REPORT OF THE WORKING PARTY ON THE STANDARDIZATION OF TECHNICAL AND SAFETY REQUIREMENTS IN INLAND NAVIGATION ON ITS THIRTY-FIFTH SESSION (3-5 June 2009)

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I. ATTENDANCE


2. The session was attended by representatives of the following countries: Austria, Belgium, Bulgaria, Croatia, Czech Republic, Finland, Germany, Netherlands, Russian Federation, Serbia and United Kingdom of Great Britain and Northern Ireland.

3. Representatives of the following intergovernmental organizations also took part in the session: Danube Commission (DC) and International Sava River Basin Commission (Sava Commission). The following non-governmental organization was represented: European Boating Association (EBA). A representative of International Labour Organization (ILO) and the representatives of Inland Waterway Transport Educational Network (EDINNA) were also present.

II. ADOPTION OF THE AGENDA (Agenda item 1)

4. In accordance with the decision of the thirty-fourth session of the Working Party, Mr. Evgueny Kormyshov (Russian Federation) chaired the thirty-fifth session. The Working Party adopted the provisional agenda as prepared by the secretariat (ECE/TRANS/SC.3/WP.3/69). The meeting was opened by Mrs. Eva Molnar, Director of the UNECE Transport Division. She emphasized the importance of the thirty-fifth session and, especially preparation of the revision of the European Code for Inland Waterways, and thanked the delegations, and River Commissions in particular, for their active involvement in this work. She also informed the Working Party that the Bureau of the Inland Transport Committee was considering organizing a senior technical session on inland water transport at the next ITC session on 23-25 February 2010. More information on this proposal will be submitted to the fifty-third session of the Working Party on Inland Water Transport.

III. EUROPEAN CODE FOR INLAND WATERWAYS (CEVNI) (Agenda item 2)

5. In continuation of the work of its thirty-fourth session, the Working Party continued its work on the amendment proposals to the European Code for Inland Waterways. The secretariat reported that the draft amendment proposals had been circulated to the delegations in a questionnaire for the thirty-fifth session and that the comments received from the delegations were compiled by the secretariat in Informal Document No. 3. The Working Party took note of Informal Document No. 3, which presented the comments received from the delegations on the amendment proposals on Chapters 1-9 of CEVNI and its annexes. The Working Party was also informed that the informal working group on CEVNI had met on 2 June 2009 to review these comments and prepare updated proposals. The Working Party then proceeded with the finalization of the amendment proposals.

A. Amendments to Chapter 1, “General Provisions” (Agenda item 2 (a))

6. The Working Party considered the amendment proposal on Chapter 1 of CEVNI, prepared based on the decisions of its thirty-fourth session (ECE/TRANS/SC.3/WP.3/2008/15/Rev.1). The Working Party took note of the additional comments received from Belgium, Czech Republic
and the Russian Federation, presented in Informal Document No. 3. The Working Party discussed the comments made by the delegations. With respect to the proposals to harmonize the definitions in Article 1.01 of CEVNI and the definitions in EU Directive 2006/87/EC on technical prescriptions for inland vessels, the Working Party noted that the difference in definitions resulted from the different purposes of the two documents (navigation rules in CEVNI, as opposed to technical prescriptions in the directive). The Working Party also referred to its work on harmonizing the content of Resolution No. 61 on “Recommendations on Harmonized Europe-Wide Technical Requirements for Inland Navigation Vessels” with Directive 2006/87/EC, which was not yet completed. The Working Party also extensively discussed the new proposal on Article 1.10 “Vessel’s papers and other documents” and recognized the shortcomings of trying to establish an exhaustive list of documents required on all inland waterways and for all types of vessels. The Working Party decided to revert to the initial proposal from the informal working group of CEVNI, presented at the thirty-fourth session (ECE/TRANS/SC.3/WP.3/2008/15, para. 8) and to include the list of other documents, which could be required by national or regional authorities, in Chapter 9 on regional and national special requirements. Based on the recommendations by the informal working group on CEVNI and the additional discussions during the session, the Working Party adopted the amendment proposals in Document ECE/TRANS/SC.3/WP.3/2008/15/Rev.1, subject to the following modifications:

(a) Paragraph 2 (b): replace the proposal with the following text

Amend the definition of “small craft” as follows.

The term “small craft” means any vessel with a hull less than 20 m long, except vessels built or equipped to tow, push or propel in side-by-side formation vessels other than small craft, and except craft authorized to carry more than 12 passengers and ferry-boats and pushed barges;

(b) Paragraph 2 (i): replace seen with when moving

(c) Paragraph 9 (a):

i. Move the content of points (f) to (x) to Article 9.02.06 in Chapter 9.

ii. Replace the amendment proposal with the following text

Amend paragraph 1 as follows

1. Every vessel shall carry The following documents shall be available on board:

(a) Ship’s certificate;

(b) A tonnage measurement certificate (cargo vessels only);

(c) Ship’s articles or crew list;

(d) A ship’s log; 17

(e) Boatmaster’s licence certificate or licences certificates belonging to boatmasters of the vessel and
for other crew members, a service record duly completed.

and any other documents relating to navigation required under international conventions or agreements.

(d) Paragraph 9 (c): Delete

(e) Paragraph 13 (a)
   i. Replace and especially with in particular
   ii. Replace certificate of registry with ship’s certificate

B. Amendments to Chapter 2 “Marks and Draught Scales on Vessels; Tonnage Measurement” (Agenda item 2 (b))

7. The Working Party considered the amendment proposal on Chapter 2 of CEVNI, prepared based on the decisions of its thirty-fourth session (ECE/TRANS/SC.3/WP.3/2008/16/Rev.1). The Working Party took note of the additional comments received from Belgium, Czech Republic and the Russian Federation, presented in Informal Document No. 3. Based on the recommendations by the informal working group on CEVNI and the additional discussions during the session, the Working Party adopted the amendment proposals in Document ECE/TRANS/SC.3/WP.3/2008/16/Rev.1. Taking into account the comment received from the Belgian delegation, the Working Party agreed to include a provision based on footnote 21 in Chapter 9 on “National and Local Special Requirements”.

C. Amendments to Chapter 3 “Visual Signals (Marking) on Vessels” (Agenda item 2(c))


(a) Paragraph 1 (d): delete hull

(b) Paragraph 11 (b): delete

9. In response to the comments from the Czech Republic and the Russian Federation, the Working Party agreed to include in Chapter 9 on “Regional and National Special Requirements” the following new provisions:

(a) With respect to Article 3.08 paragraph 1 (a), the competent authorities may prescribe a height of less than 5 meters

(b) With respect to Article 3.09 paragraph 1 (a), the competent authorities may prescribe a height of less than 5 meters

(c) With respect to Article 3.20 paragraph 4, the competent authorities may prescribe that small craft other than ship’s boats does not need to carry the black ball by day
D. Amendments to Chapter 4, “Sound Signals on Vessels - Radiotelephony” (Agenda item 2 (d))


11. The Working Party agreed to include in Chapter 9 on “Regional and National Special Requirements” a new provision based on footnote 52 of the existing text of CEVNI.

E. Amendments to Chapter 5, “Waterway Signs and Marking” (Agenda item 2 (e))


F. Amendments to Chapter 6, “Rules of the Road” (Agenda item 2 (f))

13. The Working Party considered the revised amendment proposals on Chapter 6 of CEVNI, prepared based on the decisions of its thirty-fourth session (ECE/TRANS/SC.3/WP.3/2009/6/Rev.1), and took note of the comments, presented in Informal Document No. 3. The Working Party extensively discussed the need for distinguishing between Class I and Class II waterways, noting that this distinction was not in use in any of the countries, represented in the Working Party, except for Belgium. However, the Working Party recognized the need for additional clarifications to the rules, if Class II were to be removed. Taking into account the recommendations of the informal working group on CEVNI and the additional discussions during the session, the Working Party adopted the amendment proposals in Document ECE/TRANS/SC.3/WP.3/2009/6/Rev.1 subject to the following modifications:

   (a) Paragraph 1 (c): move the proposed definition of “upstream” to Article 1.01 to Replace the definition of “upstream” in article 1.01

   (b) Paragraph 3: add the following amendment

       Add a new paragraph 1 (and renumber the paragraphs accordingly)

       When two vessels are meeting and there may be a risk of collision, each vessel shall veer to starboard so as to pass on the port side of the other. This rule does not apply to small craft in relation to other vessels

   (c) Paragraph 4: add the following amendment

       Add a new paragraph 1 (and renumber the paragraph accordingly)

       By derogation from the normal rule set out in article 6.04, vessels may in exceptional cases, and if certain that their request can be safely met, ask to pass starboard to starboard

   (c) Paragraph 15: add a proposal to insert the preposition “or” between (a), (b) and (c)
(d) Paragraph 24 (b): update the proposal as follows:

Replace the first sentence in paragraph 1 with the following sentence

In reduced visibility, vessels and convoys not navigating by radar shall immediately proceed to the safe berthing or anchoring areas.

(e) Paragraph 27: update the proposal as follows

(a) Paragraph 1: replace trolling with trawling [English text only]

(b) Add a new paragraph 2

Setting of fishing equipment in or near a fairway and in berthing areas is not permitted.

G. Amendments to Chapter 7, “Berthing Rules” (Agenda item 2 (g))

14. The Working Party considered the amendment proposals on Chapter 7 of CEVNI (ECE/TRANS/SC.3/WP.3/2009/15) and took note of the comments, presented in Informal Document No. 3, as well as the comments from CCNR and the Mosel Commission, presented by the chairman of the informal working group on CEVNI. The Working Party adopted the amendment proposals in Document ECE/TRANS/SC.3/WP.3/2009/15 subject to the following modifications:

(a) Paragraph 1: add a proposal to add a new paragraph (l)

(l) Unless permitted by the competent authorities, in lock basins.

(b) Paragraph 3 (a): replace the proposed new paragraph 1 with the following text

An efficient watch shall be kept continuously on board of vessels lying in the fairway and on board of stationary tank vessels carrying dangerous substances.

H. Amendments to Chapter 8, “Transport of Dangerous Goods” (Agenda item 2 (h))

15. The Working Party considered the amendment proposals on Chapter 8 of CEVNI (ECE/TRANS/SC.3/WP.3/2009/16) and took note of the comments, presented in Informal Document No. 3, as well as the comments from CCNR and the Mosel Commission, presented by the chairman of the informal working group on CEVNI. The Working Party discussed the new proposal title of Chapter 8 (“Signaling and Reporting Requirements”), noting that the new title reflected the fact that Chapter 8 did not deal exclusively with the requirements in the transport of dangerous goods. The Working Party also decided to include in Article 8.02 para.2 (l) a direct reference to the relevant provisions of the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN). The Working Party adopted the amendment proposals in document ECE/TRANS/SC.3/WP.3/2009/16 subject to the following modifications:

(a) Paragraph 2 (a): delete

(b) Paragraph 2 (b): Move the proposed text to Chapter 9

(c) Paragraph 3 (a): in the proposed new paragraph 2 of Article 8.02

(i) Paragraph (l): amend to read
Nature and quantity of cargo (for dangerous goods, as required under 5.4.1.1.1 (a), (b), (c), (d) and (f) and 5.4.1.2.1 (a) of the Regulations annexed to ADN for carriage in bulk or in packages, or 5.4.1.1.2 (a), (b), (c), (d) and (e) of the Regulations annexed to ADN for carriage in tank-vessels).

(ii) Paragraph (o): after containers add on board

I. Amendments to Chapter 9, “Prevention of Pollution of Water and Disposal of Waste Occurring on Board Vessels” (Agenda item 2 (i))

16. The Working Party considered the revised amendment proposals on Chapter 9 of CEVNI (ECE/TRANS/SC.3/WP.3/2009/17) and noted that no comments on the proposal had been received from the delegations. The Working Party adopted the amendment proposals to Chapter 9 of CEVNI as contained in document ECE/TRANS/SC.3/WP.3/2009/17, including the proposal to renumber the chapter as Chapter 10.

J. Chapter 9, “Regional and National Special Requirements” (Agenda item 2 (j))


(a) Inclusion of the new provisions based on the relevant decisions of the thirty-fifth session

(b) Inclusion of the provisions listed in the supplement in the current edition of CEVNI (“Specific Requirements in the National Regulations of Belarus, Kazakhstan, the Republic of Moldova, the Russian Federation and Ukraine that Differ at Present from the Provisions of CEVNI”).

K. Amendments to Annexes to CEVNI (Agenda item 2 (k))


(a) Add the following proposals to the proposals on Annex 3

(i) Sketch 42 b: add an image of the visual signals during the day (two black balls)

(ii) Sketch 46: in the image of the visual signals during the day, add the pusher carrying a black ball and delete the black balls on the rear two barges

(b) Paragraph 5 (b): delete
19. Following the proposal from the Sava Commission, the Working Party agreed to introduce numbers for signs and signals in Annex 8 in line with the numbering in the rest of CEVNI with the goal to facilitate the computerized coding of the signs and marking.

20. The Working Party requested that the secretariat circulate as soon as possible the draft revised text of CEVNI, incorporating all the amendments approved at its thirty-fourth and thirty-fifth session in English, French and Russian, and make the text available online as an informal document. The Working Party requested the secretariat to submit the final draft of the revised text of CEVNI to the fifty-third session of the Working Party on Inland Water Transport.

IV. “MINIMUM REQUIREMENTS FOR THE ISSUANCE OF BOATMASTER’S LICENSES IN INLAND NAVIGATION WITH A VIEW TO THEIR RECIPROCAL RECOGNITION FOR INTERNATIONAL TRAFFIC” (Agenda item 3)

21. As agreed during its thirty-fourth session (ECE/TRANS/SC.3/WP.3/68, para. 23), the Working Party proceeded to consider the draft revised resolution No. 31 on “Minimum Requirements for the Issuance of Boatmaster’s Licenses in Inland Navigation with a View to their Reciprocal Recognition for International Traffic” (hereafter, Resolution No. 31), and related issues.

A. Results of the impact assessment on harmonization of the boatmaster’s certificates in Inland Waterway Transport across the European Union (Agenda item 3 (a))

22. The secretariat introduced the communication from the European Commission on the Impact assessment and evaluation study concerning a “Proposal for a legal instrument on the harmonization of the boatmaster’s certificates in Inland Waterway Transport at the European Union level” (ECE/TRANS/SC.3/WP.3/2009/20) The Working Party took note of the results of the impact assessment on harmonization of boatmaster's certificates in Inland Waterway Transport across the EU and of the planned revision of the EU Council Directive 96/50/EC of 23 July 1996 on the harmonization of the conditions for obtaining national boatmasters’ certificates for the carriage of goods and passengers by Inland Waterway in the Community. The Working Party also noted that the results of the work of the UNECE group of volunteer experts on the mutual recognition of boatmaster’s certificates had been used in the preparation of the final report of the impact assessment and evaluation study on a “Proposal for a legal instrument on the harmonization of boatmaster’s certificates in inland waterway transport”. The Working Party asked the secretariat to continue monitoring and reporting on the progress made by the EU on the revision of the directive and to report to the fifty-third session of the Working Party on Inland Water Transport, explaining how the work on Resolution No. 31 is linked to the work on the revision of Directive 96/50/EC.

B. Amendments to Resolution No. 31 (Agenda item 3 (b))

23. The secretariat introduced document ECE/TRANS/SC.3/WP.3/2009/8/Rev.1 with the latest draft of the revised Resolution No. 31, which included additional modifications and clarifications with respect to calculation of navigation time (paragraph 2.3.4); special provisions concerning the examination of professional knowledge (Article 2.4) and Annex II, “Professional knowledge required to obtain a boatmaster's certificate. The Working Party considered the draft, taking note of the comment by Romania with respect to Article 2.3.4 (Calculation of the navigation time). The Working Party discussed the proposal from Romania noting that the issue
of navigation time was also addressed by the relevant provisions of Resolution No. 61 on “Recommendations on Harmonized Europe-Wide Technical Requirements for Inland Navigation Vessels” (Appendix 5, Particulars and guidelines concerning the keeping of the Service Record, Article 1.4). The Working Party agreed to base the text of Article 2.3.4 in Resolution No. 31 on the text used in Resolution No.61 and adopted the draft revised Resolution No. 31 with the following modification:

(a) Replace the current text in Article 4.2.3 by the following text

2.3.4. The navigation time is calculated as follows:

   a) 180 days of actual inland waterway voyage are counted as one year of navigation. Over a period of 365 consecutive days, a maximum of 180 days may be taken into account.

   b) 205 days of actual maritime navigation are counted as one year of navigation. Over a period of 365 consecutive days, a maximum of 250 days may be taken into account.

24. The Working Party asked the secretariat to circulate the text of the draft revised Resolution No. 31 to the delegations drawing their attention to the amended Article 2.3.4, and to present the final draft of the revised Resolution No. 31 at the fifty-third session of the Working Party on Inland Water Transport.

C. Local knowledge requirements existing in the UNECE Region (Agenda item 3 (c))

25. The secretariat introduced Informal document No. 2 (WP.3), which presented the preliminary results of the survey of local knowledge requirements existing in the UNECE region, carried out by the secretariat in accordance with the decision of the thirty-fourth session of the Working Party (ECE/TRANS/SC.3/WP.3/68, paras. 26-27). The secretariat informed the Working Party that additional information on this issue had been received from Hungary and the Republic of Serbia. The Working Party took note of Informal Document No. 2 and asked the countries, who had not yet submitted this information, to send their input to the secretariat, so that an official document could be presented at the fifty-third session of the Working Party on Inland Water Transport.

V. RESOLUTION NO. 61, “RECOMMENDATIONS ON HARMONIZED EUROPE-WIDE TECHNICAL REQUIREMENTS FOR INLAND NAVIGATION VESSELS” (Agenda item 4)

26. The secretariat reported to the Working Party that the group of volunteer experts on Resolution No. 61 was not able to meet in April 2009, as it had been instructed by the thirty-fourth session (ECE/TRANS/SC.3/WP.3/68, para.30) due to the experts’ unavailability. The Working Party took note of the information by the secretariat on the current status of the Group of volunteer experts on Resolution No. 61. The Chairman of the Working Party reminded to the delegations that at the thirty-fourth session of SC.3/WP.3, the Russian Federation, Sava Commission and the Danube Commission had expressed their willingness to be part of the group. The Working Party invited other countries and organizations to appoint an expert, so that the work on Resolution No. 61 could be continued.
27. The Working Party considered the amendment proposal on Resolution No. 61, submitted by Austria (ECE/TRANS/SC.3/WP.3/2009/24), that takes account of the relevant sections of EU Directive 2006/87/EC. The Working Party had an extensive exchange of views on the amendments proposed to Section 2-7 and Chapter 1, highlighting a number of issues, such as the creation and maintenance of a database on the issued identification numbers, the harmonization of data for the identification of vessels and differences in the definitions in the EU Directive and Resolution No. 61. The Working Party emphasized that the goal was not to bring the resolution in line with the directive, but to harmonize the two documents, taking into account the difference in their respective nature and scope, which entailed a detailed analysis of their provisions. Based on this discussion and given the late submission of the document with the amendment proposal, the Working Party requested the secretariat to circulate the proposal to the delegations and to collect the comments of the delegations for the next SC.3/WP.3 session. The Working Party also requested the secretariat to contact the delegations with a view to collect information on the national bodies issuing vessel identification numbers. The Danube Commission informed the Working Party that this proposal would also be discussed at the November 2009 session of the DC working group on technical issues and the results of this discussion would be reported to the Working Party.

VI. RESOLUTION NO. 25, “GUIDELINES FOR PASSENGER VESSELS ALSO SUITED FOR CARRYING DISABLED PERSONS” (Agenda item 5)

28. The Working Party considered the revised Resolution No. 25 (ECE/TRANS/SC.3/WP.3/2009/22), prepared by the secretariat based on the instructions of the thirty-third session of SC.3/WP.3 (ECE/TRANS/SC.3/WP.3/64, para. 24). Noting that some countries, such as the Russian Federation, had prepared extensive comments to the document but had not communicated them to the secretariat in time for the session, the Working Party requested the secretariat to collect these and other comments, if any, and present an advanced draft at the next SC.3/WP.3 session. The Working Party instructed the secretariat to also prepare a comparison table presenting the new text of Resolution No. 25 in relation to the relevant provisions of Resolution No. 61 and Administrative Instructions No. 22 to annex II of EC Directive 2006/87/EC.

VII. RESOLUTION NO. 40, “INTERNATIONAL CERTIFICATE FOR OPERATORS OF PLEASURE CRAFT” (Agenda item 6)

29. The representative of European Boating Association introduced document ECE/TRANS/SC.3/WP.3/2009/23 with the amendment proposals on Resolution No. 40. The Working Party discussed the proposal of EBA to amend Resolution No. 40 with the aim to enable Administrations to deliver international certificates (ICCs) to operators other than their nationals and residents (ECE/TRANS/SC.3/WP.3/2009/23). The updated proposal from EBA was circulated as Informal Document No. 4. After an extensive exchange of views on this issue, the Working Party concluded that there was not yet agreement on the modifications to be brought to paragraph 1 of the resolution and asked EBA, in consultation with the delegations of Austria and Germany, to prepare a new amendment proposal for paragraph 1 of the resolution. The German delegation emphasized the importance of reaching an agreement between the EBA and the national boating associations before submitting the proposal to UNECE, so that the amendment process would be productive.
VIII. CREATION OF THE EUROPEAN NETWORK FOR EXCHANGES ON NATIONAL EDUCATIONAL PROGRAMMES AND VOCATIONAL TRAINING IN INLAND NAVIGATION (Agenda item 7)

30. The representatives of the Inland Waterway Transport Educational Network (EDINNA) presented the EDINNA project – a cooperation initiative between 20 EU inland navigation schools on the training and educational issues, such as harmonization of inland navigation education and training, development of the standards of training and certification inland navigation, communication and language in navigation on inland waterways and development of educational exchange programmes. The Working Party took note of the presentation and requested the secretariat to monitor and report on progress in EDINNA activities and to invite EDINNA to take part in the relevant meetings of SC.3/WP.3, related to the issues of crewmen training and education.

IX. OTHER BUSINESS (Agenda item 8)

31. No proposals were submitted under this item.

X. DATES OF THE NEXT SESSION (Agenda item 9)

32. The Working Party was informed that the fifty-third session of the Working Party on Inland Water Transport was planned to take place on 4-6 November 2009.

33. The Working Party endorsed the following preliminary dates for its thirty-sixth and thirty-seventh session in 2010:

- 10-12 February 2010 (thirty-sixth session of SC.3/WP.3)
- 2-4 June 2010 (thirty-seventh session of SC.3/WP.3)

XI. ADOPTION OF THE REPORT (Agenda item 10)

34. In accordance with established practice, the Working Party adopted the list of decisions of its thirty-fifth session on the basis of a draft prepared by the secretariat. The full report will be prepared by the secretariat for submission to the Working Party on Inland Water Transport. The Working Party requested the secretariat to make the report available as soon as possible in all official languages.

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