Minimum level of training of seafarers. Codification

2020/0329(COD) - 18/11/2020 - Legislative proposal

PURPOSE: to align EU rules with international rules on the training and certification of seafarers (codification of Directive 2008/106/EC of the European Parliament and of the Council).

PROPOSED ACT: Directive of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: in the interests of clarity and transparency of EU law, the aim of this proposal is to undertake a codification of Directive 2008/106/EC of the European Parliament and of the Council on the minimum level of training of seafarers, which has been substantially amended several times. The new Directive will supersede the various acts incorporated in it; it fully preserves the content of the acts being codified and hence does no more than bring them together with only such formal amendments as are required by the codification exercise itself.

CONTENT: the proposed Directive incorporates into EU law the provisions of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, of the International Maritime Organisation (IMO), (STCW Convention), which was the subject of a major revision at a Conference of the Parties to the STCW Convention held in Manila in 2010. Further amendments to the Convention were adopted in 2015 and 2016.

As all Member States are Parties to the STCW Convention, the harmonisation of EU regulations on the training and certification of seafarers with the STCW Convention aims to ensure consistent implementation of their international commitments.

Specifically, the proposal:

- sets out the training rules and standards of competence to be met by candidate seafarers in order to obtain or revalidate a certificate enabling them to perform the duties for which the certificate of competency or proficiency is issued. Training for seafarers should cover proper theoretical and practical training so as to ensure that seafarers are qualified to meet security and safety standards and are able to respond to hazards and emergencies;

- obliges Member States to adopt and enforce specific measures to prevent and penalise fraudulent practices related to certificates of competency or certificates of proficiency;

- lays down criteria for the inspection of maritime training establishments, training programmes and courses;

- contains provisions on minimum rest periods for watchkeeping personnel to improve maritime safety and the prevention of pollution at sea;

- provides for measures to ensure communication between crew members of ships sailing in EU waters;

- establishes common criteria for the recognition by the Member States of seafarers’ certificates issued by third countries, based on the training and certification requirements as agreed in the framework of the STCW Convention;

- improves the effectiveness of the centralised mechanism for the recognition of seafarers’ certificates from third countries and enhances legal clarity with regard to the mutual recognition of seafarers' certificates issued by Member States. The proposal provides that a reassessment of third countries which provide a low number of seafarers to ships flying the flags of Member States should be performed at intervals of ten years.