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Working Party on Inland Water Transport

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Item 7(c) of the provisional agenda

**WORK OF THE WORKING PARTY ON THE STANDARDIZATION OF
TECHNICAL AND SAFETY REQUIREMENTS IN INLAND NAVIGATION:
REQUIREMENTS FOR PREVENTION OF WATER POLLUTION BY VESSELS**

Revised Resolution No. 21 on Prevention of Pollution of Inland Waterways by Vessels

Note by the secretariat

At its fiftieth session, Working Party SC.3 took note of the draft revised resolution No. 21 on Prevention of Pollution of Inland Waterways by Vessels prepared by the delegation of Hungary (ECE/TRANS/SC.3/2006/9), invited Governments to comment on the draft and asked Working Party SC.3/WP.3 to finalize the text by the SC.3 fifty-first session (ECE/TRANS/SC.3/174, para. 42). At its thirty-first session, SC.3/WP.3 reviewed the draft, amended the wording of paragraph 13 related to “polluter pays” principle and recommended that SC.3 adopt the text (ECE/TRANS/SC.3/WP.3/62, paras. 23-24). The final text of the revised resolution No. 21 is reproduced below for the Working Party’s consideration and approval.

PREVENTION OF POLLUTION OF INLAND WATERWAYS BY VESSELS

Resolution No. 21, revised

adopted by the Working Party on Inland Water Transport on ...

The Working Party on Inland Water Transport,

Recalling the main objectives and actions formulated in the Declaration adopted by the Pan-European Conference on Inland Water Transport, held in Bucharest on 13 and 14 September 2006 (ECE/TRANS/SC.3/2006/11),

Having regard to the corresponding provisions of the Communication from the European Commission for the promotion of inland waterway transport (NAIADES), and also the efforts made by individual Governments and the intergovernmental organizations concerned to ensure that inland navigation continues to be as friendly to the environment as possible,

Mindful of chapter 9 of the European Code for Inland Waterways (CEVNI), and also of chapter 8B of the annex to resolution No. 61, which contains the Recommendations on technical requirements applicable to inland navigation vessels agreed at the European level,

Believing that, even if the water pollution caused by inland water transport is relatively insignificant, the further improvement of its environmental performance would contribute to achieving the environmental and nature-protection objectives of preserving inland waterways,

Taking into account the Convention on Collection, Retention and Disposal of Waste Generated during Navigation on the Rhine and Other Inland Waterways,

Noting with satisfaction that recent developments in inland navigation reveal a tendency to its integration on a pan-European level as well as a closer interaction between inland navigation and maritime transport,

Considering that the Recommendations on technical requirements applicable to inland navigation vessels agreed at the European level, CEVNI and the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN) represent a set of regulations which play an important role in controlling water pollution by inland navigation vessels,

Realizing that today the conditions existing throughout Europe differ from one country to another with regard to the density of inland navigation ports and the availability in them of waste reception facilities,

Recommends that Governments should supplement their national regulations as necessary, being guided in so doing by the general pollution prevention policy considerations and recommended measures annexed to the present resolution,

Requests Governments to inform the Executive Secretary of the Economic Commission for Europe whether they accept this resolution,

Requests the Executive Secretary of the Economic Commission for Europe to have the question of implementation of the present resolution included periodically in the agenda of the Working Party on Inland Water Transport and to place before the Working Party any appropriate suggestions for addition or amendments to the accompanying annex.

Annex

I. GENERAL POLLUTION PREVENTION POLICY CONSIDERATIONS

A. Main provisions

1. The definitions of terms used in this document correspond to those contained in chapter 9 of the European Code for Inland Waterways (CEVNI), entitled “Prevention of pollution of water and disposal of waste occurring on board vessels”.
2. Inland waterways show exceptional sensitivity as to their environment and ecology, taking into account the multimodal character of the water use.
3. The permissible levels of discharge into inland waters of polluting substances are laid down in legal instruments on questions of environment and ecology and in relevant regional or subregional agreements or stipulated by individual central or local authorities. These levels may differ from one waterway or river basin to another.
4. Seagoing vessels navigating on inland waterways must satisfy the environmental and nature-protection requirements of the International Convention for the Prevention of Pollution from Ships MARPOL 73/78. The river basin authority may, however, introduce for inland waterways pollution control requirements more stringent than those applicable to seagoing vessels, in specific cases where this is justified from the point of view of water use, such as for the provision of drinking water.

B. General principles

5. Governments have every right to ensure the highest possible level of environmental and ecological safety on their inland waterways based on international legal instruments and/or national regulations.
6. In so doing, Governments should however opt for measures that, as far as possible, do not hamper the proper development of inland navigation with due respect to its integration on a pan-European level and the close interaction between inland navigation and maritime transport.
7. The prevention of pollution should be considered a priority.
8. The on-board collection of waste and its transfer to shore for treatment should be considered the preferable option for preventing pollution of inland waterways by vessels. To that end, where economically viable and practically feasible, shore-based and floating reception facilities of the necessary capacity should be made available at appropriate distances from one another.
9. Governments may nevertheless, wherever particular local conditions so require, allow the use on their inland waterways of on-board treatment facilities for waste generated on board ships.
10. Governments that allow the use on their inland waterways of on-board treatment facilities for waste generated on board ships should at the same time take appropriate measures to develop on their inland waterways of international importance an on-shore infrastructure for the

collection, treatment and disposal of waste generated on board ships, with a view to facilitating the navigation of vessels which are not fitted with on-board treatment facilities for waste generated on board, or of vessels which do not meet the local requirements for the on-board treatment of such waste.

11. Vessels engaged in international navigation should be equipped with appropriate technical means for the collection, retention on board and transfer into reception facilities of waste generated on board.

12. Governments that do not allow the use on their inland waterways of on-board waste treatment facilities for waste generated on board ships should not prohibit vessels equipped with such facilities from navigating on their inland waterways of international importance. Special technical measures may be taken in order to exclude the possibility of operation on inland waterways of the on-board treatment facilities for waste generated on board, such as by placing them or their outlets under seals.

13. The “polluter pays” principle is to be applied. In principle, the operational costs of the on-shore reception facilities for collection, treatment and disposal of ship-borne waste should finally be borne by inland navigation. Nevertheless, it is essential to strive to ensure that payment for discharge of on-board generated waste into reception facilities should not be direct, so that the vessel operator will not be able to avoid disposal fees for such waste by discharging it into inland waterways. To that end, Governments may introduce any form of payment for the collection and treatment of waste generated on board ships. In particular, financial schemes such as the coverage of shore-based collection and disposal expenses for waste generated on board ships through additional fuel taxes and/or port duties should be considered and introduced.

II. RECOMMENDATIONS FOR THE CONTROL OF POLLUTION OF INLAND WATERWAYS

A. Measures to be taken in transloading hydrocarbons or dangerous substances

14. Promote and improve the standardization of equipment with a view to avoiding or minimizing any risk of discharge during the loading, unloading and transloading of hydrocarbons and other dangerous substances. It is recommended that the corresponding provisions of the rules contained in the European Agreement concerning International Carriage of Dangerous Goods by Inland Waterways (ADN) should be observed.

15. Design quays in such a way that any petroleum products or other dangerous substances spilt on the quay cannot flow off into the water (drainage of spillage into a sewage system equipped with a purification plant or other devices).

16. Equip loading and unloading points with facilities (articulated rigid pipes for transloading, vertical “aprons” to be placed between the bank and the vessel during transloading operations, or other devices) so that petroleum products or other dangerous substances spilt can be recovered.

17. Provide for floating booms or other suitable devices to limit the spread of petroleum products in basins or waterways.

B. Measures to be taken in the event of a significant accidental leak of petroleum products or other dangerous substances

18. Prepare and coordinate technical and operational plans against spillage hazards and limit and reduce the subsequent damage if any such spillage occurs, at the national level and with riparian countries. These plans should be prepared with due regard to the particular circumstances of the country and the particular characteristics of the waterway. The plans would include in particular:

- (a) The installation of a communication and warning system;
- (b) The designation of competent authorities for bringing the plan into operation;
- (c) A list of equipment available, specifying where it is kept, and the organization of facilities for its conveyance to the site of the operation; and
- (d) The training of personnel and organization of practical exercises in the use of the equipment.

C. Measures to prevent the discharge of waste generated on board ships

19. Measures to prevent the discharge of waste generated on board ships must be in compliance with those set out in chapter 9 of the European Code for Inland Waterways (CEVNI).

20. Vessels carrying dangerous goods must comply with the corresponding requirements contained in the rules set out in the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN).

III. REQUIREMENTS CONCERNING TECHNICAL EQUIPMENT OF VESSELS WITH A VIEW TO PREVENTION OF WATER POLLUTION

21. The requirements concerning the technical equipment of vessels designed to prevent water pollution must be at least as stringent as those in chapter 8B of the annex to resolution No. 61 containing the Recommendations on Harmonized Europe-wide Technical Requirements for Inland Navigation Vessels.

22. The construction and equipment requirements for vessels carrying dangerous goods must comply with those contained in the regulations appended to the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN).
