

Draft minutes of the 22nd meeting of the CEVNI Expert Group¹

1. The CEVNI Expert Group held its twenty-second meeting on 17 October during the fifty-seventh session of the UNECE Working Party on Inland Water Transport (SC.3) (16-18 October, Geneva).
2. The meeting was attended by Mr. R. Vorderwinkler (Austria), Mr. Ivan Bilic-Preic (Croatia), Mr. Gintautas Labanauskas (Lithuania), Ms. N. Dofferhoff-Heldens (the Netherlands), Mr. Alecsandru Neagu, Mr. Viorel Inimaroiu (Romania), Ms. V. Ivanova (Russian Federation), Mr. Darko Sasic (Serbia), Mr. Imre Matics, Mr. Horst Schindler (Danube Commission), Ms. Valerie Blanchard, Ms. A. Jaimurzina and Ms. M. Novikov (UNECE).
3. The representatives of the Central Commission for the Navigation of the Rhine (CCNR) and of International Sava River Basin Commission were not able to attend the meeting.
4. The following items were discussed:
 - I. Adoption of the minutes of the twenty-first meeting
 - II. General exchange of information
 - III. Continuation of the consideration of revision proposals to CEVNI
 - IV. Next meeting

A. Adoption of the minutes of the twenty-first meeting

5. The CEVNI Expert Group considered the minutes of twenty-first meeting on 18–20 September 2013, as contained in document CEVNI EG/2013/2, and adopted them with the exception of the following amendment to paragraph 65:
 65. Accept the amendment proposals to the following articles as set out in part I of CEVNI EG/2013/16: article 1.01 (d) 13; article 1.02, para. 2; article 1.02, para. 2 (e); article 1.02, para. 7 (b); article 1.06; article 1.09, para. 2; article 1.10, para. 1 (c); article 1.15; article 3.14, para. 2; article 3.18, para. 1; article 3.20, paras. 1 ~~and 2~~.
6. The final minutes of the twenty-first meeting of the Expert Group will be published as annex to the report of the SC.3 fifty-seventh session (ECE/TRANS/SC.3/195).

B. General exchange of information

7. The expert from Croatia informed the Group about the on-going work on harmonizing the national regulations with the fourth revised edition of CEVNI. The Group noted that no other addition to the recent exchange of information during its extra-ordinary meeting on 18–20 September 2013 was necessary.

¹ The minutes of the 22nd meeting of the CEVNI Expert Group are published in ECE/TRANS/SC.3/WP.3/2014/2.

C. Continuation of the consideration of revision proposals to CEVNI

8. The Group continued considering document CEVNI EG/2013/16 (pp. 6–25) containing the revisions proposals by CCNR, based on the comparison of the German version of CEVNI and the Police Regulations for the Navigation of the Rhine (RPNR), and the amendment proposals from the secretariat, aimed to reduce the discrepancies in the three linguistic versions of the code.

9. The Group noted that CCNR had suggested verifying a number of CEVNI provisions, but did not submit a concrete question or proposal in their regard. It was, therefore, agreed to check the provisions identified by CCNR, proceeding to the amendments if apparent and necessary, and, if this not the case, refer the issue back to CCNR.

10. The following paragraphs contain the decisions of the Expert Group on the editorial corrections (section 1) and the substantive amendment proposals (section 2).

1. Editorial corrections to CEVNI, based on the discrepancies between language versions

11. The Group considered the editorial corrections, proposed by the secretariat and CCNR and agreed on the following corrections to be submitted to SC.3/WP.3:

12. Article 3.20, para. 2: amend the English text as follows:

2. A convoy stationary offshore (without direct or indirect access to the shore) shall carry:

By night:

On each vessel of the formation an ordinary white light visible from all directions, in a suitable position and at a height of at least 4 m. The total number of lights marking the barges ~~shall not exceed four~~ **may be limited to four**, provided that the outlines of the convoy are clearly marked;

By day:

A black ball on the leading vessel of the convoy or on the outermost vessels leading the convoy and on the pusher if applicable.

13. Article 3.21: amend the text as follows:

The requirements of article 3.14 shall also apply to the vessels **and convoys** referred to in that article when ~~those vessels~~ they are stationary.

14. Article 3.25, para. 1, (a) and (c): amend the English text as follows:

(a) On the side or sides on which the fairway is clear:

By night:

Two ordinary green lights or two bright green lights, positioned at a height of about 1 m one above ~~each~~ **the** other;

By day:

Two green bicones, ~~one~~ placed about 1 m **one** above the other; and, as appropriate;

(c) On the side or sides on which the fairway is clear:

By night:

An ordinary red light and an ordinary white light, or a bright red light and bright white light, ~~one~~ placed about 1 m **one** above the other, with the red light at the top;

By day:

A flag with a red upper half and a white lower half, or two flags flown one above the other, the upper flag being red and the lower flag white,

and, as appropriate,

15. Article 3.26, para. 1 and Article 3.29, para. 1: replace in the English text the expression “one about 1 m one above other” by the expression “about 1 m one above the other”.
16. Article 4.04, para. 2: amend the English text as follows:
 2. Such signals ~~may~~ replace or supplement the visual signals referred to in article 3.30.
17. Article 4.05, para. 1: amend the English text as follows:
 1. Every radiotelephone ~~set~~ **installation** carried on board a vessel or floating establishment shall conform to, and shall be operated in accordance with, the requirements of the competent authorities.
18. Article 4.07: following the suggestion of CCNR to verify Article 4.05, para. 1, the Group checked the text of the provision recalling that its twentieth session in June 2013, it had decided to rename the article “Inland Automatic Identification System (AIS)”. No further amendments were adopted.
19. Article 6.03, para. 2:
 - (a) delete references to “side-by-side formations” as these are covered by the term “convoy”, according to the definition given in Article 1.01 (b), para. 1
 - (b) add the omitted words “or emitted” in the Russian text.
20. Article 6.05, paras.3 and 4: replace expression “the vessels” by “the vessels or convoys” (Not applicable to the French text).
21. Article 6.07: following the remark received from CCNR, the Group recognized that in this article the words “pass” and “meet” were used interchangeably, although the use of the word “pass” implied that the vessel is in movement, while the word “meet” also concerned stationary vessels. The Group asked the secretariat to check the use of the word “pass” in the rest of the text so that an appropriate amendment to the article could be considered, based on this analysis.
22. Article 6.32:
 - (a) para. 4: amend the English and Russian texts as follows:
 4. When radiotelephone contact cannot be established with the oncoming vessels, the vessel **proceeding downstream** shall [...]
 4. При отсутствии возможности установить радиотелефонную связь с судами, идущими во встречном направлении, судно, **идущее вниз по течению**, должно [...]
 - (b) para. 6: amend the French text as follows:
 6. Dans les convois ~~poussés~~, les prescriptions des paragraphes 1 à 5 ci-dessus ne s’appliquent qu’au bateau à bord duquel se trouve le conducteur du convoi.
23. Article 6.33, para. 1 (d): amend the last sentence in the French text as follows:
 - s’il ne se trouve pas ~~à proximité~~ **près** d’une rive et notamment s’il est en train de changer de rive, dégager le chenal autant et aussi vite que possible.
24. The Group discussed the use of the word “fairway” in the last sentence of Article 6.33, para. 1 (d) and declined the proposal of the secretariat to replace “fairway” by “channel”, noting

that the word “fairway” is a widely used general term, easily understood by all and that there was no definition of channel in CEVNI.

25. Article 7.07, para. 2 (b): amend the French text as follows:

(b) Aux bateaux qui ne portent pas cette signalisation mais qui sont munis d’un certificat d’agrément en vertu ~~de l’article~~ **du paragraphe** 8.1.8 de l’ADN et respectent les dispositions de sécurité applicables aux bateaux visés au paragraphe 1 de l’article 3.14.

26. Chapter 8: amend the French title of Chapter 8 as follows:

~~Signalisation et~~ **Obligation de signalisation et** de notification

27. Article 9.07, para. 1: amend the French text as follows:

S’agissant de l’article 6.32, les autorités compétentes peuvent

(a) dispenser de la prescription relative à l’émission du signal sonore tritonal **ou ne l’appliquer que sur certaines voies navigables;**

(b) ~~ne l’appliquer que sur certaines voies navigables~~ Prescrire des dispositions supplémentaires pour les bateaux naviguant au radar.

28. Article 9.09: amend the French text as follows:

S’agissant de l’article 8.02, **paragraphe 4**, les autorités compétentes peuvent exiger, en cas de mise à l’arrêt du bateau que tous les moteurs et toutes les machines auxiliaires se trouvant encore en service soient arrêtés ou débranchés.

29. Annex 1:

(i) amend the English title of the annex 1 as follows:

Distinguishing letter or group of letters indicating country of vessels’s home port or place of registration

(ii) amend the French version of Annex 1 as follows:

République de ~~Moldovie~~ **Moldova**

30. Annex 3:

(i) Change the numbering of the sections of Annex 3 to I, II, III and IV instead of 1, 2, 3, 4 to match the formatting of the other chapters and annexes.

(ii) Amend the English and French versions of Annex 3, 1.3 as follows:

Fixed light visible from all directions (a light projecting an uninterrupted beam throughout a horizontal arc of 360°).

Feu fixe visible de tous les côtés (un feu projetant une lumière ininterrompue sur l’étendue d’un arc d’horizon de 360°).

(iii) Replace the word “flamme” in the French version with “fanion” (pennant)

31. Annex 7, Section I, B.2a and B.2b: replace “channel” with “fairway” in the description of the signs (Not applicable to French and Russian)

32. Annex 8:

(i) Section I, paragraph 3: add the following in the French text:

Feu à occultations régulières



- (ii) Section III, A: modify the title of part A in the French version as follows:
 - A. ~~Signaux~~ **Balisage à terre** indiquant la position du chenal navigable par rapport aux rives
- (iii) Section V, A: add the title in the Russian text:
 - Сигнальные знаки для обозначения мостовых опор (в случае необходимости)
- (iv) Section V, A and B: correct the text of the titles A and B in the English version as follows:
 - A. Marking of bridge piers (~~if necessary~~ **where applicable**)
 - B. Marking of overhead cables (~~if necessary~~ **where applicable**)

2. Substantive revisions proposals

33. The CEVNI Expert Group considered the following substantive revision proposals to CEVNI:

34. Article 1.01:

- (i) The Group took note of the proposal by CCNR to add a definition of “small sport and pleasure craft”, “operator” and “ship owner”. Noting that for the CEVNI purposes, “pleasure craft” falls in the same category as “small craft” and that at the twenty-first session, it was decided to add a definition of “sports and pleasure craft”, the Group decided to not to add a new definition at the present time. The Group also decided that there was no value added in including the definitions of operator and ship owner.
- (ii) With respect to the proposal to transfer the second part of the sentence in Article 1.01 (d), para. 9 to the relevant articles (e.g., article 1.02, para. 6; article 1.03, para. 4), the Group recalled that, at its twentieth meeting, it had decided to return the amendment proposal back to CCNR for further consideration;
- (iii) Following the remark by CCNR the Group checked the definition of “fairway” in Article 1.01 (d), para. 13 and adopted the proposal to amend it as follows:

The term “fairway” means that part of the waterway that can actually be used by ~~shipping navigation~~;

35. Article 1.02, paras. 1 and 2: following the suggestion by CCNR, the Group verified the requirements applicable to the boatmaster and decided to modify its proposal to add a new sentence to Article 1.02, para. 1, adopted at its twentieth meeting on 26 June 2013 (ECE/TRANS/SC.3/WP.3/86, Annex, para. 26) as follows:

1. Every vessel or assembly of floating material, except vessels in a pushed convoy other than the pusher, shall be placed under the authority of a person having the necessary qualifications. This person is hereinafter referred to as the boatmaster. **Boatmasters are considered to possess the necessary ~~competency~~ qualifications if they hold a valid boatmaster’s certificate.**

36. Article 1.03, para. 4: the Group verified the provision and saw no need for further amendment at the present stage, unless a concrete amendment proposal is submitted by CCNR.

37. Article 1.07, para. 4 (c): the Group verified the provision and found no need for further amendment at the present stage, unless a concrete amendment proposal is submitted by CCNR.

38. Article 1.08, para. 2: the Group verified the provision and saw no need for amending the first sentence at the present stage or for splitting it into two, unless a concrete amendment proposal is submitted by CCNR.

39. Article 1.08, para. 4: the Group verified the provision and saw no need for further amendment at the present stage or for splitting it into two, unless a concrete amendment proposal is submitted by CCNR.

40. Article 1.10, paras. 1–3: the Group considered the proposal of CCNR to include an exhaustive list of all documents required on all the main sections of European inland waterways. It noted that the purpose of the provision was to list the main documents which may be required and that a list of additional documents, established based on the list in RPNR, was included in Chapter 9. The Group, therefore, saw no necessity in extending the list of the documents in the article.

41. Article 1.15, paras. 1–3: the Group verified the provision, taking into account the amendment proposal adopted at its twentieth meeting (ECE/TRANS/SC.3/WP.3/86, annex para. 23), and found no need for substantive amendments. It noted, however, that the texts of the provision could be further harmonized with the updated terminology of the revised Chapter 10 and asked the secretariat to formulate proposals to that effect.

42. Article 1.22: the Group verified the provision, taking into account the amendment proposal adopted at its twentieth meeting (ECE/TRANS/SC.3/WP.3/86 annex, para. 23), and found no need for further amendment at the present stage, unless a concrete amendment proposal is submitted by CCNR.

43. Article 2.01: the Group verified the reference to identification marking with an emblem and found no need for further amendment at the present stage, unless a concrete amendment proposal is submitted by CCNR. It also recalled that the use of the word “emblem” had been extensively discussed during the preparation of revision four and the proposal to add “or emblem” in the text of the article was not retained because of the general difficulties and confusion with the word “emblem” in practice. The Group concluded that it may be useful to consider deleting the word “emblem” in Articles 2.01 and 2.02.

44. Article 2.02, para. 2: the Group adopted the proposal of the secretariat to replace “craft” with “small craft” in the text of the article, i.e. paragraphs 2 and 3, considering that the reference to “small craft” in the name of the article was not sufficient.

45. Article 3.03: the Group adopted the proposal of the secretariat to replace “flammes” with “fanions” in the French text.

46. Article 3.08, para. 2: the Group verified the provision and found no need for further amendment at the present stage, unless a concrete amendment proposal is submitted by CCNR.

47. Article 3.17: the Group verified the provision and found no need for further amendment at the present stage, unless a concrete amendment proposal is submitted by CCNR.

48. Article 3.29: the Group verified the provision and found no need for further amendment at the present stage, unless a concrete amendment proposal is submitted by CCNR.

49. Articles 3.31 and 3.32: the Group verified the provision, taking into account the additions as proposed by the CEVNI Expert Group in ECE/TRANS/SC.3/WP.3/2013/2 and provisionally accepted by SC.3/WP.3 at its forty-second session in February 2013, and corrected the proposal with respect to paragraph 1 of article 3.31 as follows:

1. If there are regulations prohibiting unauthorized persons from going on board, the prohibition shall be indicated by:

circular white boards ~~boarded~~ bordered with red, with a red diagonal and a picture of an averting hand in black or, alternatively, by circular white boards bordered with red, with a red diagonal and the figure of a pedestrian in black.

50. Article 3.37: the Group considered the proposal to transfer this provision to chapter 9 as it does not apply on most sections. Noting that the provision still represented the general rule and that the goal of Chapter 9 was to state deviations to the general rules, if such deviations were observed, the Group declined the proposal.

51. Article 4.05: the Group verified the provision, recalled that a proposal for its amendment had already been formulated and found no need for further amendment at the present stage, unless a concrete amendment proposal is submitted by CCNR.

52. Article 4.06: The Group took note of the proposal to replace the reference to Annex 10, left void in revision four, with the reference to Part II or Appendix 7 of Resolution No. 61. The Group observed that this reference was contained in the footnote to the title of Annex 10, it also noted that there may be references to Annex 10 in other provisions of CEVNI. The secretariat was asked to check the remaining references in the text and report to the Group so that a harmonized approach could be identified.

53. Article 5.03: the Group recalled that it had agreed to delete this provision during its twenty-first meeting (ECE/TRANS/SC.3/195, annex, para. 14).

54. Chapter 6: the Group did not consider it necessary to further clarify the provisions addressing small craft or assemblies of floating material.

55. Article 6.01 (b) and (c): the Group verified the provisions and found no need for further amendment at the present stage, unless a concrete amendment proposal is submitted by CCNR.

56. Article 6.02, para. 2: the Group discussed the proposed amendment and adopted the proposal to amend the provision as follows:

2. ~~Where the provisions of this chapter provide that a particular rule of the road shall not apply to small craft in relation to other vessels, it shall be incumbent on small craft to leave all other vessels, including high speed vessels, enough room to hold their course and to manoeuvre; they may not require such vessels to give way to them.~~ **Small craft in relation to vessels other than small craft shall leave them enough room to hold their course and to manoeuvre. They may not require that such vessels give them way.**

57. Article 6.04, para. 4: the Group discussed the proposal to delete reference to a light blue flag and agreed that in practice the blue flag was rarely used. The group, therefore, adopted the proposal to amend para. 4, (a) as follows:

- (a) By day:
- Display a strong scintillating white light ~~or wave a light blue flag or board~~; or
 - Display a light blue board in conjunction with a bright scintillating white light;

58. Article 6.16, paras. 5 and 6: the Group adopted the proposal to further clarify in paragraph 5 the reference to the relevant provision in Annex 7 by

- (1) Replacing in paragraph 5 “annex 7, section II, paragraph 2” with “annex 7, section II, paragraph 2 (b)”
- (2) Replacing in paragraph 6 “annex 7, section II, paragraph 2” with “annex 7, section II, paragraph 2 (a)”

59. Article 6.19: the Group recalled that the proposal to add a new paragraph 2 was adopted at its twenty-first meeting (CEVNI/EG/2013/EG, para. 22 or ECE/TRANS/SC.3/195, Annex, para. 22).

60. Article 6.20, para. 3: the Group adopted the proposal to replace the word “signals” (in French “les signaux” and in Russian «сигналы») by “markings” (in French “la signalisation” and in Russian «сигнализация»).

61. Article 6.28, para. 7 (b): the Group verified the provision and found no need for splitting it into two, as proposed, unless a concrete amendment proposal is submitted by CCNR.

62. Article 6.28, para. 7 (c): the Group discussed the amendment proposed and adopted the proposal to modify the provision as follows:

(c) ~~The use of fenders, which shall be floating fenders if movable, shall be compulsory.~~ **Fendering devices shall be used. If they are not part of the vessel, the fenders shall be floating.**

63. The Group postponed the consideration of the rest of the amendment proposals in document CEVNI/EG/2013/16 (starting with the proposal concerning Article 6.28, para. 11) to its next meeting. The next meeting shall also discuss the draft amendment to article 4.07 (CEVNI EG/2013/25) and new proposals from Belgium (CEVNI EG/2013/26).

D. Next meeting

64. The CEVNI Expert Group agreed on the following preliminary date for its next meeting:

11 February 2014

Twenty-third meeting of the CEVNI Expert Group.
