



EUROPEAN COMMISSION
Regulatory Scrutiny Board

Brussels,
Ares(2015)

Opinion

Title

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

(resubmitted version of 13 July 2015)*

(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: POSITIVE

The IA Report has been improved in line with the Board's recommendations, but should further clarify the following key aspects:

- 1) Given that the report addresses the insufficient geographical labour mobility within the IWT sector, it should clarify in how far the proposed measures contribute to increase this mobility. Moreover, beyond this labour mobility problem, the sector suffers from an increasing labour shortage for the whole sector, which the proposed measures only address partially: the IA report should clearly explain that it restricts itself to labour mobility and does not address other problem drivers linked to the lack of qualified staff.
- 2) The report should broaden the choice of alternative policy options (for instance, the option to adopt minimum standards identical to the Directive 96/50/EC) and alternative combinations of policy measures. What is the impact of stricter requirements on access to the profession, on labour cost and on the supply of appropriate labour to the profession?
- 3) The report should explain why issues considered important by stakeholders (including problems to be addressed (e.g. safety issues) problem drivers affecting labour mobility (language problems) and options (River Speak) have not been taken into account.

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

(C) Main recommendations for improvements

(1) Better identify problems and drivers and justify action at EU level: The report should further clarify how EU action to deal with labour mobility problem drivers (e.g. divergent standards in qualifications) adds value over and above solutions from authorities of the area largely affected (for instance, it should explain what prevents the Rhine Commission from unilaterally readjusting its qualification requirements to those of the Directive 96/50/EC to put an end to the labour mobility issue). The report should also clarify whether the issue of competence-based recognition systems is part of the problem or rather of the solution (see below more on this). Furthermore, the report should provide more information on the existing labour mobility between regions and what the potential for further mobility could be, and highlight the importance of IWT labour mobility relative to other factors that may hinder achieving the full growth potential of the IWT sector. In addition, in the presence of increasing overall sector labour shortages (that subsist even in case of 'full labour mobility' between regions according to the projections presented), the report should explain how this part of the problem could further be addressed.

2) Consider a wider range and alternative combinations of policy measures and better assess their impacts: The report should consider a wider range of policy measures (or explain why this is not possible). For instance, it may consider the option to adopt minimum standards identical to those in the EU Directive (since the option of minimum standards identical to those of the Rhine is considered); the option to adapt existing common training principles and tests (under Directive 2013/55/EC) so that Member States could not opt out; or alternatives to the competence-based examinations (beyond the BAU). In addition, the report should clarify why no measures are proposed that directly address the chronic lack of new entrants to IWT training schools that underpins the increasing overall sector labour shortage predicted. Furthermore, it should clarify in more detail how far Member States can go beyond minimum requirements and if that will have any consequences on the mutual recognition of qualifications and ultimately on labour mobility. Furthermore, the report should also justify more robustly the rationale for the limited combinations of policy measures offered, or consider a more flexible system of combinations of policy measures. In doing so, the report should provide a more evidence-based assessment of the impact of stricter requirements on access to the profession and on labour costs (that is consistent with increased wages and faster career paths that may follow mutual recognition of qualifications).

(D) Procedure and presentation

The report should explain how issues considered important by stakeholders (including problems to be addressed (e.g. safety issues); problem drivers affecting labour mobility (e.g. language problems); and options (River Speak) have (or not) been taken into account.

(E) IAB scrutiny process

Reference number	2014/MOVE/015
External expertise used	No
Date of IAB meeting	Written procedure (an earlier version of this report was submitted to the Board on 18 December 2014, for which the Board issued an opinion on 23 January 2015).