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INLAND TRANSPORT COMMITTEE

Working Party on the Standardization of
Technical and Safety Requirements in
Inland Navigation
(Twenty-fourth session, 5-7 June 2002)
Agenda item 3

UPDATING THE EUROPEAN CODE FOR INLAND WATERWAYS (CEVNI)

Submitted by the Governments of Bulgaria, the Russian Federation and Ukraine

Note: The secretariat reproduces below the Governments' proposals regarding possible amendments to the European Code for Inland Waterways (CEVNI) as set out in document TRANS/SC.3/115/Rev.2. The proposals were submitted in response to a request made by the Working Party in document TRANS/SC.3/WP.3/44, paragraphs 6, 17, 19, 20 and 24, and concern chapters 1, 4 and 6 and annex 6 of CEVNI.

BULGARIA

Article 1.01 (cc)

1. The definition of a “high-speed vessel” proposed in document TRANS/SC.3/WP.3/2001/14 is acceptable. Whether the vessel’s speed should be linked to its design remains an open question.

Article 1.07

2. How the rules set out in article 1.07, subparagraph 4 (c), would apply to vessels of a beam significantly larger than 11 m - twin-hulled special purpose vessels, for example - ought to be discussed.

Article 1.09, para. 4

3. The wording for paragraph 4 proposed in document TRANS/SC.3/WP.3/2001/14 is acceptable.

4. The Basic Provisions relating to Navigation on the Danube (DFND) do not allow for optical devices to compensate for restricted visibility. Such devices might be used, but only for short periods, such as when passing through locks or under bridges.

Article 3.08, para. 5

5. The wording for this paragraph proposed in document TRANS/SC.3/WP.3/2001/14 is acceptable.

Article 4.05

6. Add to subparagraph 1 (a) language allowing for the radar set and rate-of-turn indicator to be certified fit for use.

7. Subparagraph 1 (b) should indicate that the radar set can be used for training purposes when visibility is not restricted.

8. A three-tone acoustic signal emitted by vessels proceeding downstream by radar helps to increase the safety of shipping, especially for vessels riding at anchor.

9. Small craft meeting the requirements for navigation by radar must also be equipped with a radiotelephone meeting the requirements stipulated by the competent authorities.

10. The wording of article 4.05, subparagraph 3, as given in document TRANS/SC.3/WP.3/2001/14 is acceptable only on condition that it will also apply to small craft including leisure craft.

Article 6.01 bis

11. We support the idea that high-speed vessels could embrace vessels in any class, not just the kinds defined and listed in the article on definitions.

Article 6.02

12. The wording for this paragraph proposed in document TRANS/SC.3/WP.3/2001/14 is acceptable.

Article 6.06

13. The wording for this paragraph proposed in document TRANS/SC.3/WP.3/2001/14 is acceptable.

Article 6.28, para. 11

14. The wording for this paragraph proposed in document TRANS/SC.3/WP.3/2001/14 is acceptable.

Article 6.30

15. The competent authorities in Bulgaria are of the view that whether passing to starboard is permissible should be determined in accordance with the local rules applicable to the stretch of waterway concerned.

Article 6.31

16. The wording for this paragraph proposed in document TRANS/SC.3/WP.3/2001/14 is acceptable.

Article 6.32

17. The person in the wheelhouse steering the vessel must be in possession of the certificate required by the competent authorities for the stretch of waterway on which the vessel is navigating.

RUSSIAN FEDERATION

Article 1.02, para. 7

18. Amend to read as follows:

“If a stationary vessel or assembly of floating material has no boatmaster or the boatmaster does not have the appropriate skills, responsibility for looking after the vessel (assembly of floating material) and for ensuring compliance with these regulations shall devolve onto the owners or charterers.”

Article 1.07 - Maximum load and maximum number of passengers; visibility requirements from the wheelhouse

19. This article should be left in the form used in the revised CEVNI (TRANS/SC.3/WP.3/115/Rev.1), adding to the title the phrase **visibility requirements from the wheelhouse** and adding a further subparagraph reading as follows:

“The stability of vessels carrying containers shall be checked before departure in the following cases:

(a) Vessels with a beam of less than 9.5 m, loaded with more than one tier of containers;

(b) Vessels with a beam of 9.5 m or more, loaded with more than two tiers of containers;

(c) Vessels with a beam of 11 m or more, loaded with more than three tiers of containers or more than three containers across.”

This should appear as article 1.07, subparagraph 3, and the existing subparagraph 3 should be renumbered as 4.

Article 1.09 - Steering

20. Word as follows:

“1. When a vessel is under way, there shall be at the helm the number specified by the specially designated national authority for inland water transport of qualified boatmen, at least 18 years of age and in possession of the diplomas (certificates) required by the competent authorities for general-category boatmasters and papers attesting to their entitlement to navigate by radar if the vessel is equipped with radar.

2. The boatmasters must constantly keep appropriate watch, visually and with the assistance of electronic devices according to the prevailing conditions.

3. In special circumstances a forward watch shall be posted or a second boatmaster shall be summoned to the helm to keep the boatmaster informed.”

Article 3.01 - Application and definitions

21. In document TRANS/SC.3/WP.3/2000/12, the Russian Federation suggested wording article 3.01, subparagraph 5 (e), as in the Russian version of the revised CEVNI (TRANS/SC.3/WP.3/115/Rev.1):

“The term ‘height’ means the height above the level of the draught marks or, for vessels without draught marks, above the level of the waterline corresponding to the maximum draught.”

Belarus, Bulgaria and Romania agreed. We continue to believe that “height above the hull” is imprecise and would vary with the changing displacement of the vessel.

Article 3.32 - Prohibition of smoking or using an unprotected light or flame

22. The amended wording and content of this article as adopted differ from the graphical symbols for fire control plans adopted by the International Maritime Organization (IMO) in resolution A-654 (16). The final version should be tied in with the terms and symbols used in that resolution.

Article 4.05 - Radar

23. The Russian text of this article is unclear. The following wording is suggested:

“1. A vessel shall be considered to be navigating by radar if:

(a) It is fitted with radar equipment and a rate-of-turn indicator in good working order and conforming to the requirements of the competent authorities;

(b) There is at the helm a qualified boatman in possession of a diploma (certificate), issued in accordance with the prescriptions of the competent authorities, entitling him to navigate by radar.

Moreover, all vessels shall be equipped with a radiotelephone in good working order for communication on the ship-to-ship channel.

2. In pushed convoys and side-by-side formations, paragraph 1 above shall apply only to the vessel the boatmaster is aboard.”

Article 6.01 bis

24. The wording proposed by the Netherlands (TRANS/SC.3/WP.3/2001/14) adds nothing new to the wording of the revised CEVNI (TRANS/SC.3/WP.3/115/Rev.1). We feel the Netherlands proposal should be rejected; the proposal under article 6.02 should be rejected for the same reason.

Articles 6.02 - Small craft: General rule; 6.04 and 6.05 - Meeting; 6.28 - Passage through locks; 6.30 - General rules for navigation in reduced visibility; 6.31 - Sound signals while stationary; 6.32 - Navigation by radar

25. These and other CEVNI articles, which reflect the Russian Federation’s rules of navigation, were put forward by the Russian delegation to Working Parties SC.3/WP.3 and SC.3 for discussion as additions to CEVNI.

26. By resolution No. 47, Working Party SC.3 adopted them at its forty-fourth session in October 2000 as a supplement to CEVNI (TRANS/SC.3/2000/4). The Russian Federation has no further proposed amendments to these articles to offer.

UKRAINE

Article 1.01 - Meaning of certain terms

27. We have no objection to adding an extra subparagraph (cc) (“high-speed vessels”) as proposed by the Netherlands (TRANS/SC.3/WP.3/2001/14). Consideration should, however, be given to Ukraine’s views regarding article 6.01 bis set out below.

28. Neither DFND nor CEVNI currently contains a definition of a “high-speed vessel”. Ukraine has suggested to the Danube Commission a new subparagraph supplementing DFND provision 2.01 (“Identification marks on vessels other than small craft”) the effect of which would be to allow vessels moving at over 30 km/h to be classified as high-speed vessels. This criterion is already in use in the Recommendations on Basic Technical Parameters for Radar Sets, which apply on the Danube, as a proven value for the purpose of refreshment of images on a radar screen.

29. Given the need to harmonize CEVNI and DFND, it would appear sensible to discuss the speed of 30 km/h proposed by Ukraine as a parameter defining a high-speed vessel at the forthcoming session of the Working Party. The definition adopted could very likely be subsequently applied under DFND.

Article 1.07 - Maximum load and maximum number of passengers; visibility requirements from the wheelhouse

30. The limit of 350 m on the area of restricted visibility in the formulation proposed by the Netherlands in paragraph 2 of this article applies only to the vessel. Under the CEVNI formula currently applied, however, the limit also applies to the convoy. This provision should not be altered, in Ukraine’s view.

31. The suggested use of flat-reflector periscopes appears unacceptable in view of the difficulty of setting up and using such devices. We therefore propose that paragraph 2 should end: “... **this lack of visibility may be compensated for by using radar**”. It must be borne in mind that modern river radar sets permit monitoring as usual even when the radar screen in the wheelhouse is brightly lit from outside.

32. For a more logical sequence, we suggest reversing the order of paragraphs 2 and 3.

33. We can accept the wording of paragraph 4 proposed by the Netherlands subject to the deletion of (i) “in addition” at the beginning, which is unnecessary; (ii) the end of subparagraph (c), since the height of containers stacked one tier high cannot be more than three times the vessel’s 11-metre beam. Judging by the English wording of subparagraph (c) (“... are loaded in ... more than three widths”), the idea would be more correctly rendered in Russian as meaning “loaded to a height that is more than three times the width of the vessel”. The largest

size of ISO container is 2.59 m high. To attain a height of over 33 m would therefore require no fewer than 13 tiers of containers, which is totally impractical. All the more reason, therefore, to delete the end of the subparagraph as nonsensical.

34. A general remark concerning article 1.07: for no apparent reason, different paragraphs refer variously to “vessels” and “a vessel”. We suggest using the term “a vessel” throughout the article.

Article 1.09 - Steering

35. We can accept the wording of the new paragraph 4 proposed by the Netherlands since such a requirement is essential for the safe operation of a high-speed vessel.

Article 3.08 - Marking for motorized vessels proceeding alone

36. The new paragraph 5 proposed by the Netherlands is acceptable, for it will make for greater safety of navigation.

Article 4.05 - Radar

37. The article proposed by the Netherlands is acceptable. Given, however, that the use of radar by high-speed vessels is not compulsory during the day except when visibility is limited, we suggest wording paragraph 3 as follows:

“Moving¹ high-speed vessels must use radar at night, and also by day when visibility is poor.”

In essence, the German proposal under this article (doc. TRANS/SC.3/WP.3/2001/13) repeats the Netherlands proposal.

38. The version of subparagraph 1 (a) appearing as plain text is preferable to the one using the text in square brackets.

39. The German proposal relating to article 4.05 barely differs from the Netherlands one and requires no further comment.

Article 6.01 bis - High-speed vessels

40. It was commented at the twenty-second session of the Working Party that the term “bateau rapide” in French should be rendered in Russian as *vysokoskorostnoe sudno* (TRANS/SC.3/WP.3/44, para. 16, first bullet). The Ukrainian delegation prefers the term *bystrokhodnoe sudno*, however, which more closely corresponds to the term used in provision 6.01 bis of DFND (“Vessels proceeding at high speed”).

¹ Note by the secretariat: CEVNI article 1.01 (p) uses the expression “under way”.

41. As the Working Party decided at its twenty-second session that the list of high-speed vessels shown in square brackets in article 6.01 bis should not be exhaustive (TRANS/SC.3/WP.3/44, para. 16, second bullet), we suggest drawing on the analogous wording in DFND (provision 6.01 bis) and wording the beginning of CEVNI article 6.01 bis as follows:

“High-speed vessels of any dimensions (hydrofoils, hovercraft etc.) are required ...”

42. Another version is also possible, however, and preferable: to omit the text in brackets altogether if the term “high-speed vessel” is added to CEVNI article 1.01 with an indication of the kinds of vessel referred to. This has already been discussed by the Working Party at its twenty-second session (TRANS/SC.3/WP.3/44, para. 16, second bullet).

43. This being so, the Ukrainian delegation would like to remind the Working Party that it has already, in the material it has presented and its statements to WP.3 at its eighteenth and twentieth sessions, raised the questions of whether the overall layout of CEVNI needs improving and, in particular, whether it is worth incorporating a larger number of definitions into CEVNI article 1.01.

Article 6.02 - Small craft: general rules

44. The insertion proposed by the Netherlands (“high-speed vessels”) makes the text easier to follow, and is therefore unobjectionable.

Article 6.06 - Crossing* of high-speed vessels and other vessels and of high-speed vessels with each other

45. The wording proposed by the Netherlands can usefully be made into paragraph 1 of this article, but we propose for paragraph 2 to use a formulation borrowed, with a slight clarification, from DFND provision 6.03, paragraph 4:

“A vessel may cross another vessel only when the boatmaster has satisfied himself that it can do so without risk to other vessels.”

Article 6.28 - Passage through locks

46. The wording proposed by the Netherlands for paragraph 11 is acceptable. In essence it repeats provision 6.28, paragraphs 1 and 6, of DFND.

Article 6.30 - General rules for navigation in reduced visibility

47. A clarification relating to how the look-out in the bow communicates with the boatmaster needs to be introduced into the wording proposed by Germany for paragraph 1 (TRANS/SC.3/WP.3/2001/13). The end of the sentence “... or in communication through a

* The English translation of the Netherlands proposal (TRANS/SC.3/WP.3/2001/14) speaks of “meeting”; the French original and Russian translation of the document use the terms for “crossing” (*croisement, vzaimnoe peresechenie kursov*), as in the Ukrainian proposal below.

voice link with the boatmaster” should be amended to read “... **or in communication with the boatmaster via a reliable telephone, radiotelephone or voice link**”. The clarification corresponds better to modern notions of shipboard communications.

48. We suggest replacing “may” at the end of the first sentence in paragraph 3 in the German formulation by “must” (“... **must take into account radar observations**”). This in essence unites the German and Netherlands proposals.

Article 6.31 - Sound signals while stationary

49. We can accept the Netherlands formulation for paragraph 1 of this article (Class I). The missing words “assemblies of” must be replaced, however: “In reduced visibility, vessels and **assemblies of** floating material stationary in or near the channel ...”. The rule for Class II should be deleted from paragraph 1 altogether: thus worded, the article will be identical with provision 6.31 of DFND.

Article 6.32 - Provisions for vessels navigating by radar

Article 6.33 - Provisions for vessels not navigating by radar

50. Articles 6.32 and 6.33 should be adopted in the forms proposed by Germany (TRANS/SC.3/WP.3/2001/13), which are more consistent than the Netherlands proposals with the corresponding provisions of DFND. As regards article 6.32 it should be remembered that the Central Commission for the Navigation of the Rhine (CCNR) is working on new provisions to govern navigation in limited visibility which will replace the principle of emitting the three-tone signal when proceeding downstream by a rule requiring the use of radio communications, and with new rules of the road. If these are adopted the question of bringing CEVNI and DFND into line will inevitably arise, and it is possible that the paragraph on the three-tone signal will be omitted.

Annex 6 - Sound signals

F. Sound signals in reduced visibility

51. As indicated above, of the two versions of article 6.32 proposed by the Netherlands and Germany, the German version should be preferred. Accordingly, the Netherlands proposal for annex 6 (section F) to CEVNI stemming from the text of article 6.32 should not be retained.
