

Procedure file

Basic information		
RSP - Resolutions on topical subjects	2008/2660(RSP)	Procedure completed
Resolution on the proposal for a Council directive implementing the Agreement concluded by the European Community Shipowners' Associations (ECSA) and the European Transport Workers' Federation (ETF) on the Maritime Labour Convention, 2006 and amending Directive 1999/63/EC See also 2012/0065(COD) Subject 3.15.08 Fishing enterprises, fishermen, working conditions on board 3.20.10 Transport undertakings, transport industry employees 4.10.10 Social protection, social security 4.15.15 Health and safety at work, occupational medicine		

Key players			
European Parliament			
Council of the European Union			
	Council configuration	Meeting	Date
	Employment, Social Policy, Health and Consumer Affairs2916		16/12/2008
European Commission			
	Commission DG	Commissioner	
	Economic and Financial Affairs		
	Employment, Social Affairs and Inclusion		

Key events			
02/07/2008	Additional information		Summary
14/01/2009	Decision by Parliament	T6-0020/2009	Summary
14/01/2009	End of procedure in Parliament		

Technical information	
Procedure reference	2008/2660(RSP)
Procedure type	RSP - Resolutions on topical subjects
Procedure subtype	Resolution on statement
	See also 2012/0065(COD)
Legal basis	Rules of Procedure EP 107-p3
Stage reached in procedure	Procedure completed

Documentation gateway				
Motion for a resolution		B6-0624/2008	08/12/2008	EP

Text adopted by Parliament, single reading	T6-0020/2009	14/01/2009	EP	Summary
Follow-up document	32009L0013 OJ L 124 20.05.2009, p. 0030	16/02/2009	EU	Summary

Resolution on the proposal for a Council directive implementing the Agreement concluded by the European Community Shipowners' Associations (ECSA) and the European Transport Workers' Federation (ETF) on the Maritime Labour Convention, 2006 and amending Directive 1999/63/EC

See [COM\(2008\) 422](#).

Resolution on the proposal for a Council directive implementing the Agreement concluded by the European Community Shipowners' Associations (ECSA) and the European Transport Workers' Federation (ETF) on the Maritime Labour Convention, 2006 and amending Directive 1999/63/EC

The European Parliament adopted by 646 votes to 20 with 5 abstentions, a resolution tabled by the Committee on Employment and Social Affairs on the proposal for a Council directive implementing the Agreement concluded by the European Community Shipowners' Associations (ECSA) and the European Transport Workers' Federation (ETF) on the Maritime Labour Convention, 2006 and amending Directive 1999/63/EC.

Parliament began by welcoming the fact that, although Article 139(2) of the Treaty does not provide for Parliament to be consulted in relation to requests made to the Commission by the social partners, the Commission has forwarded its proposal to Parliament and has asked it to communicate its opinion to the Commission and the Council. It supports the agreement concluded by the social partners on certain aspects of the working conditions of workers in the maritime shipping sector as it strikes a fair balance between the need to improve working conditions and to protect the health and safety of seafarers.

The Agreement should be submitted to the Council, and Parliament calls on the Council to adopt the Commission proposal with a view to implementing the Agreement as concluded by the social partners, taking into account any special interests of the Member States and, accordingly, of the EU.

Parliament considers that it is essential to define and enforce global minimum standards of employment and health and safety conditions for seafarers employed or working on board seagoing ships. It welcomes the fact that the Agreement as concluded by the social partners and the Commission proposal provide only for minimum requirements. Member States and/or the social partners are free to adopt measures which are more favourable to workers in the area concerned and substantially equivalent to the provisions of Part A of the Code of the Convention.

Parliament recommends the adoption of the Commission proposal. It calls on all Member States to ratify the Maritime Labour Convention 2006 without delay.

Resolution on the proposal for a Council directive implementing the Agreement concluded by the European Community Shipowners' Associations (ECSA) and the European Transport Workers' Federation (ETF) on the Maritime Labour Convention, 2006 and amending Directive 1999/63/EC

The Council adopted Directive 2009/13/EC implementing the Agreement concluded by the European Community Shipowners' Associations (ECSA) and the European Transport Workers' Federation (ETF) on the Maritime Labour Convention, 2006, and amending Directive 1999/63/EC.

This Directive implements 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).

This Directive came about because on 19 May 2008, the organisations wished to help create of a global level playing field throughout the maritime industry and concluded an Agreement on the Maritime Labour Convention, 2006. This Agreement and its Annex contain a joint request to the Commission to implement them by a Council decision on a proposal from the Commission, in accordance with Article 139(2) of the Treaty.

The Agreement applies to seafarers on board ships registered in a Member State and/or flying flag of a Member State. It amends the European Agreement on the organisation of working time of seafarers concluded in Brussels on 30 September 1998 by ECSA and the Federation of Transport Workers' Unions in the European Union (FST). The Agreement will enter into force simultaneously with the Maritime Labour Convention, 2006, and the social partners wish the national measures implementing the Directive to enter into force not earlier than on the date of entry into force of the Convention.

Member States may entrust management and labour, at their joint request, with the implementation of the Directive, as long as the Member States take all the necessary steps to ensure that they can at all times guarantee the results imposed by the Directive.

The Directive complies with the fundamental rights and principles set out in the Charter of Fundamental Rights of the EU and in particular with Article 31 which provides that all workers have the right to healthy, safe and dignified working conditions, to a limit on their maximum working time and to weekly and daily rest periods and an annual period of paid leave.

Lastly, it should be noted that the Directive and the Agreement lay down minimum standards. Member States and/or the social partners are

able to maintain or introduce more favourable provisions.