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Working Party on Inland Water Transport

Working Party on the Standardization of Technical and Safety Requirements in Inland Navigation

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Item 5 (a) of the provisional agenda

Resolution No. 61, “Recommendations on Harmonized Europe-Wide Technical Requirements for Inland Navigation Vessels”

Amendments to Chapter 1–2, “Definitions”

Addendum

Proposal submitted by Republic of Serbia

1. Regarding document ECE/TRANS/SC.3/WP.3/2010/3 submitted by Austria, the Ministry of Infrastructure of Republic of Serbia believes that it is necessary to carefully consider the definitions used in Resolution No. 61 but also in Directive 2006/87/EC.
2. Each of the terms “vessel”, “craft” and “ship” has its theoretical justification in the major legal systems in which they were first used (American, British and Continental Law). Regarding the issue in general, the Ministry of Infrastructure of Republic of Serbia strongly believes that the most important question is whether it is theoretically justified that one secondary source of *Acquis Communautaire* stipulates the use of all these terms, although it seems that the Directive has made a significant step forward for the purpose of justification of such a combination.
3. The issue of the use of the above-mentioned terms becomes even more important bearing in mind that the member States of the European Union (EU) and the Central Commission for the Navigation of the Rhine (CCNR) are developing an international hull database for the information of all competent authorities in the field of vessel certification and River Information Services about the Unique European Identification Numbers and other data for the identification of vessels.
4. Regarding the proposal of the Austrian delegation on bringing the definitions in Resolution No. 61 in line with the definitions of Directive 2006/87/EC, as amended by

2008/126/EC, having in mind that the prerequisite for international data exchange is the use of the same definitions, the Ministry of Infrastructure of Republic of Serbia believes that the distinction between international legal sources such as Resolution No. 61 and Directive 2006/87/EC and consequently between national legislations on the use of the term “craft” will not cause problems in developing an international hull database due to generality of the term “craft”.

5. Nevertheless, the Ministry of Infrastructure considers that the proposal submitted by Austria requires serious consideration in order to prevent possible non-compliance that would make difficult practical work on the future international hull database. Bearing this in mind, it is desirable that the Austrian delegation should explain possible problems that may arise in developing the international hull database due to non-use of the term “craft”.
