## Basic information

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|---|---|
| **2020/0329(COD)**<br><br>COD - Ordinary legislative procedure (ex-codecision procedure)<br>Directive | Procedure completed |
| Minimum level of training of seafarers. Codification<br><br>Repealing Directive 2008/106 2007/0219(COD)<br><br>**Subject**<br><br>3.20.03 Maritime transport: passengers and freight<br>3.20.10 Transport undertakings, transport industry employees<br>4.15.06 Professional qualifications, recognition of qualifications<br>4.40.15 Vocational education and training | |

## Key players

| | | | |
|---|---|---|---|
| European Parliament | **Committee responsible** | **Rapporteur** | **Appointed** |
| | JURI Legal Affairs | AUBRY Manon (The Left) | 01/07/2021 |
| Council of the European Union | | | |
| European Commission | **Commission DG** | **Commissioner** | |
| | Legal Service | VON DER LEYEN Ursula | |
| European Economic and Social Committee | | | |
| European Committee of the Regions | | | |

## Key events

| Date | Event | Reference | Summary |
|---|---|---|---|
| 18/11/2020 | Legislative proposal published | COM(2020)0739 | Summary |
| 23/11/2020 | Committee referral announced in Parliament, 1st reading | | |
| 28/03/2022 | Vote in committee, 1st reading | | |
| 30/03/2022 | Committee report tabled for plenary, 1st reading | A9-0080/2022 | |
| 05/04/2022 | Decision by Parliament, 1st reading | T9-0109/2022 | Summary |
| 24/05/2022 | Act adopted by Council after Parliament's 1st reading | | |
| 08/06/2022 | Final act signed | | |
| 27/06/2022 | Final act published in Official Journal | | |

## Technical information

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| **Procedure reference** | 2020/0329(COD) |
| **Procedure type** | COD - Ordinary legislative procedure (ex-codecision procedure) |
| **Procedure subtype** | Codification |
| **Legislative instrument** | Directive |
| **Amendments and repeals** | Repealing Directive 2008/106 2007/0219(COD) |
| **Legal basis** | Treaty on the Functioning of the European Union TFEU 100-p2 |
| **Other legal basis** | Rules of Procedure EP 165 |
| **Mandatory consultation of other institutions** | European Economic and Social Committee<br>European Committee of the Regions |
| **Stage reached in procedure** | Procedure completed |
| **Committee dossier** | JURI/9/04678 |

## Documentation gateway

**European Parliament**

| Document type | Committee | Reference | Date | Summary |
|---|---|---|---|---|
| Committee draft report | | PE699.290 | 18/03/2022 | |
| Committee report tabled for plenary, 1st reading/single reading | | A9-0080/2022 | 30/03/2022 | |
| Text adopted by Parliament, 1st reading/single reading | | T9-0109/2022 | 05/04/2022 | Summary |

**Council of the EU**

| Document type | Reference | Date | Summary |
|---|---|---|---|
| Draft final act | 00037/2021/LEX | 08/06/2022 | |

**European Commission**

| Document type | Reference | Date | Summary |
|---|---|---|---|
| Legislative proposal | COM(2020)0739 | 18/11/2020 | Summary |

**Other institutions and bodies**

| Institution/body | Document type | Reference | Date | Summary |
|---|---|---|---|---|
| EESC | Economic and Social Committee: opinion, report | CES5552/2020 | 27/01/2021 | |

## Additional information

| Source | Document | Date |
|---|---|---|
| European Commission | EUR-Lex | |

| Final act |
| --- |
| Directive 2022/0993<br>OJ L 169 27.06.2022, p. 0045 |

# Minimum level of training of seafarers. Codification

2020/0329(COD) - 05/04/2022 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 623 votes to 4, with 2 abstentions, a legislative resolution on the proposal for a directive of the European Parliament and of the Council on the minimum level of training of seafarers (codification).

Parliament adopted its position at first reading by adopting the Commission's proposal as adapted to the recommendations of the Consultative Working Party of the Legal Services of the European Parliament, the Council and the Commission.

The proposal for a directive introduces into EU law the provisions of the **International Convention on Standards of Training, Certification and Watchkeeping for Seafarers** of the International Maritime Organisation (IMO), 1978 ("STCW Convention"), which underwent 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 the EU rules on seafarer training and certification with the STCW Convention is intended to ensure a coherent implementation of their international commitments.

Specifically, the proposal:

- sets out the training rules and standards of competence which seafarer candidates must meet in order to obtain or revalidate a certificate to perform the functions covered by the certificate of competency. The training of seafarers should cover theory and practice so that seafarers are qualified to meet safety and security standards and are able to respond to hazards and emergencies;

- obliges Member States to designate the authority or authorities or bodies empowered to provide training, organise and/or supervise any examinations that may be required, issue certificates and grant dispensations;

- obliges Member States to adopt and enforce specific measures to prevent and sanction fraudulent practices related to certificates of proficiency and competence;

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

- contains provisions on minimum rest periods for watchkeeping personnel to enhance maritime safety and pollution prevention at sea. All persons who are assigned duty as an officer in charge of a watch or as a rating forming part of a watch, and those whose duties involve designated safety, prevention of pollution and security duties shall be provided with a rest period of not less than: (i) a minimum of 10 hours of rest in any 24-hour period; and (ii) 77 hours in any seven-day period;

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

- establishes common criteria and procedures, based on the standards of training and certification adopted under the STCW Convention, for the recognition by Member States of seafarers' qualifications issued by third countries;

- improves the efficiency of the centralised mechanism for the recognition of third country seafarers' certificates and enhances legal clarity with regard to the mutual recognition of seafarers' certificates issued by Member States. If there are no endorsements attesting recognition issued by a Member State in relation to certificates of competency or certificates of proficiency issued by a third country for a period of more than eight years, the recognition of that third country's certificates will be re-examined. Third countries which have been recognised in accordance with the recognition procedure will be subject to regular reassessment at 10-year intervals;

- provides that ships, irrespective of their flag, should, when in a port of a Member State, be subject to control by the port State to verify that all seafarers serving on board hold a valid certificate of competency or dispensation and/or a certificate of proficiency and/or documentary evidence in accordance with the STCW Convention;

- specifies grounds for detention of a ship, such as lack of training or working conditions of the crew, where it has been established that these deficiencies constitute a danger to property, persons or the environment;

- calls on the Commission to establish a dialogue with social partners and Member States to develop maritime training initiatives additional to the internationally agreed minimum level of training of seafarers, and which could be mutually recognised by Member States as European Maritime Diplomas of Excellence.

# 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.