working conditions in fishing is of utmost importance** to protect the lives of the more than 150 000 fishers in the EU and the livelihoods of their families. Furthermore, the proper implementation, as soon as practical, of Council Directive (EU) 2017/159 of 19 December 2016 - implementing the Agreement concerning the implementation of the Work in Fishing Convention (C188), 2007 of the International Labour Organisation - should be mentioned.

5. A world-leading waterborne transport sector in the EU

Finally, we do not support the intention to break into maritime transport cabotage policies where they exist in third countries and on the contrary would call for a cautious approach when allowing third country operators into European waters. Our efforts to defend employment for European seafarers, especially onboard vessels operating between EU/EEA ports, can also be seen in this security context. We agree that the role of EU State Aid Guidelines remains essential for the industry to maintain its competitiveness, as long as these guidelines also take into consideration the return on investment the EU tax payers deserve in terms of job creation.



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