



**Economic and Social
Council**

Distr.
GENERAL

ECE/TRANS/SC.3/2006/7/Add.1
12 September 2006

ENGLISH
Original: ENGLISH, FRENCH
AND RUSSIAN

ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

Working Party on Inland Water Transport

Fiftieth session

Geneva, 11-13 October 2006

Item 6(a) of the provisional agenda

INLAND WATERWAY INFRASTRUCTURE

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

Note by the secretariat

Addendum

Reproduced below is the draft Annex IV to the AGN Agreement prepared by the secretariat with the help of a consultant for the consideration by the Working Party on Inland Water Transport together with the draft amendments to the main text of the Agreement, on the protection of the infrastructure of inland waterways from intentional external influence. (see document ECE/TRANS/SC.3/2006/7).

Introduction

1. It is recalled that the Working Party on Inland Water Transport, at its forty-ninth session, approved a number of amendments to the European Agreement on Main Inland Waterways of International Importance (AGN) and asked the secretariat to launch the amendment procedure.
2. At the same session the Working Party considered proposals of Ukraine on the amendment of AGN with provisions aimed at ensuring the security on inland waterways as they are set forth in document TRANS/SC.3/2004/9, paras. 9-14. The Working Party found the proposals of Ukraine generally acceptable and invited Governments to present their proposals on possible content of Annex IV to AGN Agreement concerning the protection of the network of E waterways and ports from intentional external influence. The secretariat was requested to compile the text of further amendments to AGN based on the proposals of Ukraine and proposals to be received from Governments on the content of the new Annex IV and transmit it for consideration by the Working Party on the Standardization of Technical and Safety Requirements in Inland Navigation (SC.3/WP.3) at its thirtieth session. It was agreed to come back to the consideration of the further amendments to AGN at the fiftieth session of the Working Party SC.3 with due regard to possible recommendations of SC.3/WP.3 (TRANS/SC.3/168, paras. 21-25).
3. At its thirtieth session the Working Party felt that most of the draft amendments to the Agreement itself (as they are currently reflected in ECE/TRANS/SC.3/2006/7) might be presented for consideration and adoption by the Working Party SC.3 already at its forthcoming fiftieth session in October 2006. As to the annex IV, Governments once again invited to transmit their proposals on its possible content (ECE/TRANS/SC.3/WP.3/60, para. 19).
4. In the opinion of certain delegations, 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. At the same time, the Chairman of the Working Party SC.3/WP.3 believed that the future Annex IV should not impose on States Contracting Parties rigid requirements of technical nature but should rather contain framework provisions of general character just as it had been done in the International Ship and Port Facility Security Code (ISPS Code) of IMO. At the same time, he warned against full extension of ISPS provisions to inland waterways and ports, especially, taking into account the discussion held on the item of "transport and security" at the forty-ninth session of SC.3 (ECE/TRANS/DC.3/WP.3/60, para. 21).
5. According to ISPS Code, the port facility as well as the port's fleet should have security plans containing detailed list of measures of administrative and technical nature to ensure a required level of security.
6. Since the questions relating to the security of hydrotechnical installations such as locks, bridges, dams, approaching channels, etc. have been and still are dealt with mainly individually by relevant authorities, it seems to be reasonable that the new Annex IV to the AGN Agreement should concentrate principally on questions of port security, which would be in conformity with the ISPS Code, views of Governments (see in particular documents TRANS/SC.3/2004/9 and TRANS/SC.3/2005/4) and with the discussion on this issue that have taken place in the framework of Working Parties SC.3 and SC.3/WP.3.

7. The term “port” used below should be understood as the complex of objects situated on specially allocated territories as well as on the water plan of the river, intended for servicing cargo and passenger vessels, servicing passengers and cargo handling and rendering other services usually provided in a commercial port.

8. Since no proposals have been received yet from member Governments, the secretariat prepared, with the help of a consultant, a draft Annex IV to the AGN Agreement: “Protection of the network from the intentional external influence” that takes into account relevant activities of different international organizations, such as IMO and ILO, the exchange of views that have taken place within UNECE under the item of “transport and security” as well as the remarks of Governments on this issue.

“Annex IV

PROTECTION OF THE NETWORK OF INLAND WATERWAYS OF INTERNATIONAL IMPORTANCE FROM THE INTENTIONAL EXTERNAL INFLUENCE

1. 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.

2. 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.

3. 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.

4. 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;
- 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.
5. Port security officers and appropriate port security personnel shall have knowledge and have received training, taking into account the provisions in paragraph 4 above.
6. 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.
7. The port security assessment shall be reviewed and updated”.
