

EUROPEAN PARLIAMENT

2004



2009

Session document

8.12.2008

B6-0624/2008

MOTION FOR A RESOLUTION

pursuant to Rule 78(3) of the Rules of Procedure

by Mary Lou McDonald

on behalf of 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 (COM(2008)0422)

B6-0624/2008

European Parliament 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 (COM(2008)0422)

The European Parliament,

- having regard to the Commission proposal for a Council directive on the Agreement between 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 (COM(2008)0422),
 - having regard to the Charter of Fundamental Rights of the European Union¹,
 - having regard to Council Directive 1999/63/EC of 21 June 1999 concerning the Agreement on the organisation of working time of seafarers concluded by the European Community Shipowners' Associations (ECSA) and the European Transport Workers' Federation (ETF)²,
 - having regard to the Agreement concluded between the European Community Shipowners' Associations (ECSA) and the European Transport Workers' Federation (ETF) concerning the Maritime Labour Convention, 2006 (the Convention),
 - having regard to the fact that the Agreement included a joint request for the Commission to implement the Agreement and its Annex A by a Council decision on a proposal from the Commission, in accordance with Article 139(2) of the Treaty,
 - having regard to Rule 78(3) of its Rules of Procedure,
- A. whereas Article 31 of the Charter of Fundamental Rights of the European Union 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 holidays,
- B. whereas Article 139(1) of the Treaty gives the social partners at Community level the possibility, should they so desire, to enter into a dialogue which may lead to contractual relations, including agreements,
- C. whereas Article 139(2) of the Treaty provides for the possibility of implementing agreements concluded at Community level, at the joint request of the signatory parties, by a Council decision on a proposal from the Commission,
- D. whereas if all the Member States ratify the Convention it will have achieved the threshold necessary for it to come into force,

¹ OJ C 303, 14.12.2007, p. 1.

² OJ L 167, 2.7.1999, p. 33.

- E. whereas ratification of the Convention will represent an important contribution to the promotion of decent labour standards worldwide,
1. Welcomes 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;
 2. 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;
 3. Agrees that the Agreement should be submitted to the Council; calls, therefore, 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;
 4. 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;
 5. Welcomes the fact that the Agreement as concluded by the social partners and the Commission proposal provide only for minimum requirements, leaving the Member States and/or the social partners 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;
 6. Recalls the flexibility offered by Article II, paragraph 6, of the Convention to the States which have already signed that Convention;
 7. Underlines the vital role of the social partners in improving health and safety conditions for workers; fully supports the appropriate involvement of the social partners in social dialogue negotiations and their conclusion of agreements on working conditions;
 8. Recommends the adoption of the Commission proposal;
 9. Calls on all Member States to ratify the Maritime Labour Convention 2006 without delay;
 10. Instructs its President to forward this resolution to the Council, the Commission and the social partners.