



EUROPEAN COMMISSION
Impact Assessment Board

Brussels,
SG.C2 (2015)

Opinion

Title

DG MOVE – Initiative on the recognition of professional qualifications in inland navigation

(draft version of 18 December 2014)*

(A) Context

Inland Waterway Transport (IWT) represents an important pillar in the functioning of the EU's transport systems. In order to promote the development of the sector, the Commission adopted the NAIADES I (covering the period 2006 to 2013) and a refocused NAIADES II package as from 2013, with "Skilled workforce and quality jobs" defined as a key area of intervention. There are currently several legal instruments which regulate professional qualifications standards of IWT personnel – Regulations for Rhine navigation personnel (RNP), the Danube Commission (DC), the United Nations Economic Commission for Europe (UNECE), the Sava Commission, the Moselle Commission and individual Member States. At EU-level, the recognition of professional qualifications in inland navigation is regulated for crew members other than boatmasters by Directive 2005/36/EC on the recognition of professional qualifications through the so-called general system. As regards boatmasters, Council Directive 91/672/EEC provides for the mutual recognition of boatmasters' certificates and Council Directive 96/50/EC sets conditions for obtaining boatmasters' certificates in MS.

(B) Overall opinion: NEGATIVE

The Board gives a negative opinion because there is no clear justification for an intervention at EU level.

The IA Report should clarify the following key aspects:

1) What exactly is (are) the problem(s) the initiative aims to address? How relevant is (are) the problem(s) at EU level? Is there evidence to justify the safety concerns?

2) Why do these problems need to be addressed at EU-level given that only 41.000 people work in the sector (and, for example, there are only 900 boatmasters that would be affected by the foreseen extra measures)? Why would the relevant actors in the inland waterway sector (including the Rhine and Danube Commissions) not drive the necessary changes themselves?

3) The options should be clarified further. How do the benefits of the options compare to the costs, especially as the sector is comprised mainly of micro enterprises who would seemingly have to absorb possible wage increases?

Once revised, the IA must be resubmitted to the Board on which it will issue a new opinion.

* Note that this opinion concerns a draft impact assessment report which may differ from the one adopted.

(C) Main recommendations for improvements

(1) Clarify the problems and need to act. The report should better explain the underlying problems, their magnitude and why there is a need to act at EU-level – both for boatmasters (where an EU legal framework already exists) and for operational staff (not yet specifically regulated at EU level). In doing so, it should better address: (a) the relatively small number of persons affected; and (b) the role of the EU vis-à-vis private actors and public authorities in defining and enforcing professional qualifications and education standards.

More specifically, the report should better explain the importance of the identified labour mobility barriers for the sector that directly employs ca 41.000 people and how it will evolve over time (e.g. in view of demographic changes). In this context, it should clarify why attempts within the sector (by regulators, economic actors or educational institutes) have so far failed (or are likely to fail in the future) to address sufficiently the labour shortages in inland navigation.

The report should better explain why safety is considered (at least) as problematic as labour mobility barriers in inland waterway transport – despite the fact that it is presented as a safe mode of transport in comparison with other transport modes. It should provide a narrative on how safety concerns relate to core competences. In doing so, the report should clarify which category of operational workers is primarily responsible for safety concerns (i.e. besides boatmasters). Finally, the report should make clear why the databases used to demonstrate the low quality of national education standards in countries other than DE, BE, FR and NL are considered reliable and representative.

(2) Clarify the options and their impacts. The report should clarify the rationale and proportionality of the alternative combinations of policy measures, including which ones would provide an absolute minimum level of harmonisation and which would be more ambitious (e.g. going beyond boatmasters and/or beyond setting minimum requirements for harmonised qualifications and mutual recognition). In doing so, it should explain how the individual measures relate to each other, notably as regards the need for, and added value of, an EU harmonisation of national education and examination standards - both for boatmasters and operational staff. The report should explain the scope for Member States to go beyond minimum requirements and analyse the impacts of so doing. Broadening the range of realistic policy alternatives (e.g. by presenting more combinations of measures, including broader implementation of River Speak) should also be considered.

Moreover, the report should better substantiate and illustrate the positive impacts of the preferred option and the likelihood that they materialise, comparing them to the potentially negative ones such as: (a) the impact of stricter requirements on the access to the profession, (b) the impact of the likely wage increases on the competitiveness of the sector, primarily SMEs, and (c) the ability of the prescribed EU-level requirements to keep up with the fast changing technological developments in the sector. It should explain the importance of generating an immediate impact via a EU-level intervention as compared to actions of other parties, possibly bringing benefits in a longer timeframe. The report should present the distribution of impacts between individual Member States, supported by their views. Finally, the report should put the impacts into perspective (i.e. as a share of the sector's employment, turnover, total costs, education expenditure etc.).

Some more technical comments have been transmitted directly to the author DG and are expected to be incorporated in the final version of the impact assessment report.

(D) Procedure and presentation

While the report is relatively easy to read and to understand, it should better focus the narrative on the need to act and present only realistic policy options. A greater effort should be made to provide more insights regarding the views of stakeholders on the individual policy measures.

(E) IAB scrutiny process

Reference number	2014/MOVE/015
External expertise used	No
Date of IAB meeting	21 January 2015