



**Economic and Social
Council**

Distr.
GENERAL

TRANS/SC.3/2004/9
28 July 2004

ENGLISH
Original: RUSSIAN

ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

Working Party on Inland Water Transport
(Forty-eighth session, 19-21 October 2004, agenda item 3)

TRANSPORT AND SECURITY

**Submitted by the Governments of Belarus, Moldova, the United Kingdom,
Ukraine, Switzerland and the Danube Commission**

At its forty-seventh session, the Working Party requested Governments to report on the measures they had taken to ensure security and protection of inland navigation vessels and ports (TRANS/SC.3/161, para. 11).

Following are the contributions received from a number of delegations on this issue. Activities of international organizations are covered in documents TRANS/SC.3/2003/12 and TRANS/2004/15.

BELARUS

1. To enhance security measures on board vessels and in ports, Belarus has elaborated and introduced safety regulations for working on inland water vessels, safety regulations for the loading and unloading of ships in ports and an annex on minimum crew requirements for self-propelled vessels.

MOLDOVA

2. In order to enhance the security of navigation involving the use of inland water vessels and coastal port facilities, the Ministry of Transport and Communication of Moldova issued an order in 2003 stipulating that economic agents must have annual check-ups to ensure their fitness for work during the navigation period. The National Navigation Safety Service, a State enterprise, has been made responsible for monitoring the implementation of the order.

3. Also contemplated is the prompt adoption, with a view to implementation, of the requirements of the International Ship and Port Facility Security Code (ISPS Code) of the International Maritime Organization (IMO).

UNITED KINGDOM

4. The United Kingdom intends to introduce appropriate measures with regard to inland waterways and ports in due course, and no later than 1 July 2007, in accordance with EC Regulation 725/2004, which is based on provisions of the ISPC Code. The question of how far inland the Code provisions should be applied will be decided on a risk-assessment basis. In this context, the United Kingdom would not support the development by the Working Party of any separate proposals on security.

UKRAINE

5. The competent authorities of Ukraine attach paramount importance to ensuring the security of inland water transport on board vessels, in waterways and in ports. This is specifically reflected in regulatory and legal acts, rules, technical agreements and so forth introduced in the area of national inland water transport. At the same time, while supporting the idea of elaborating common security requirements for inland water transport at the international level, the Ministry of Transport believes that it would also be advisable to elaborate a document for inland navigation similar to the IMO ISPS Code, the main provisions of which are set forth in a note by the ECE secretariat (TRANS/SC.3/2003/12).

6. The network of inland waterways should be covered by a legal instrument for inland navigation along the lines of the IMO ISPS Code, which identifies a set of measures for the protection of vessels and port facilities at sea.

7. Individual issues related to safety on board vessels are set forth in Ukraine's proposals submitted to the Working Party for consideration at its twenty-eighth session, which are contained in document TRANS/SC.3/WP.3/2004/20. In 2002, a working group was set up under the Department of Maritime and Inland Transport of the Ministry of Transport to deal, inter alia, with issues relating to enhanced security of transport on the country's inland waterways.

8. Apart from security regulations at the national level or the elaboration of a single international document similar to the IMO ISPC Code, amendments relating to this issue could be introduced to existing ECE documents on inland navigation.

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

9. The Agreement should be amended as follows.

10. A new paragraph should be inserted before the last preambular paragraph, to read as follows:

“ACKNOWLEDGING the need to protect the infrastructure of inland waterways from intentional external influence that might cause harm to navigation”;

11. A new article 3, entitled “**Protection of the network from external influence**”, should be introduced and should read as follows:

“The network of internal waterways of international importance referred to in article 1 must be adequately protected from intentional external influence that might cause harm to navigation, by technical measures, the requirements for which are stipulated in annex IV to this Agreement”.

12. With the introduction of the new article 3, the subsequent articles of the Agreement would be renumbered accordingly.

13. A new annex, entitled “**Protection of the network from external influence**”, should be added to the AGN agreement.

14. This annex should reflect the general requirements applicable to the technical measures designed to protect inland waterway infrastructure (the waterway itself, navigation signs; hydrotechnical facilities: sluice gates, bridges and other facilities along the waterway; port complexes, and so forth) from intentional external influence that might cause harm to navigation.

European Code for Inland Waterways (CEVNI)

15. Article 1.04 of CEVNI, entitled “General obligation to exercise vigilance”, sets out the general security issues. The amendments proposed by Moldova with regard to paragraph 1 (d) are acceptable (see TRANS/SC.3/WP.3/2004/20, para. 7). However, the following improved version of article 1.04 would seem more logical:

“Article 1.04 - General obligation to exercise vigilance

1. Even when no special rules are laid down in these regulations, boatmasters shall take all the precautions required by the general obligation to exercise vigilance and good navigational practice in order to avoid, in particular:

- (a) Danger to human life;
- (b) **Causing harm to crew members and other persons on board the vessel or damage to barges moored alongside;**
- (c) Damage to vessels or assemblies of floating material, banks, works or installations of any kind on or adjacent to the waterway;
- (d) Causing obstructions to shipping; and
- (e) ~~As far as possible,~~ causing damage to the environment.

2. The above provisions shall also apply to persons in charge of floating establishments.”

SWITZERLAND

16. As a member of the Central Commission for Navigation on the Rhine (CCNR), Switzerland participates in the work done by CCNR in the area of security. A special group of experts on security issues has been set up under CCNR with the task of ensuring, inter alia, that provisions elaborated within other international organizations having competence in this area are revised to make them applicable to navigation on the Rhine.

DANUBE COMMISSION

17. In view of the importance of the issue of security on board vessels, the Danube Commission has incorporated into its work plan for 2004/2005 item 14, which envisages “the collection, by 1 October 2004, of views and suggestions of competent bodies of the States members of the Danube Commission relating to safety of navigation on the Danube, taking into account the work done by ECE and other international organizations on these issues; and analysis of the proposals received on this issue and presentation thereof at the session of the working group on technical issues (29 November to 3 December 2004)”.
