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Inland Transport Committee

Working Party on Inland Water Transport

Working Party on the Standardization of Technical and Safety Requirements in Inland Navigation

Forty-second session

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Item 2 (a) of the provisional agenda

Inland waterway infrastructure: European Agreement on Main Inland Waterways of International Importance (AGN)

Draft annex IV to the European Agreement on Main Inland Waterways of International Importance (AGN)

Note by the secretariat

I. Mandate

1. It is recalled that the Working Party on Inland Water Transport (SC.3), at its fifty-sixth session, reiterated that the Inland Transport Committee (ITC) had requested that issues of security should be addressed by each mode of transport. At its fiftieth, fifty-first and fifty-second sessions, SC.3 considered the secretariat's proposal on a draft annex IV to the AGN, "Protection of the Network of Inland Waterways of International Importance from Intentional External Influence" (ECE/TRANS/SC.3/2006/7 and Add.1), but did not come to a concerted action on this issue (ECE/TRANS/SC.3/181, para. 16).
2. At the same time, SC.3 took note of recommendations by the UNECE Multidisciplinary Group of Experts on Inland Transport Security (ECE/TRANS/SC.3/2008/2) to integrate security provisions into existing legal agreements, including the AGN (ECE/TRANS/SC.3/181, para. 12).
3. Reproduced below is the draft annex IV to the AGN prepared by the secretariat with the help of a consultant for the consideration by the Working Party on the Standardization of Technical and Safety Requirements in Inland Navigation (SC.3/WP.3), together with the draft amendments to the main text of the Agreement on the protection of inland water transport infrastructure from intentional external influence (ECE/TRANS/SC.3/2006/7).

II. Draft amendments to the main text of AGN

1. *Insert* a new paragraph before the last preamble entry, to read as follows:
“Acknowledging the need to protect the infrastructure of inland waterways from intentional external influence that might cause harm to navigation,”.
2. A new article 3bis, entitled **“Protection of the network from external influence”**, should be introduced and should read as follows:
The network of inland waterways of international importance referred to in article 1 shall be adequately protected from intentional external influence that might cause harm to navigation, by technical measures, the requirements for which are stipulated in annex IV to this Agreement.

III. Draft annex IV of AGN

3. A new Annex IV, entitled **“Protection of the network from external influence”**, should be added to the AGN reading as follows:¹

Annex IV

Protection of the network of inland waterways of international importance from the intentional external influence

Inland waterways used for international shipping and their infrastructure should be adequately protected from intentional external influence that might cause harm to navigation, health and human life as well as to the environment.

The Contracting Parties, governmental bodies, local authorities and basin administrations, shipping companies and ports should take effective measures with a view to revealing the threat of, and preventing, the intentional external influence that might cause such harm.

The implementation of such measures shall require the development, on request by the Government of a Contracting Party, of relevant security plans for inland waterway infrastructure and ports that should provide for the security of the above-mentioned objects and of the vessels situated on them.

These plans should contain, as a minimum:

- measures designed to prevent unauthorized access to the area of the port through organizing physical protection, installation of barriers, fences and technical means of control;

¹ The Working Party may wish to invite its members to transmit proposals on the text of this annex. According to the views of the delegation of Ukraine in TRANS/SC.3/2004/9, para. 14, the new annex should reflect the general requirements applicable to the technical measures designed to protect inland waterway infrastructure (the waterway itself; navigation signs; hydro technical facilities: locks, bridges and other facilities along the waterway; port complexes, and so forth) from intentional external influence that might cause harm to navigation. See also a discussion on this item at the thirtieth session of the Working Party SC.3/WP.3 in ECE/TRANS/SC.3/WP.3/60, paras. 18–21.

- measures designed to prevent weapons or any other dangerous substances intended for use against persons, vessels or ports and the carriage of which is not authorized, from being introduced into the port or on board a vessel;
- measures designed to supervise and effectively control the shore-based and floating aids to navigation, their sources of energy and other supplies by using mobile means of control and other techniques;
- procedures for responding to security threats or breaches of security, including provisions for maintaining critical operations of the port or vessel/port interface;
- measures designed to ensure an effective liaison and coordination between the port authorities and responsible ship's officer and the consistency of security activities of port authorities and crews;
- procedures for evacuation in case of security threats or breaches of security;
- duties of port personnel assigned security responsibilities and of other port personnel on security aspects;
- procedures for interfacing with vessel security activities;
- procedures for the periodic review of the plan and updating;
- procedures for reporting security incidents;
- identification of the port security officer;
- measures to ensure the security of the information contained in the plan.

Port security officers and appropriate port security personnel shall have knowledge and have received training, taking into account the provisions in paragraph 4 above.

The port security assessment is an essential and integral part of the process of developing and updating the port security plan. The Government of a Contracting Party within whose territory the port is located shall carry out this assessment. The Contracting Party may authorize a recognized security organization to carry out the security assessment of a specific port.

The port security assessment shall be reviewed and updated.
