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Strategic questions of a modal and thematic nature:

Inland water transport

Implementation of European Code for Inland Waterways

Note by the secretariat

Summary

The fifth revised edition of the European Code for Inland Waterways (CEVNI) was adopted by the Working Party on Inland Water Transport (SC.3) on 14 November 2014 during its fifty-eighth session. The Working Party on the Standardization of Technical and Safety Requirements in Inland Navigation at its forty-eighth session in February 2016 decided to issue a publication on the implementation of CEVNI aimed at ensuring navigation safety. The main findings and conclusions were reported to SC.3 at the workshop “Inland Navigation Rules: Implementation of the European Code for Inland Waterways” held on 4 October 2017 at the sixty-first session of SC.3. The full publication will be made available in the first half of 2018.

The Inland Transport Committee (ITC) may wish to take note of the summary of this publication.

1. Traffic regulations are one of the most important components of ensuring navigation safety on inland waterways. The United Nations Economic Commission for Europe (ECE) provides a common basis for harmonized traffic regulations on European waterways through the European Code for Inland Waterways (CEVNI) adopted by the Working Party on Inland Water Transport. These harmonized rules constitute the legal and technical basis for national inland waterway codes in ECE member States.
2. CEVNI was first established in 1962 and was adopted by ECE as Resolution No. 24 on 15 November 1985. It contains the core uniform rules applicable to traffic on inland waterways, such as marking and visual signs on vessels, sound signals and radiotelephony, waterway signs and markings, rules of the road, berthing rules, signalling, reporting

requirements, prevention of pollution of water, and disposal of waste. The fifth revised edition of CEVNI (CEVNI 5) is the most harmonized version of the document, and brings together the best practices from the existing traffic regulations of River Commissions and ECE member States.

3. The boatmasters of two vessels on the same international waterway are often from different countries and react based on different traffic regulations. This situation leads to considerable uncertainty and remains unsatisfactory for safety. For this purpose, SC.3 maintains and regularly updates the document on the implementation of CEVNI - the CEVNI Status Document.¹

4. As it is not currently possible to overcome all regional and national deviations and additional requirements nor to agree on one common set of traffic rules for all inland waterways in Europe, it would be most desirable that the competent authorities and the international organizations rely on one basic common set of rules, such as CEVNI.

5. Most of regional and national legislation, such as police regulations of River Commissions and national traffic regulations, are the historical basis for CEVNI or the reference. However, some of these regulations contain provisions additional to or deviating from CEVNI, which are based on geographical, nautical or historical specificities of the waterways.

6. The acceptance of CEVNI and the intention to implement these traffic rules is driven by navigation rules in basins of international rivers established by:

(a) The Central Commission for the Navigation on the Rhine (CCNR): charged with the task of establishing the rules for inland navigation on the Rhine. The Police Regulations for the Navigation of the Rhine (RPNR) are mandatory to its member States;

(b) The Danube Commission (DC): maintains the Basic Provisions Relating to the Navigation on the Danube (DFND), which are not legally binding recommendations. DC will implement CEVNI Revision 5 in December 2017;

(c) The Mosel Commission (MC): seeks to align the Police Regulations for the Navigation of the Mosel with the Rhine regime for obvious geographical and political reasons. The general interest in the harmonization of inland navigation traffic rules leads to participation in the work on updating CEVNI in the future;

(d) The International Sava River Basin Commission (ISRBC): is legislatively competent to introduce the Navigation Rules on the Sava River Basin as legally binding, and has proven itself to be modern and flexible. At present, ISRBC is the only River Commission that has implemented CEVNI Revision 5 in full.

7. Figures 1 and 2 below show schematically the implementation of CEVNI, Revisions 4 and 5, by River Commissions and member States (marked in green).

¹ The most recent version is issued as ECE/TRANS/SC.3/2017/6 and ECE/TRANS/SC.3/2017/25.

Figure 1
Implementation of CEVNI by River Commissions

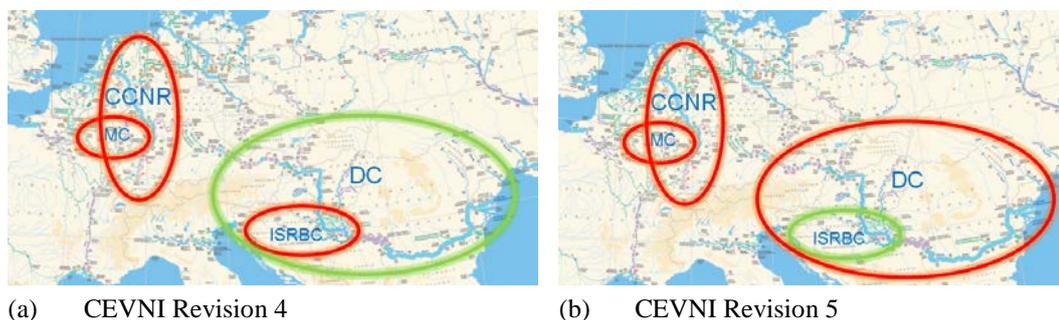
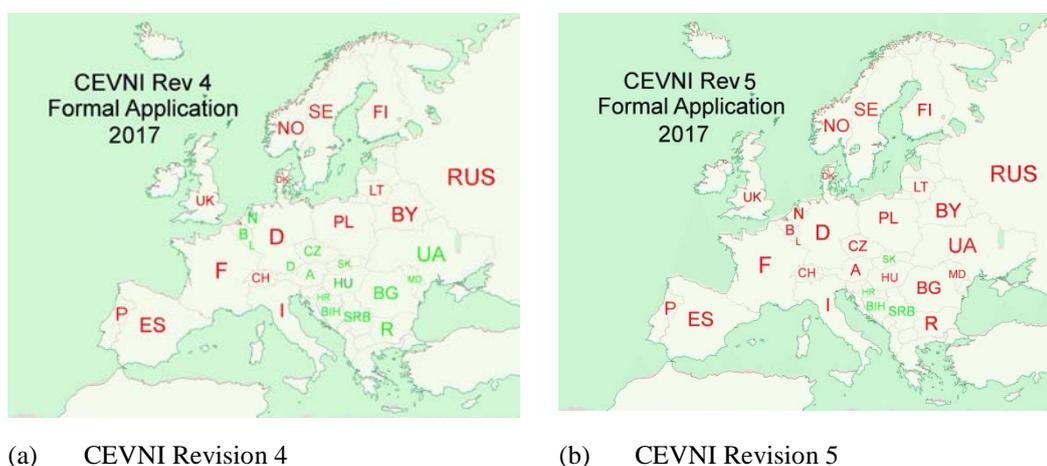


Figure 2
Implementation of CEVNI by member States



8. It was emphasized at the workshop “Inland Navigation Rules: Implementation of the European Code for Inland Waterways” held at the sixty-first session of SC.3, that the main practical value of unified navigation rules for inland waterways was ensuring harmonized standards for navigation safety. Other values were the unification of vessel documentation and procedures, the contribution to national and regional regulations which prevent accidents on inland waterways, and the common standards for the education and competencies of crews. The majority agreed that, in order to make CEVNI more viable, it should have the status of an international agreement. Such agreement, however, need not restrict the amendments necessary from the nautical and safety point of view, taking into account the specific requirements of a particular river section or a river basin.

9. However, River Commissions and administrations of member States may consider that agreeing on CEVNI as an international agreement would restrict the necessary flexibility for river basin specific, regional or national deviations. Nevertheless, boatmasters need a practical and comfortable source of information about the rules in force on a certain section of a European waterway.

10. To ensure the necessary transparency, whether CEVNI becomes an international agreement or not, on the one hand, a kind of depository is needed to keep track of the document on the implementation of CEVNI, and of all deviations from CEVNI and additional requirements in river basin/regional/national regulations. On the other hand, the

national and international organizations should commit themselves to report all deviations to this “depository” — which could be ECE — to allow the creation of a web-based information tool for boatmasters.

11. National and international bodies should be encouraged to include the original text of CEVNI as part of their regulations and to clearly indicate all the amendments and deviations which they deem indispensable, to ensure safety on their specific waterways.

12. To guarantee easy access to applicable traffic rules, a database-oriented information service for boatmasters should be adopted, e.g. within River Information Services (RIS), which could be implemented along all major waterways across Europe, thus ensuring a higher degree of safety and accessibility.

13. CEVNI has proven to constitute an important part of legislation which justifies every effort to maintain this living document while pursuing maximum transparency. To make best use of these traffic rules, member States should consider in more detail the potential benefits and costs of converting CEVNI into an international agreement, similar to the Vienna Convention on road traffic.
