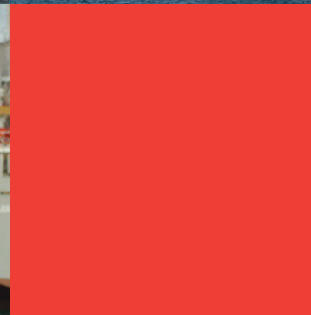




EUROPEAN
TRANSPORT
WORKERS'
FEDERATION



A New Deal for Fair Maritime Transport

European Dockers
and Seafarers Manifesto
for a Fair Maritime Sector



SOCIALLY SUSTAINABLE SHIPPING

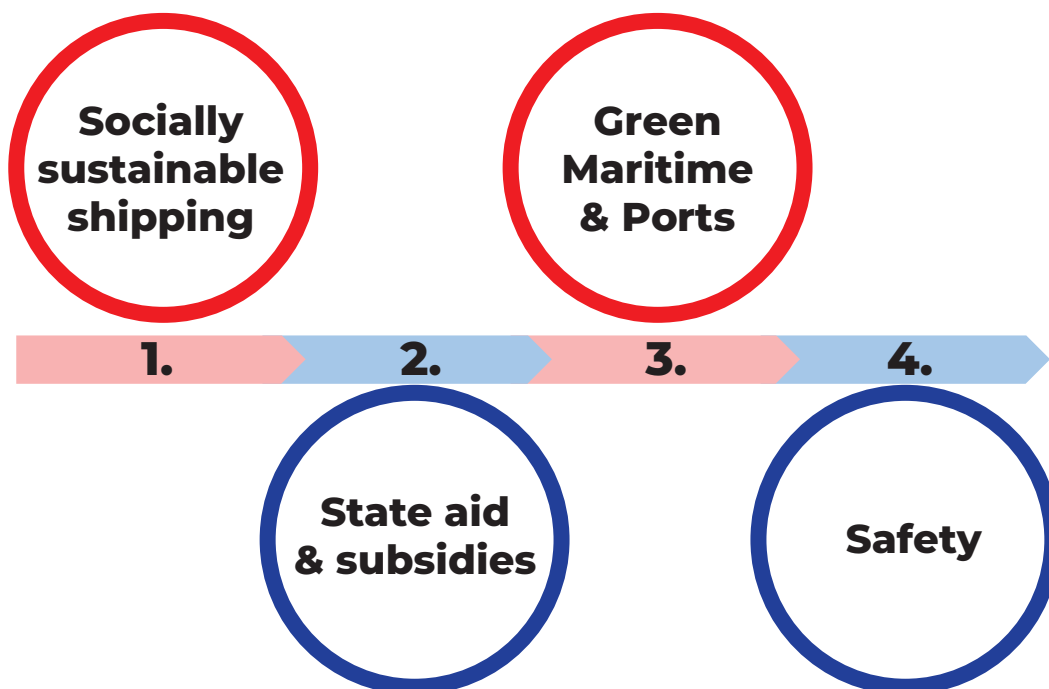
A New Deal for Fair Maritime Transport

European Dockers and Seafarers Manifesto for a Fair Maritime Sector

The ports and shipping industry accounts for the biggest share of the international trade: almost 90% of goods are nowadays transported by ships and through ports to their final destinations.

Despite the crucial role that the seafarers and the dockers play in the European economy, the resilience and dedication

that they showed during and after the Covid-19 crisis, ensuring that the communities could benefit from essential goods and medical supplies, Europe is still far from ensuring a socially sustainable shipping and port sector, fair competition in the EU maritime cluster and a just transition for maritime workers.



1. A European maritime space for socially sustainable shipping

The concept of a European Maritime Space for Socially Sustainable Shipping, is the ETF's Maritime Transport Section Vision for addressing Social Dumping in European waters and boosting employment for EU/EEA seafarers in an innovative way.

1. The main aspects of the European Maritime Space concept:

- All crew, no matter their nationality or place of residence, working onboard vessels operating regularly in between European ports – no matter the flag the vessel flies – must be granted European terms and conditions.
- Seafarers working in European waters must be treated in the same way as shore-based workers.
- It is not acceptable that shipowners can benefit from State Aid without any social responsibility.
- Companies benefiting from EU law also apply EU standards to their workers ashore and at sea.
- Companies benefiting from EU state aid give back to the community and produce quality training and jobs in Europe

2. Seafarers working in European waters are not treated in the same way as shore-based workers:

It is not acceptable seafarers to be excluded from several horizontal EU Directives and Regulations for workers, including Posted Workers Directive. Seafarers working conditions and wages are different and of lower standards compared to those of land workers. We are worried that seafarers will become a category of workers with less rights than any other category of workers in the European Union and that the 20 Principles of Social Rights will not become a reality for seafarers within the EU.

3. A clear momentum for Action:

There is a clear momentum now for action and we need to see the European Commission and the industry to set a level of ambition that has never been seen before.

After the unlawful sacking of 800 seafarers by P&O Ferries in March 2022, there were some recent legislative initiatives for a cross-channel minimum wage corridor for ferry workers:

- A bilateral agreement was signed on the 24th of July 2023 in Paris between the United Kingdom and France over voluntary seafarer employment and welfare standards, which includes action on wages, roster patterns, skills and professional development, tours of duty, rest, and others. A step towards the right direction although mandatory requirements are necessary.
- In **France**, the Assemblée Nationale recently approved a law proposal targeting social dumping on the Channel to block low-wage ferry companies from French ports. It includes, beyond others, that time worked should be equal to time off.
- Similar initiative earlier **in the UK** with the Seafarers' Wages Act 2023 (received royal assent on 23rd March 2023)
- And earlier this year, the Norwegian Act that was proposed by the Norwegian Government, to promote fair and decent working conditions in Norwegian waters, in the Norwegian exclusive economic zone, and on the Norwegian continental shelf by ensuring that workers on board ships are provided with Norwegian wage and working conditions

We are calling the EU for:

- Legislative initiatives able to ensure socially **sustainable shipping and port sector** and the **implementation of a European Maritime Space** in European waters.
- **Seafarers NOT to be excluded** from several horizontal EU Directives and Regulations for workers. Seafarers should have the same rights than any other category of workers in the European Union, so that the 20 Principles of Social Rights will become a reality also for seafarers within the European Union.
- **All crew**, no matter their nationality or place of residence, working onboard vessels operating regularly in between European ports – no matter the flag the vessel flies – **must be granted European terms and conditions including wages.**
- All seafarers working wholly or mainly in European waters must be treated in the same way as **shore-based workers.**
- **Recognition of the crucial role of the seafarers and dock workers in society.** The public opinion needs to be aware of their importance, the difficulties they face, the hard working conditions, the risks in safety and the general specificities of the maritime professions.

2. State aid & subsidies

Current system:

- Does not provide value for Money
- Fails to protect jobs/not grown EU registered shipping

EU State Aid Rules goals:

To encourage the flagging to the register of EU M-S: More ships flying EU Flags?

FAILED

In accordance with the 2022 UNCTAD Review of Maritime Transport, more than 40% of the world's fleet is controlled by companies from Europe and only 19% of the world fleet sails under an EU member state flag compared to 34% in 1980. This means that almost half of the fleet controlled by EU shipping companies have "flagged out".

To produce high quality training and jobs: More jobs for EU seafarers?

FAILED

The other main goal of the State Aid Rules, is to produce quality EU jobs and training opportunities for EU seafarers. Companies benefiting from EU State Aid, should give back to the Community. Shipowners in turn for receiving state support should have stronger obligations to EU seafarers. Almost 40% of masters and officers on board EU flagged vessels, are coming from 3rd countries and mainly from Asia. There are falling numbers of EU-domiciled seafarers in UK, France, Germany, almost everywhere.

On-shore maritime clusters and jobs?

FAILED

Researchers did not find a link between maritime subsidies and strong on-shore maritime hubs or jobs. In fact, maritime subsidies often encourage shipowners to build new, larger ships. These giant ships are built outside the EU and encourage port automation which destroys cargo handling jobs in European ports.

We are calling the EU for:

- A revision of the EU State Aid Guidelines for Maritime Transport, so that taxpayers' money is used in a far more effective way.
- Restrictions to the eligibility for state aid of ships registered in respect of international shipping registers e.g. GIS, NIS, Madeira etc.
- Governments should limit the eligibility of maritime state aid to ships that are registered in a national first registry, but not to those in a second or international registry or that have been declared a flag of convenience. The EU State Aid Guidelines should be adapted to indicate that such registries are not eligible for state aid.
- State Aid should be used to encourage the growth of EU national first registries only.
- State Aid to shipping should only be granted provided that they recruit, educate and employ EU seafarers.
- Effective implementation, stricter monitoring and enforcement of the obligations by the European Commission.
- Improve statistics on employment in maritime transport in Europe.
- EU Agencies to start collecting data on the number of EU/EEA seafarers and the types of vessels on which they are deployed.

3.

Green maritime & ports

The maritime sector is responsible for around 3-4% of the EU greenhouse gas emissions. As part of the measures to ensure climate neutrality by 2050, the EU launched several initiatives targeting the shipping sector. Although we welcome the general goals set in the EU Green Deal, a number of issues arising from the green transition have an impact on maritime workers, both in terms of the social dimension and fair competition.

We are calling the EU for:

- A climate policy that includes social sustainability as a pillar of the just transition for the workers of the shipping and port sectors, taking into account the aging workforce and the challenges coming from the concurrent digital and technological transformation.
- A green and just transition that, while ensuring the achievement of carbon neutrality, is able to implement appropriate measures to retain the workforce through up-skilling, re-skilling and proper training programs, in order to avoid the risk of further affecting the attractiveness of the sector.
- The allocation of adequate funding and public investments for training programs that will facilitate a just transition for the maritime workers involved.
- A strategic use of the revenues deriving from the EU Climate Law (e.g. EU ETS in maritime) for sector-specific investments to boost training, employment and good quality jobs.
- Create a horizontal European Just Transition Observatory to monitor the implementation of all policies and measures related to the full scope of the European Green Deal.
- Promote and strengthen social dialogue and collective bargaining at all levels (EU, national, sectoral, regional and company).
- Monitor Member States' national programmes and insist on Just Transition measures as well as social conditionalities in state aid rules and when applying for EU funding.
- Use social conditionalities on public funds and EU resources to invest in the training, retraining and upskilling of workers to ensure the skills needed for the green and digital transition, as well as the creation of quality apprenticeship and graduate entry-level opportunities.
- The effective enforcement of compensation measures to counter the possible effects of the climate policy on fair competition in the shipping and port sectors in Europe.
 - The EU ETS brings, for example, a significant risk of evasion, port diversion and relocation of transshipment activities to neighbouring ports outside the EU, as calls at non-EU ports could become more economically attractive and shipping companies could avoid paying into the ETS by adding a port call outside the EU, or by reconfiguring their routes.
 - Competitiveness of EU Ports could be put at risk, with negative impact on employment and on the effectiveness of the emission reduction schemes.

4. Safety

Securing cargo onboard of ships is a crucial task to ensure that cargo, ships and seafarers reach their destination safely. Lashing is a hard and hazardous job that must only be performed by trained and qualified workers. For this reason, international collective agreements include a clause stating that lashing can only be done by qualified dockers.

The clause came into force in Europe in January 2020. However, the clause is regrettably not always enforced, as seafarers are frequently required by the shipping companies to do the lashing, in order to save time and money. Seafarers who are told to do so, operate in a very dangerous environment, without being trained to perform lashing operations. They have to do it for free or they are paid very little for the extra work, and they put their lives at risk and end up stressed and fatigued because of long working hours and tight sailing schedules.

The ETF, in cooperation with its affiliates, is engaged in ensuring that lashing is done in a safe manner by qualified dockers in all European ports. At the same time, we are supporting our affiliates in their political work to make sure that all existing regulations at port, regional or national level recognise lashing as dockers' work.

Even though working onboard ships implies a high level of risks and dangers, there is no harmonised approach at EU level on accidents involving seafarers and port workers on board ships, as Member States' accidents investigations bodies are usually in charge.

We are calling the EU for:

- The implementation of a harmonised EU approach on recording of accidents on board ships, as in some cases accidents are still not reported or not investigated due to lack of expertise, resources, coordination among the related bodies.
- The EU legislation to be in line with the relevant international legislative framework.
- Accidents involving dock workers on board and ships in ports to be investigated properly, as they are currently not approached consistently by all Member States.
- A more comprehensive and detailed legal framework to ensure better compliance of the Member States' national investigation bodies, coordination, and timely reporting.

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