



Ms Fotini Ioannidou
Head of the Maritime Safety Unit
Directorate-General for Mobility and Transport

Ms Daniela Rosca
Head of the Port Unit
Directorate-General for Mobility and Transport

Rue Demot 28 - 1040 • (postal office Box: 1049)
Brussels - Belgium

Brussels, 29 April 2021

Dear Ms Ioannidou, Dear Ms Rosca,

On behalf of FEPOR, ESPO, IDC and ETF, we would like to thank you for taking the initiative to organize the meeting held on March 29th, 2021 on the state of play of the implementation of Directive 2001/96/EC establishing harmonised requirements and procedures for the safe loading and unloading of bulk carriers.

The exchange of views and the elements presented by Mr Burke were useful to clarify the scope of the Directive and its “ship centric” dimension.

FEPOR, ESPO, IDC and ETF fully agree with DG MOVE on the fact that there is a legal void concerning safety of work on board of ships, which creates uncertainty regarding jurisdiction and responsibilities. This is particularly regrettable. Therefore, FEPOR, ESPO, IDC and ETF reiterate the need to envisage alternative solutions.

As Mr Burke pointed out during the meeting, the safety of port workers on board of ships was not the focus of the text of the Directive although it is expected that ship masters would always be responsible for the safe loading and unloading of the bulk carrier and therefore also in charge of providing any appropriate information that could avoid accidents.

During the meeting, we have well noted that EMSA has carried out 10 visits to EU Member States to verify the correct implementation of the Directive and the visits have revealed a number of shortcomings, mainly focused on organizational arrangements, verification and enforcement.

FEPORT, ESPO, IDC and ETF would like to know when the European Commission intends to contact Member States to discuss the nature of identified non-compliance and require them to correctly implement the Directive; similarly, FEPORT, ESPO, IDC and ETF would like to know when EMSA will complete its cycle of visits to Member States and will report to the Commission.

Moreover, the lack of data available for the EU Commission to evaluate the Directive's relevance, efficiency, effectiveness, and its added value was also mentioned during the meeting and all participants agreed that it would be important to collect accurate data regarding accidents on board of ships to conduct a full evaluation.

FEPORT, ESPO, IDC and ETF would be in favour of such a collection by the EU Commission and would be ready to support and cooperate.

We look forward to receiving a reply with respect to our legitimate request and thank you for the attention you shall grant to our joint demand.

Yours sincerely,

Livia Spera



Acting General Secretary of ETF

Anthony Tétard



IDC European Zone Coordinator

Lamia Kerdjoudj-Belkaid



Secretary General of FEPORT

Isabelle Ryckbost



Secretary General of ESPO