

Reply to the Consultation on the European Maritime Safety Report 2022



FEPORT and ESPO welcome the possibility to provide comments regarding the European Maritime Safety Report 2022.

FEPORT represents the interests of port companies and terminals performing cargo handling and logistics related activities in European ports. FEPORT Members employ over 390.000 workers.

ESPO represents the common interests and promotes the common views and values of port authorities, port administrations and port associations of the seaports of the European Union and Norway.

The safety of port workers on board of ships calling EU seaports has always been an important matter for FEPORT and ESPO, which have discussed the topic at length with the other Social Partners of the Sectoral Social Dialogue Committee (SSDC) for Ports.

This issue has been for many years on the agenda of the SSDC for Ports and the Social Partners have requested the EU Commission's support to find a sustainable solution preventing accidents involving port workers performing cargo handling activities on board of ships.

FEPORT and ESPO believe that the safety of dock workers is of paramount importance. For this reason, they have in various occasions stressed the need to close the existing legal gap and called for the revision of - or the inclusion of checklists to - relevant pieces of EU legislation to allow for safer cargo handling operations and more effective, comprehensive, and systematic controls of vessels. Standardized, systematic and consistent checks would ensure that the safety of work on board of ships is guaranteed for both seafarers and dock workers. On several occasions, the two organizations have also pointed out that the ship-centric definition of "the operations of a ship", and thus of a "marine incident", leads to a legal gap and a situation where dock workers on board of vessels are not covered by EU safety legislation. This creates uncertainty regarding jurisdiction, responsibilities and monitoring.

FEPORT and ESPO reiterate the necessity to find a concrete solution to this crucial issue and have very high expectations in regard to the outcome of the impact assessments concerning the revisions of Directive 2009/16/EC on Port State Control and of Directive 2009/18/EC establishing the fundamental principles governing the investigation of accidents in the maritime transport sector.