

# **European Community Shipowners' Associations (ECSA)/European Transport Workers' Federation (ETF) Agreement on the Maritime Labour Convention, 2006: flag State responsibilities for the enforcement of Directive 2009/13/EC**

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The Council took note of the **state of play** on two proposals for directives laying down the **responsibilities of flag states**, on the one hand, and port states, on the other, as regards the enforcement of the Maritime Labour Convention adopted in 2006 by the International Labour

Organisation (ILO).

The Council's preparatory bodies have only recently started discussion of the Commission proposals. The progress report drawn up by the presidency shows that **member states generally welcomed the proposals**, although **concerns** were expressed regarding :

the absence of impact assessments;

the necessity to avoid putting additional administrative burdens on public administrations and the shipping industry at this time of economic crisis;

the need to bring the text of the draft Directives more in line with MLC 2006 by incorporating, in certain instances, its exact wording.

Some delegations took the floor to highlight **certain issues** mentioned in the progress report.

**With regard to the flag state proposal :**

There is a request for a possible exemption from regular inspections for **smaller ships**.

A number of delegations have questioned the absence of a possibility to exempt ships of less than 200 GT from regular inspections. They argue that such exemptions are provided for in MLC 2006.

One delegation has requested that the scope of the Directive be enlarged and that it should tackle issues such as shipowner's liabilities, certification procedures for vessels, manning companies, social security and minimum staffing levels as well.

Concerning the **transposition deadline**, a number of delegations have asked for a longer period (18 months instead of 12 months as proposed by the Commission).

The Presidency will further reflect on whether it would be appropriate to provide for more flexibility when it comes to checks and monitoring mechanisms for smaller ships (less than 200 GT). The Presidency will also propose to extend the transposition period from 12 to 18 months in line with the requests of delegations.

Ministers instructed the Council's preparatory bodies to continue examination of the proposals.