

## **PROTOCOL 3**

### **Creation and functioning of the European Committee for drawing up standards in the field of inland navigation – CESNI**

#### **Resolution**

The Central Commission for the Navigation of the Rhine (CCNR),

wishing to contribute to the adoption by common accord of uniform standards on the Rhine and the entire network of inland waterways in the European Union with a view to:

- a) increasing safety of navigation and protection of the environment in the context of inland navigation transport,
- b) promoting employment in inland navigation and rendering the sector more attractive, and
- c) facilitating transport operations and promoting international trade,

considering that it would be appropriate to this end to task a Committee, possessing the necessary expertise and geographical representativeness, with drawing up standards common to the Rhine and the entire network of inland waterways in the European Union to which each set of regulations in the field of inland navigation may refer with a view to their uniform application,

considering that it is important to associate the competent authorities of the Member States of the CCNR and of the Member States of the European Union as well as international organisations, in particular the European Union and international non-governmental organisations with a mission in the field of inland navigation in the activities of this Committee,

recalling the Administrative Arrangement between the Secretary General of the CCNR and the Director-General of the European Commission's Directorate-General for Mobility and Transport signed in Brussels on 22 May 2013,

recalling the Explanatory Memorandum of the Proposal for a Directive of the European Parliament and the Council laying down technical requirements for inland waterway vessels and repealing Directive 2006/87/EC of 10 September 2013 stating the willingness of the European Commission to see this Committee established,

decides to create a European Committee for drawing up standards in the field of inland navigation ("the Committee"),

commits to take account of the standards devised by the Committee when adopting its Regulations,

adopts the following rules of procedure for the functioning of the Committee,

declares that Article 44 ter of the Revised Convention for the Rhine Navigation does not apply to this Committee,

charges the Secretary General to take the executive measures for the implementation of the present Resolution and in particular to provide the secretarial services for the aforementioned Committee,

intends to undertake an assessment of the functioning of the Committee and the respective procedures at the latest by the end of 2017.

This Resolution enters into force immediately.

#### **Annex**

**Rules of Procedure of the European Committee  
for drawing up standards in the field of inland navigation – CESNI**

*Article 1*

Mission

The European Committee for drawing up standards in the field of inland navigation (“the Committee”) is created under the auspices of the Central Commission for the Navigation of the Rhine (“the CCNR”). Article 44 ter of the Revised Convention for Rhine Navigation does not apply to this Committee. Its mission shall include in particular:

- adopting technical standards in various fields, in particular as regards vessels, information technology and crew, to which the respective regulations at the European and international level, including those of the European Union (“the EU”) and the CCNR, may refer with a view to their application;
- deliberating on the uniform interpretation and application of the said standards, on the method for applying and implementing the corresponding procedures, on procedures for exchanging information, and on the supervisory mechanisms among the Member States;
- deliberating on derogations and equivalences of technical requirements for a specific craft;
- deliberating on priority topics regarding safety of navigation, protection of the environment, and other areas of inland navigation.

*Article 2*

Composition

1. The Committee shall be composed of experts of the Member States of the CCNR and of the EU. The Member States of the CCNR and of the EU (“the Members”) shall participate with voting rights on the basis of one vote per State.
2. The EU, represented by the European Commission, as well as representatives of international organisations whose mission covers the areas concerned, may participate in the work of the Committee, without voting rights.
3. The following experts may participate in the work of the Committee as observers, without voting rights:
  - a) representatives of international non-governmental organisations approved by the Committee;
  - b) representatives of States that are not members of either the EU or the CCNR, at the invitation of the Committee;
  - c) representatives of classification societies, at the invitation of the Committee;
  - d) individual experts on a particular topic, at the invitation of the Committee.

### *Article 3*

#### Chair

1. The Committee shall elect its own Chair and Vice-Chair from among the experts of its Members.
2. The Chair and Vice-Chair shall be occupied for two-year terms of office.
3. The Vice-Chair shall act as Chair if the Chair is unable to attend or the post is vacant. In the absence of the Chair and Vice-Chair at a particular meeting, the Committee shall designate the Chair of that meeting from among the Members present.

### *Article 4*

#### Secretariat

The Secretariat of the CCNR shall fulfill the following functions:

- preparing the Committee's meetings and ensuring their smooth functioning;
- providing research, analysis, preparatory studies and impact studies as needed;
- maintaining a list of the representatives of Members and observers referred to in Article 2;
- supplying the logistical assistance necessary for organising meetings of the Committee and its working groups, including the translation of documents and the provision of interpreting services in the working languages of the Committee;
- operating a specific webpage on which information concerning the Committee may be consulted;
- carrying out any other tasks that may be necessary to ensure the proper functioning of the Committee.

### *Article 5*

#### Meetings

1. The Secretariat, at the request of the Chair, shall convene meetings of the Committee at least once a year, or at any other frequency decided by the Committee.
2. An extraordinary meeting shall be convened by the Chair upon request by at least five Members.
3. The Committee may decide to meet only in the presence of representatives of the Members and of the EU represented by the European Commission, as well as representatives of international organisations as referred to in Article 2, paragraph 2.
4. The Committee shall normally meet in Strasbourg. It may meet elsewhere if a Member or other institution offers to host the meeting.
5. The expenses of Members and of the observers referred to in Article 2, paragraph 3, a), b) and d) who attend a meeting of the Committee or its working groups shall be reimbursed in accordance with the rules applied by the European Commission, within the limits of the financing arrangement referred to in Article 11, paragraph 1.

#### *Article 6*

##### Work programme

The Committee shall adopt its work programme for a multi-annual period on the basis of proposed strategic guidelines prepared by the Secretariat of the CCNR and the competent Directorate of the European Commission. The work programme shall describe the work to be carried out and include general indications of deadlines to be met, the organisation of the activities, and the resources necessary for carrying out the work. It shall specify the priorities and propose any requirements as to research, analysis, preparatory studies or appropriate impact studies.

#### *Article 7*

##### Working languages

The working languages of the Committee shall be Dutch, English, French and German.

#### *Article 8*

##### Working groups

The Committee may set up any standing or temporary working group it may deem necessary for the execution of its multi-annual work programme.

#### *Article 9*

##### Decision-making

1. The Committee shall adopt standards by unanimity of the votes of those Members present at the meeting.
2. The Committee shall strive to reach a consensus regarding the decision to put draft standards on the agenda for adoption. In the absence of a consensus, the Committee shall decide on this matter by a two-thirds majority of the votes of those Members present at the meeting.
3. The Committee shall adopt decisions on any other matter than those referred to in paragraph 1 or 2 by a simple majority of the votes of those Members present at the meeting.

#### *Article 10*

##### Publication of standards

1. Each version of a standard shall be given a unique reference number by the Secretary General of the CCNR and be listed and published in an appropriate fashion in the Committee's working languages.
2. For each version of a standard, the Committee shall propose a date for entry into force, in order to ensure as far as possible its simultaneous application on the Rhine and the entire network of inland waterways in the EU.

3. The Secretary General of the CCNR shall transmit each version of an adopted standard to the Members, the competent Directorate of the European Commission and international organisations with regulatory powers, together with the recommended date for its entry into force. The adopted standard shall be published on the webpage of the Committee.
4. Adoption of standards by the Committee shall not prejudice their implementation by the CCNR, the EU, the Member States of the CCNR, or the Member States of the EU, which shall remain at liberty to refer to them or not in their respective legislation. Adopted standards are not *per se* binding.

#### *Article 11*

##### Financing of the Committee's work

1. The funds necessary for ensuring the appropriate work of the Committee shall be the subject of a multi-annual financing arrangement between the CCNR and the European Commission.
2. The Secretary General of the CCNR shall suspend all or part of the Committee's activities if insufficient EU-funds are available, and shall inform the Committee, the CCNR and the European Commission of his/her decision.

#### *Article 12*

##### Amendment of the Rules of Procedure of the Committee and Adoption of Internal Regulations

1. The CCNR shall consult the Committee on any amendment to the present Rules of Procedure it intends to adopt.
2. At the proposal of the Secretariat, the Committee may adopt Internal Regulations in compliance with the present Rules of Procedure.

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