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INLAND TRANSPORT COMMITTEE

Working Party on Inland Water Transport
(Forty-ninth session, 18-20 October 2005,
agenda item 3)

TRANSPORT AND SECURITY

Note by the secretariat

At its forty-eighth session, the Working Party took note of the information and proposals on this issue received from Governments and international organizations reflected in TRANS/SC.3/2004/9 and agreed to keep the item on transport and security on its agenda asking Governments, the European Commission and River Commissions to keep it informed on measures taken by them on this issue and make proposals on possible action in this regard by the Working Party (TRANS/SC.3/163, para. 8).

The secretariat reproduces below additional information received from the Walloon Region of Belgium, the European Commission, the Danube Commission and the European Barge Union (EBU).

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BELGIUM – WALLOON REGION

1. The port infrastructure on the territory of the Walloon Region has been upgraded to meet the requirements of the International Ship and Port Facility Security Code (ISPS Code) as well as those of the EC Regulation No 725/2004 of the European Parliament and of the Council of 31 March 2004 on enhancing ship and port facility security. The Walloon authority together with port authorities and port managers make part of national and local ISPS Committees.
2. The implementation of the above-mentioned instruments resulted in higher costs of the Short Sea Shipping operations (SSS) and in more lengthy and complicated procedures. The fact that the Walloon Region is to observe fully the above port security provisions, whereas all its port facilities are situated up to 100 km deep into the land and that SSS represent less than 5% of its traffic, does not seem to be economically sound.
3. This exercise is, nevertheless, interesting since it demonstrates, on the one hand, what could be the consequences of applying the same procedure to inland navigation. It is clear that if inland navigation is the only inland transport mode to suffer, the economic implications would be disastrous for that specific transport mode. On the other hand, to focus that kind of measure on the only transport mode that is not dedicated to the transport of people seems inconsistent with recent events. To be consistent, all transport modes should be considered and this may be fraught with considerable cost and practical difficulties.
4. The question is, therefore, would the overall security of the country be significantly enhanced after the introduction of additional security measures in inland waterway transport alone? As far as the Walloon Region can see it, the answer seems to be negative.
5. If the introduction of additional security measures is to be considered with regard to the traffic of all inland navigation vessels, it should be considered for all transport modes taking thoroughly into account cost/efficiency of the measures envisaged.

EUROPEAN COMMISSION

(a) Security of freight transport

6. Security is an ongoing business for the coming years, also in the transport sector among the modes. The public and private sectors are both stakeholders in matters of transport security. The European Commission stimulates cooperation between all parties involved in the supply chain. On 25 March 2004, the European Council urged the Commission to develop legislation for securing all transport. In 2004, consultation with member States and industry on possible EU legislation on securing freight transport took place. The outcome of the consultation was as follows:

7. In order to countervail terrorist risks effectively:
- Public authorities need a systematic approach – a framework/model – to abort incident-driven policies ('knee-jerk reaction');
 - Private industries need to include security measures in their daily operations – to avoid putting the responsibility on to others.

8. Based on the 2004 consultation process, a proposal for framework legislation to enhance security in the supply chain is under preparation and expected to be issued in 2005. This legislation will complement existing transport security legislation. It is acknowledged that making security thinking a daily routine (awareness) helps to upgrade business quality performance and resilience to incidents. Mutual recognition of security standards amongst the EC Members States and a single window approach - i.e. co-operation between European and national public entities - are essential for improving overall security in the supply chain. They stimulate the different operators within the chain for long-term investments to upgrade their security performance and add value for money invested in business security measures. In international trade, the success of a transport security policy depends on reciprocity.

9. In 2005 an external impact assessment on possible EC legislation on supply chain security will be published. In this study, a risk assessment and cost benefit analysis on measures mitigating security risks is included.

(b) EU-wide framework for port security

10. In February 2004, the Commission proposed a new European-wide framework to enhance port security. The newly proposed directive, amended in May, aims at establishing an EU-wide framework for port security.^{1/} It will complement the maritime security measures adopted on 29 April 2004^{2/} so as to avoid a fragmentation of security efforts, ensure comprehensive security coverage and do so with minimal additional burdens for ports and port users. Port security measures will include security assessments and plans, in line with the IMO measures for international shipping and ship-port interfaces.

11. Since an agreement has been found between the Council, the European Parliament and the Commission in its first reading in May 2005, signature and publication of this Directive are expected in early autumn 2005.

^{1/} Amended proposal for a Directive of the European Parliament and of the Council on enhancing port security ([COM/2004/0393 final](#)).

^{2/} Regulation (EC) No 725/2004 of the European Parliament and of the Council of 31 March 2004 on enhancing ship and port facility security, [OJ L 129 of 29/04/2004, p. 6-91](#).

12. For inland navigation, this means that when delivering services to maritime ships, port facilities or operating in ports, they will have to respect certain security measures and provisions for which the need is recognized in the assessment and included in the plan.

DANUBE COMMISSION

13. At its sixty-second session, the Danube Commission agreed to include into its Programme of work an item on transport and security. First working papers have been drafted by the secretariat on the basis of detailed proposals transmitted by the delegation of the Russian Federation. The existing difference in the structure of national calamity abatement services may, however, make the achievement of first tangible results on this issue difficult.

14. From the point of view of assistance expected from the shore-based services, of primary importance is the instance to which an alarm call is to be addressed.

15. As a first step, the elaboration of harmonized guidelines and principles could be undertaken concerning the following:

- drafting security plans;
- organization of security training of personnel; and
- use of modern technology and procedures.

16. To carry out the above tasks, it would be important to get acquainted with the experience accumulated in different international organizations.

EUROPEAN BARGE UNION

(a) Introduction

17. The inland shipping industry is a professional sector which takes its responsibilities in the field of terror prevention and therefore gladly participates in the development of the Intermodal Directive.

(b) Basic assumptions / principles:

18. In the development of this Directive, the inland shipping industry departs from the assumption that the security measures to be taken should be realistic and proportional.

19. In other words:

- The security measures should actually make a meaningful contribution towards security, so no 'paper tiger';
- The security measures must be transparent and clear;
- Where possible they should fit in with already existing quality systems, procedures and rules;

- It must be taken into account that an inland navigation vessel is not only a floating company, but also a floating home;
- The measures should lead to minimal extra (administrative) burden for the sector;
- Uniformity of the measures, Europe-wide, both within the ports and on terminals, is a 'must'.

20. Security measures can be used as an opportunity to improve the position of the inland shipping sector. By enhanced co-operation between carriers, governments, shippers and other parties involved, 'secured lanes' can be developed which may benefit all parties in the logistic chain.

(c) Objective of the security measures:

21. The aim of the security measures is to prevent unwelcome persons and goods from getting on board.

(d) Possible measures for the inland shipping sector:

22. The inland shipping sector is, by nature (a vessel is not only capital equipment but also a residence) and because of its economic scale (a relatively large volume of cargo per transport unit), an intrinsically safe transport mode.

23. Therefore, the sector is able to reach a high level of security by taking relatively simple measures. The possible measures can be divided into the following categories:

- Physical security of a vessel and its crew;
- Organization / procedures;
- Communication;
- Creating awareness.

24. The most important measures can be summarized in the following eleven central points:

(i) *Defining responsibilities*

25. Each company has to nominate a security officer. The security officer is responsible for

- an index of the measures being available on board;
- all measures being well known by the crew-members; and
- all measures being observed.

26. The security officer has to be familiar with the measures for the protection against terrorist attacks in other transport modes (e.g. ISPS-Code).

27. In addition, responsibilities are assigned to the persons, who possess the required competences and qualifications and are equipped with the necessary authorities.

(ii) *Estimation of the dangers potential*

28. Each company has to work out a self-estimation of possible threats based on the nature of the goods and on the waterways used and has to adapt the measures if required.

29. The standard processes are to be valued with regard to possible threats.

(iii) *Securement of the vessel*

30. The vessel has to be secured with operational, technical and organizational measures against improper use. The vessel has to be inspected at regular intervals with respect to suspicious persons and goods.

(iv) *Access control*

31. The stay of unauthorized persons on board is prohibited. On board of each ship a list is available with people actually being on board and with the people normally on board.

32. Persons who intend to proceed on board because of official or personal reasons have to indicate so beforehand.

33. Both crew-members and persons who are on board only temporarily have to be able to prove their identity with a photo identification card on demand. In areas with a temporary or permanent threat certain zones of the ship have to be blocked for non-crew-members.

(v) *Creating awareness*

34. The staff has to be instructed regularly about the measures for terrorism prevention and the required behaviour in the event of an attack.

(vi) *Communication of suspicious observations*

35. Suspicious observations and security-related events have to be communicated immediately to the responsible authorities.

(vii) *Checking of the reliability of contracting partners*

36. Before a company enters into new business relations with suppliers or subcontractors (within or outside the logistic chain) their liability has to be checked.

(viii) *Documentation of measures*

37. Staff instruction dates must be documented as well as the names of the participating persons. Reports with possibly security-related observations have to be documented.

(ix) *Observance of secrecy*

38. Specific measures against terrorist attacks (e.g. silent alarm, fixing of a code word in case of terrorist attack) have to be kept secret.

(x) *Observing the security level*

39. The security officer has to be familiar with the measures for the protection of logistic chains against terrorism.

40. The security officer informs himself regularly, whether there is a special threat on the waterways or in the harbours, to which a vessel is steaming up. The persons on board have to be informed immediately about special danger situations.

(xi) *Observance of the measures*

41. The security officer has to check regularly in a suitable manner that the crew members are informed about measures against terrorist attacks and that the measures are observed.

(e) **Limitation of the responsibility of the inland shipping sector:**

42. The inland shipping sector is an intrinsically safe transport mode which is capable and prepared to contribute towards securing the entire logistic chain. The measures mentioned above are realistic and practicable. Nevertheless, there are limits to the responsibility of the sector, bearing in mind the condition of 'realistic' and 'proportional' measures.

43. For instance, it is and remains the shippers' responsibility to provide correct and timely information about the cargo. The skipper can never be held responsible for the nature of the goods or the contents of the loading unit.

44. An administrative procedure like registering container seal numbers is not feasible, bearing in mind the logistics during loading and discharging, and bearing in mind the desired proportionality of the measures.

45. Furthermore the security of the infrastructure (locks, bridges, berths) also goes beyond the responsibility of the skipper.
