Maritime industry and seafarers: ratication by Member States of the 2006 Consolidated Maritime Labour Convention of the International Labour Organisation ILO, 23 February 2006

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The Commission presents a proposal for a Council Directive. The purpose of which is to implement the Agreement on Maritime Labour Convention, 2006, concluded on 19 May 2008, between the organisations representing management and labour in the maritime transport sector (European Community Shipowners' Associations (ECSA) and European Transport Workers' Federation (ETF).

The International Labour Organisation adopted on 23 February 2006 the Maritime Labour Convention, 2006, aiming to create a single, coherent instrument embodying all up-to-date standards applying to international maritime labour. Hence, this Convention incorporates the conventions and recommendations on maritime labour adopted by the ILO since 1919 into a single consolidated text to serve as a basis for the first universal Maritime Labour Code.

The Commission actively participated in works on the Maritime Labour Convention from the outset. The Council adopted a Decision on 7 July 2007 authorising Member States to ratify the ILO Maritime Labour Convention, 2006 in the interests of the European Community, preferably before 31 December 2010.

In matters of social policy, the Treaty confers a unique and key role upon the social partners at Community level. Article 138 provides that any initiative in this area must be subject to prior consultation of the social partners on the possible direction of the action and, subsequently, the content of the envisaged proposal. In this context, the Commission consulted management and labour on the advisability of developing the existing Community acquis by adapting, consolidating or complementing it in the light of the Maritime Labour Convention, 2006.

The social partners decided to engage in negotiations in the light of Article 139(1) of the Treaty and, on 19 May 2008 (in connection with the first European Maritime Day) they signed a joint agreement concerning the Maritime Labour Convention, 2006.

The social partners requested the Commission to propose a Council Directive giving effect to their agreement and its Annex A under EU law, in accordance with Article 139 of the Treaty. The present proposal responds to this request.

The Commission considers that if the provisions of the Maritime Labour Convention, 2006 are incorporated into Community law, they will enhance the attractiveness of work in the maritime sector for European seafarers, thus helping to create more and better jobs and, a more even playing field globally in the interest of all parties involved.