

Answers to the questionnaire for the 1st meeting of the Informal Working Group on Recreational Navigation

Respondents:

- Finnish Transport Safety Agency - Trafi (Finland);
- Norwegian Maritime Authority (Norway);
- State Inspectorate for Small Craft of EMERCOM Russia (Russian Federation);
- Russian Yachting Association;
- Royal Yachting Association (United Kingdom of Great Britain and Northern Ireland);
- Route from Varangians to Greeks, Ukraine.

1. Exchange of information on the current situation in the sector, best practices and challenges

A. Finland

1. As the demand for ICCs is keeping steady (400-500 ICC's issued per year and 477 ICC's issued in 2016), we are investigating the possibility to include these in the same issuing process as other maritime competence certificates. This would allow for less manual labour in making the certificates, printing of credit card sized plastic certificates, easier handling of data etc.

2. The demand is mostly by people traveling abroad and wanting to charter a boat for their holiday. In Finland the ICC is only required for operating a Finnish craft over 24 metres in length.

B. Norway

3. We issue a national boating licence and the ICC for pleasure craft up to 15 metres, and a deck officer class 5 pleasure craft licence for recreational craft up to 24 metres. All licences are issued in Norwegian and English and clearly state the rights that the holder has. We experience difficulties when foreign licences are not issued in English, and when the limitations of the licences are not clearly specified.

4. We have a lot of foreigners asking if their foreign licence is valid in Norway. This creates certain challenges, as countries assign a variety of restrictions, e. g. the length, the engine power, the type of boat (sailboat/motorboat), day/night, the distance from safe harbour, weather conditions and so on. The period of validity may be limited by 10 years or may be unrestricted.

5. One of the **challenges:** Norwegian citizens in other countries wishing an ICC cannot get it, because, according to the Guidelines to Resolution 40, countries may decide not to issue an ICC to a resident of a country that has applied Resolution 40. In particular, this refers to CEVNI, as Norway has not adopted it. We would like to develop a theoretical CEVNI test in Norway in order to issue ICC for canals, but we need help for that.

C. Russian Federation

6. In the Russian Federation, recreational and small craft used for non-commercial purpose mean craft used for tourism, recreation, pleasure and similar purposes.

Pleasure craft means a vessel allowed to carry not more than 18 people on board, including not more than 12 passengers, which is used for non-commercial purposes and intended for recreation on water objects.

Small craft means a craft having a length not over 20 m and allowed to carry not more than 12 persons.

7. The supervising body for navigation of pleasure craft is the same as for navigation of transport fleet, i.e. the Ministry of Transport.

8. The following issues are subject to regulation for small craft used for non-commercial purposes:

- the right to fly the state flag, realized via the state registration in the small craft registry; this confirms also the proprietary right. Charges and/or limitations are also fixed in the registry;
- the right to operate a pleasure craft;
- checking of technical condition of the craft by means of surveys carried out every five years (as a general rule).

9. The construction of small craft for non-commercial purpose, including technical prescriptions, equipment and supply standards, is regulated by the Technical Regulations of the Customs Union (the Eurasian Commission).

10. There is no mandatory requirement for the civil liability insurance for using small craft in the Russian Federation.

11. **Issues for addressing at the international level:**

(a) Different approaches and criteria used for the definition of pleasure and small craft.

(b) Issues arising from ongoing work by EMERCOM Russia on the draft federal law on the safety of recreational navigation (see para. 55):

1. Definitions of pleasure craft and/or small craft used for recreation;
2. Definition of recreational navigation;
3. The right to fly the state flag: the types of craft, the respective documents;
4. The right to operate a pleasure/small craft: when it is necessary, the types of craft;
5. Unified technical requirements for craft: when it is necessary, the types of craft, requirements for the construction and operation;
6. Establishing unified types of craft and navigation zones, mutual recognition of documents vs. introducing uniform documents etc.

D. Russian Yachting Association

12. Recreational navigation has become very popular in Russia over the past 15 years. This includes the construction of up-to-date yachting clubs and marinas, international exhibitions dedicated to the yachting industry, the increasing number of newly built motorized and sailing boats, new routes for water tourism, chartering companies, sailing schools and yachting associations.

13. **Challenges:** high import duties and anchorage costs, the need for a unified international certificate for pleasure craft operators for sailing abroad.

14. **Issues for addressing at the international level:**

- border crossing facilitation;
- promotion of recreational navigation and water tourism;
- quality of education and training of operators and instructors in Russia and abroad.

E. Route from Varangians to Greeks (Ukraine)

15. **Achievements and best practices:**

- facilitation of formalities for recreational navigation;
- development of the map of international routes for recreational navigation;
- development of the map for water tourist routes, mixed routes and promotion of recreational navigation.

16. **Challenges:**

- lack of actual engagement of the public in establishing and ensuring the control of safety on inland waterways;
- technical surveys and the state registration of vessels;
- training and advanced training of water transport employees, including instructors in schools for small and pleasure craft operators;
- implementation of international provisions for pleasure navigation and water tourism in the national legislation;
- lack of legal support for owners of pleasure and small craft;
- lack of appropriate inland waterway infrastructure for recreational navigation.

17. **Issues for addressing at the international level:**

- application of Resolution No. 40 at the national level, recognition of ICC by other countries;
- possibilities for the development of the recreational navigation-related infrastructure on E waterways;
- appointment of a coordination body at the national level responsible for the education and training of pleasure craft operators (harmonization of educational programmes, European and international requirements for the education and training, recognition of education certificates by other countries for issuing ICC, a database and exchange of information);
- supervision, registration and insurance of small and pleasure craft.

F. United Kingdom of Great Britain and Northern Ireland

18. **Challenges and issues for addressing at the international level:**

- misunderstanding about the ICC and its status is mentioned as the challenge you meet in everyday practice;
- the increasing number of providing offering courses and certificate purporting to be ICCs.

2. ICC, education, training and examinations for pleasure craft operators

A. Finland

19. Finland issues ICC for both inland and coastal waters, however, “inland waters” is not required in Finland in any circumstances, “coastal waters” only when the craft is over 24 metres in length.

20. Finland has no own CEVNI test. For inland waters, the principle is that the CEVNI test has been done at an organization that had been audited and approved by Trafi who does not hold its own tests. Foreign CEVNI tests and certificates would be treated case by case. CEVNI is not required in Finland for recreational boaters. For coastal waters also a test and certificate from an audited and approved organization is the normal way to proceed, however, Trafi has its own test for coastal waters.

21. Finland does not apply Resolution No. 14.

22. Finland **recognizes** ICC’s issued by other countries. However, the requirement for ICC is applicable for operating a Finnish craft of more than 24 meters in length. So, if a foreign person would operate a Finnish craft over 24 metres, an ICC would be required and any official ICC from any other country would be considered sufficient.

B. Norway

23. Norway issues ICC for pleasure craft up to 15 metres in length for coastal waters only and would be interested in issuing ICC for inland waters as well.

24. Norway wishes to develop own CEVNI test, but is also interested in discussing the possibility of recognizing the outcome of a CEVNI test developed by or with other countries/organizations.

25. Norway does not apply Resolution No. 14.

26. Norway **recognizes** ICC’s issued by other countries only for craft up to 15 metres in length. Any restrictions stated in the licence will also apply in Norway even if they are not required at the national level.

C. Russian Federation

27. The State Inspectorate for Small Craft of EMERCOM Russia is a managing body for licenses for operating small craft used for non-commercial purposes. The licenses are required for small craft subject to the state registration. A candidate can be a person of any citizenship that has reached the age of 18, with the state of health allowing to operate a pleasure craft.

28. For the issue of a license the applicant has to pass an examination for the right to operate a small craft. The examination consists of two parts: theoretical knowledge and practical skills. The examination of theoretical knowledge does not include CEVNI test. After having passed the examination, the candidate gets the right to operate a certain type of small craft in the given navigation zone.

29. The types covered by the license include a motorized craft, a sailing craft, a ski jet and a special design craft. Navigation zones are: inland waters of the Russian Federation, inland waterways of the Russian Federation, inland seas, the territorial sea of the Russian Federation and 20-mile coastal zone.

30. The right is confirmed by a license for the right to operate pleasure craft used for non-commercial purpose valid for 10 years. There is no need to pass a mandatory training course in order to be admitted for the examination.

31. ICC is not issued.

32. In principle, the State Inspectorate for Small Craft is ready to consider the possibility of issuing ICC and the recognition of test results issued by other parties; however, it has the opinion that this matter should be addressed together with the recognition of documents confirming the right to fly the state flags, the certificates of seaworthiness etc.

33. **Recognition of certificates issued by other countries:** if a candidate has a qualification certificate issued by another country, a special procedure is applied; during the examination, the input/admission documents are checked only, without checking of theoretical knowledge and skills, except for the inland waters and inland waterways of the Russian Federation.

D. Russian Yachting Association

34. Russian Yachting Association has developed the draft requirements for the education and training of pleasure craft operators (reproduced in IWG RN/2017/3). All participants are invited to consider the draft carefully, as it may become an important document for the industry.

35. Russian Yachting Association issues its own model of ICC for inland and coastal waters to graduates of the training school "Captain". After having finished the education and training course, candidates take an examination. In case of an ICC for inland waters, the examination includes the CEVNI test. This test is developed on the basis of CEVNI 2009 edition; a more concise manual had been issued on the basis of the CEVNI provisions. This manual has been updated in accordance with CEVNI 5 and is available in Russian and English.

36. Russian Yachting Association is interested in issuing an officially recognized ICC, as this document is mandatory for certain regions.

37. Resolution No. 14 is not applied; however, the initial text is of great interest to us.

F. Route from Varangians to Greeks

38. The legislative framework establishing the training principles is Order No. 283 of the Ministry of Infrastructure of 07.05.2013 as amended by Order No. 413 of the Ministry of Infrastructure of 26.08.2014.

39. We do not issue ICC, but are interested in doing so, as this can improve the competencies of students in theoretical knowledge and practical skills, including the knowledge of CEVNI, internationally recognized training practices and the harmonization of national training programmes.

40. At present, in accordance with the legislation, the examination is based on national requirements; some of CEVNI requirements are also included. We have experience in developing own CEVNI test. We are planning to continue this work in cooperation with the state bodies (ministries and local authorities), and also as a member of the Informal Working Group. At the same time, at the national level there is a need for coordinators for the harmonization of training programmes and examinations; technical provisions for simulators; training programmes for school instructors for the knowledge of CEVNI.

41. **Recognition of test results and certificates issued by other countries:**

- in order to recognize test results of another country/organization for issuing ICC, the necessary amendments should be introduced in the national legislation. We believe that this issue should be one of priorities for the Informal Working Group;
- recognition of ICC's is not settled in the national legislation.

E. United Kingdom of Great Britain and Northern Ireland

42. United Kingdom of Great Britain and Northern Ireland issues ICC for sailing and power boats, for both inland and coastal waters.
43. United Kingdom of Great Britain and Northern Ireland applies its own tests for the knowledge of CEVNI and for coastal navigation and will not accept a test from another country.
44. Resolution No. 14 is not applied.
45. United Kingdom of Great Britain and Northern Ireland does not require licensing for operators of pleasure vessels up to 24 m and 80 gt, therefore, an ICC is not required. We would not issue a national ICC on the basis of holding another country's ICC.
46. The ICC is explicitly for pleasure vessels and has no status for commercial use.

3. Promotion of ICC and Resolution No. 40

A. Norway

47. Questions related to the application on Resolution No. 40:
 1. Can a CEVNI test be taken purely in theory? Combined with the practical test that covers today's requirements for the coastal licence (manoeuvring and such), our existing theoretical test covering navigation, COLREGS ++, could we then issue ICC for both canals and coastal?
 2. How to countries handle licences that are only valid for 10 years? Do the candidates need to take the whole test again when the licences are expired?
 3. Can the maritime authority give special allowances to an organization or other country to issue ICC to nationals of the first country, if the issuing country has not applied Resolution No. 40? (Example is Malta, who does not apply the resolution but issues ICC to British nationals through RYA, and has asked Norway for permission to issue ICC to a Norwegian national living in Malta).

B. Russian Yachting Association

48. Economic and legal evaluation of Resolution No. 40 could be feasible.

C. Route from Varangians to Greeks

49. It is necessary to:
 - improve the procedure of mutual recognition of ICC's;
 - develop a common database;
 - adjust the issued ICC's to a common model;
 - develop and introduce model training courses for operators of small and pleasure craft.
50. The information on particular features of ICC's issued by Ukraine should be included in Resolution No. 40.

4. Resolution No. 52, the European Recreational Inland Navigation Network

51. Resolution No. 52 is not applied by Finland and Norway.

52. In the United Kingdom of Great Britain and Northern Ireland it is used for providing guidance to members of the public or RYA members.

53. Route from Varangians to Greeks has emphasized that at present inland waterways of Ukraine could be considered mostly in terms of suitability for recreational navigation, water tourism and/or other non-commercial purposes, while their suitability for transport vessels needed to be improved. It has the opinion that the inland waterway system of Ukraine should be examined by national regulatory bodies, local authorities and public organizations, with international technical assistance, in order to evaluate its potential for recreational navigation and water tourism, including the international recreational navigation, and update the AGNP map.

5. National measures/policies to promote recreational navigation and water tourism

A. Finland

54. There is a national owned company, Finpro, under which the tourism promotion unit "Visit Finland" operates. Visit Finland also promotes water tourism among other things.

B. Russian Federation

55. The development of recreational navigation is now widely discussed in the Russian Federation. A draft federal law on the safety of recreational navigation has been prepared by EMERCOM in order to create conditions for recreational navigation and the related infrastructure. The following aspects are covered:

- the right to fly the flag of the Russian Federation through the state registration;
- the right to operate small craft;
- the construction of small craft both for the market and personal use;
- periodical surveys of small craft in the assigned navigation area;
- functioning of marinas, ensuring the safety of navigation and anchorage;
- documents needed for the operation of small craft;
- state surveillance of navigation;
- investigation of accidents.

One of the purposes of the draft is to simplify the existing practice.

C. Russian Yachting Association

56. Measures for promoting recreational navigation and water tourism include a steadily increasing number of enthusiasts of water sports and recreation, pleasure navigation and water tourism through increasing the number of pleasure craft operators, improving quality of their qualification.

D. Route from Varangians to Greeks (Ukraine)

57. In 2017 we submitted proposals to the Ministry of Infrastructure concerning the promotion of recreational navigation for the National Transport Strategy of Ukraine till 2030. They include the development of infrastructure for recreational navigation and water tourism, including the tariff policy, maintaining suitable technical state of hydraulic engineering objects, construction of infrastructure objects on inland waterways, financial aspects. Furthermore, the insurance, pilot services, information exchange, craft registration, marinas for small vessels and safety- and security-related matters need to be resolved.

E. United Kingdom of Great Britain and Northern Ireland

58. There isn't any national government led programs but there are numerous regional tourist initiatives.
