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## Economic Commission for Europe

### Inland Transport Committee

#### Working Party on Inland Water Transport

##### Fifty-seventh session

Geneva, 16–18 October 2013

Item 7 (a) of the provisional agenda

##### Standardization of technical and safety

requirements in inland navigation: European Code for

Inland Waterways (CEVNI) (Resolution No. 24, revised)

### Administration of CEVNI

#### Note by the secretariat

#### I. Mandate

1. Since the fourth revised edition of CEVNI (CEVNI 4), four packages of amendments to it have been adopted by the Working Party on Inland Water Transport (SC.3). Significant progress has been made in harmonizing the provisions of CEVNI with national and River Commissions' regulations by holding meetings of the informal CEVNI Expert Group back-to-back with SC.3 and Working Party on the Standardization of Technical and Safety Requirements in Inland Navigation (SC.3/WP.3) sessions. On completion of this work, CEVNI 5 is to become a core set of regulations for rules of the road and signalization on European inland waterways and will have to be administered in all UNECE working languages, covering also the work of the CEVNI Expert Group. In this connection at its forty-third session, SC.3/WP.3 requested the secretariat to prepare a proposal containing arguments for providing official translation and interpretation services to the CEVNI Expert Group for consideration by SC.3 (ECE/TRANS/SC.3/WP.3/86, para. 22).

2. The Working Party may wish to consider the below proposals that have been prepared by the secretariat in accordance with the instructions of SC.3/WP.3.

#### II. Background

2. One of the cornerstones of UNECE's work in the field of unification of the rules of the road and signalization in inland navigation was crowned by the adoption in 1985 of the

European Code for Inland Waterways (CEVNI). This instrument was adopted as a resolution of the UNECE Working Party on Inland Water Transport. It is regularly amended in order to take account of new developments in inland navigation and the experience gained in their application. The Central Commission for the Navigation of the Rhine (CCNR) and its member Governments made a significant contribution to the elaboration of CEVNI. The provisions of CEVNI are, therefore, in general similar to those of the Police Regulations for the Navigation of the Rhine (RPNR) and had been used as a basis for the elaboration of the following regulations:

- Basic Rules of Navigation on the Danube (DFND) of 1990 - Danube Commission;
- Police Regulations for the Navigation of the Mosel of 1995 - Mosel Commission;
- Navigation Rules on the Sava River Basin of 2008 - International Sava River Basin Commission (Sava Commission).

3. In addition, the provisions of CEVNI are partly applied in Belgium, Kazakhstan, Republic of Moldova and Russian Federation and they are planned to be applied in the Netherlands and in France. They are however not applied in a number of countries whose inland waterways can only be reached by river-sea vessels.

### **III. Current CEVNI revision mechanism**

4. With the fourth revision of CEVNI in 2008–2009, the core rules providing a common basis for all European traffic regulations in inland navigation were separated from special regional and national requirements, which were moved to a new chapter 9, “Regional and national special requirements”.

5. On completion of CEVNI 4, SC.3 decided to monitor the application of CEVNI by collecting regional/national deviations from CEVNI provisions, as well as additional requirements. These are published on a yearly basis in a CEVNI status report for consideration by SC.3.

6. A road map for future work on CEVNI was laid down in 2011 to serve as the main reference and mandate for its future CEVNI related activities (ECE/TRANS/SC.3/191/Add.3).

7. In order to give impetus to further harmonization of pan European regulations, an informal expert group on CEVNI was set up by SC.3 in 2008. The group is composed of representatives of international River Commissions and interested Governments. Initially it prepared amendment proposals to CEVNI and River Commissions’ regulations. At its fifty-third session, the Working Party on Inland Water Transport renamed the group as “the CEVNI Expert Group” and entrusted it with monitoring the implementation of CEVNI 4 by Governments and River Commissions and examining future amendment proposals to CEVNI (ECE/TRANS/SC.3/183, para. 13).

8. As a result of work of the CEVNI Expert Group further harmonization was achieved with the Danube Commission and Sava Commission bringing their respective Rules in line with CEVNI 4. Currently the Expert Group is considering a large set of amendment proposals to CEVNI aimed at harmonizing its provisions and those of the Police Regulations for the Navigation of the Rhine (RPNR).

9. CEVNI 4 has been translated into German to enable comparison of CEVNI 4 with the Police Regulations for the Navigation of the Rhine and the Police Regulations for the Navigation of the Mosel. CEVNI 4 was also translated into Dutch with a view to transposing it into the national legislation of the Netherlands. France has also undertaken the process of transposing CEVNI 4 into national legislation.

10. A number of expert group meetings held in 2009–2012 have resulted in a package of amendment proposals to align CEVNI 4 with the RPNR and the DFND. Once the amendment proposals are finalized leading to the adoption of CEVNI 5 and the required amendments are also introduced into the RPNR, the Basic Rules of Navigation on the Danube, Navigation Rules on the Sava River Basin and the Police Regulations for the Navigation of the Mosel, the highest degree of harmonization between CEVNI and River Commissions' regulations and national rules would have been attained.

#### **IV. Rationale for future CEVNI administration**

11. CEVNI 5 is to become a common basis for rules of navigation on all major international waterways in Europe, including the Rhine, the Danube, the Mosel, the Sava, as well as waterways of Austria, Belarus, Bulgaria, Croatia, Czech Republic, Germany, Hungary, Lithuania, Luxembourg, Netherlands, Poland, Romania, Serbia, Slovakia, Switzerland, Ukraine, and, possibly, at a later stage Belgium, France and the Russian Federation. This will improve safety of navigation, facilitate enforcement, simplify the training of boatmasters and enhance crew mobility, and facilitate the employment of qualified crew.

12. To build on the momentum of the widely achieved harmonization of inland navigation regulations on a pan-European scale, any further amendments to national river basin regulations and CEVNI 5 should be centrally administered to reduce parallel work and ensure a continuity of harmonized maintenance and implementation, possibly by a permanent international expert group.

13. Such a mechanism has already been set up for technical regulations on RIS issues by the European Union (EU). The international expert group updates technical specifications and submits them to the EU, River Commissions and UNECE to be incorporated in their respective instruments. Despite the different organizational sources of the existing regulations and recommendations, the substance of these documents is significantly harmonized by following this procedure.

14. The creation of the CEVNI Expert Group has enabled rapid and efficient progress of the work on the revision of CEVNI 4, especially owing to the active participation of all River Commissions. However, the work of the CEVNI Expert Group was limited as, being an informal group of experts, it had to work in one language (English) which presented difficulties for delegations using French or Russian to effectively participate in its work.

#### **V. Procedure for the creation of an official CEVNI Group of Experts**

15. Considering the importance of the work of the CEVNI Expert Group for improving safety on inland waterways and the perspective that CEVNI 5 may become the pan-European instrument reflecting inland water regulations applied in all UNECE member States, the Working Party, at its next session may wish to consider to upgrade the present CEVNI expert group into an official UNECE Group of Experts with full conference and documentation facilities reporting directly to SC.3.

16. In line with established procedures and the UNECE Guidelines for the establishment and functioning of so-called teams of specialists,<sup>1</sup> SC.3 would need to decide on such an

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<sup>1</sup> ECE/EX/2/Rev.1.

official CEVNI Expert Group once CEVNI 5 has been finalized, possibly already at its next session in 2014. SC.3 would also need to adopt the terms of reference and possibly already an outline of a work plan to be adopted at the first session of the newly created Group of Experts.

17. This proposal would then be submitted for approval to the UNECE Inland Transport Committee, possibly at its session in 2015. Thereafter, the UNECE Executive Committee would need to approve the new Group of Expert, possibly in early 2015.

18. In line with the UNECE Guidelines, such a new CEVNI expert group would have a sunset clause bringing its work to an end following a two-year period. Thereafter, an extension could be granted based on an accomplishment report.

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