

ETF input into the Danube Commission Expert Group on Personnel (29 January 2026, Budapest)

Introduction

The ETF appreciates the Danube Commission's invitation to actively participate in the newly established expert group on personnel-related matters. Below, we submit a list of topics on which the ETF would be pleased to provide input at the meeting scheduled for 29 January 2026. For each topic, the relevant block(s) of the expert group are indicated in brackets. The ETF remains available to provide further information and to engage in discussions on the prioritisation of topics for the agenda of the 29 January 2026 meeting.

Unclear Market Rules Affecting Crews on the Danube (Blocks 1 & 4)

An increasing number of small companies operate on the Danube with old Rhine vessels purchased at a very low cost. These vessels often enter service without proper technical controls, under unclear registration processes, or adequate insurance. Unlike the Rhine market, where insurance is required by shippers in practice, such guarantees are frequently missing on the Danube, leaving both vessels and crew insufficiently protected.

Illustrative case

In the of summer of 2025, the nautical crew of four vessels moored in Novi Sad were abandoned without pay. The Slovak-flagged vessels, operated by a company registered in Brčko (BiH) and owned by a Serbian citizen, employed mainly Ukrainian crew without valid contracts, leaving them without effective legal remedies. To solve the problem, the ETF contacted the European Commission, the Danube Commission, the European Transport Community, the Serbian authorities, the Slovak authorities and the German authorities. All were either unable or unwilling to take action. In the end, all crew members left the ships without any compensation. The captain was last to leave and was even fined by the Serbian authorities.

The legal framework, especially the line of responsibilities, should be clarified in order to avoid such situation. In particular, what are the mechanisms ensuring that vessels operating on the Danube are in good navigation condition, including from an environmental point of view (obligation of insurance, strengthened and harmonised port regulations along the Danube, etc.), and what are the mechanisms ensuring that the crew can effectively claim employment compensation.

Clarification on applicable minimum wages to IWT workers on the Danube (block 1&4)

Clarifications should be provided on the minimum wages applicable to crew members working on the Danube: Is it the minimum wage laid down under the law of the flag state, or the minimum wage under the law of the country where the employer is established, or the minimum wage under the law of the country where the workers carry out the most significant part of their work?

The Danube regime under the Belgrade Convention is modelled upon the maritime regime: the law of the flag state has long governed labour law aspects. Is it still the case today, or should EU law pre-empt the flag state principle? If EU law pre-empts the Danube regime, how does EU law apply on the Danube?

Illustrative case

A German company (Austrian-owned) hires Romanian crew under Romanian employment contracts and pays them €600/month plus untaxed allowances. Clarification is needed on whether this complies with EU labour law rules and which authorities have jurisdiction in case of disputes.

[Directive \(EU\) 2019/1152 on transparent and predictable working conditions in the European Union](#) requires transparent written information on working time, place of work, remuneration (including allowances), and social security arrangements. Guidance is needed on how this applies in the Danube context.

The Danube Commission could help clarify how this directive is implemented across the region.

Furthermore, crewmembers, especially captains, increasingly work onboard as self-employed individuals. The expert group could shed some light into the phenomenon of self-employed crew members on the Danube and help clarify the legality of such practices. Self-employed crewmembers are not bound by minimum wage requirements. This opens the door to many abuses. The Expert Group of the Danube Commission could further help clarify what are the shipowner's responsibilities regarding the working conditions of crewmembers indirectly recruited through employment agencies.

Broader Clarification of Labour Law & Social Security Rules (Block 1&4)

As already emphasised above, the interaction between EU rules and the Belgrade Convention makes determining the applicable labour law and social security obligations highly complex. Although the EU announced a social framework fitness check for IWT under NAIADES III, social security and posting rules were ultimately excluded. No comprehensive, sector-specific analysis currently exists.

Could the Danube Commission act as a platform to identify and recommend solutions to legal gaps, inconsistencies, and enforcement problems?

Scope of Social Controls by Riparian Authorities (Block 3)

According to the ELA-AQUAPOL 2023 report on the concerted and joint cross-border inspections, Austrian law enforcement authorities face legal constraints in verifying social compliance on Danube vessels. They generally avoid controlling transit or international operations due to legal uncertainty and only inspect workers involved in cabotage operations, which are reported to be relatively rare.

Could the Expert Group help clarify inspection mandates, methods, and gaps across the region?

Effective Control of Working & Resting Times (Block 3)

Fraud in terms of recording of working and resting time, particularly for hotel and catering staff on river cruise vessels, is considered widespread and has been denounced by both law enforcement authorities and trade unions for two decades. EU law requires employers to use objective, reliable, and accessible systems to record working and resting times, yet current digital tools are often tampered with. Some member states have introduced tamper-proof national tools, but these cannot support cross-border operations.

ETF insists that the working and resting times of all employees on board, horeca and nautical crew alike, should be registered through a reliable, tamper-proof, digital tool. An EU certification of the digital tool used would be the best way to achieve this goal. Social partners have agreed on principles for a digital, EU-level solution providing real-time access for workers and inspectors. These principles align with AQUAPOL recommendations and could form the basis for EU certification.

The Expert Group is well placed to advance discussion on this long-standing issue.

Working Time Directive & Minimum Crewing Requirements (Block 3)

The European Commission plans to introduce “mandatory automated electronic recording of crew member presence, rest time, navigation time and journeys” and to adopt a recommendation on minimum crewing requirements, based on “ES-CREW standards” designed by the CESNI.

ETF would like to stress that crewing requirements should and must always enable compliance with the [Directive 2014/112/EU on working time in inland waterway transport](#). The Danube Commission should also ensure that any adaptation of this recommendation for the Danube would enable full compliance with obligations stemming from this directive.

Furthermore, the features of the electronic tool introduced to record crew members presence, rest time, navigation time and journeys should also technically permit to register working and resting times of all crew, therewith offering to any interested employer/operator, a reliable, tamper-proof tool for the mandatory registration of working and resting times under the WTD.

Visa Requirements for Danube Crew Members (block 1&4)

Clarification is needed concerning visas and work permits for Danubian and/or third-country citizens (Serbia, Moldova, Ukraine, etc.) working on the Danube and EU waterways.

ETF would like to emphasize the following two situations:

- qualified Danubian and/or other third country citizens have difficulties to obtain visas to work for EU companies; information on national derogations from visa requirements granted to civilian crew members on international inland waterways is still missing (see [Information on national derogations from the visa requirement \(2023/C 340/09, §1.2.4\)](#))
- trainees from Danubian and/or other third countries struggle to obtain German visas. Although the *Binnenschiffahrtsausweis* would allow limited access, Serbian authorities, apparently following an EU request, no longer issue it, preventing trainees from gaining practical experience. A solution should be identified to enable apprentices from Danubian schools to complete their on-board training on the Danube and EU waterways.

Brussels, 19 December 2025