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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 2 (a) of the provisional agenda

Inland waterway infrastructure:

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

Amendment proposals on security issues

Transmitted by Belgium, Bulgaria and the Russian Federation

Belgium

1. Belgium would like to draw attention to the EU directive 2008/114/EC on the identification of European critical infrastructures (ECI's) and its implementation by the EU Member States. Coordination with the implementation of this directive seems appropriate.
2. The designation of ECI's comes with numerous obligations for the operator. For example, he must work out an operator security plan (OSP), implement it and update it. Not all infrastructures are equally critical and a broad implementation of the obligation to work out OSP's for intentional external threat to E Ports and E Waterways seems too much of an administrative burden without added value.
3. The extent to which infrastructure is critical is defined by whether or not there are practical and realistic alternatives in case of an obstruction of vessel traffic. It also seems appropriate to take the general economic and social effects into account. In Belgium it was decided not to identify ECI's on the inland waterways according to the directive, mostly given the fact there are several alternative solutions, and therefore no obligation to work out OSP's for inland waterways and ports.
4. For that reason Belgium proposes to integrate an acknowledgment in the preamble of the AGN, but to obligate the draft of an OSP only at the request of the national government.

Bulgaria

5. As Bulgaria informed previously, it supports the proposal on the new annex IV to the AGN, "Protection of the network of inland waterways of international importance from the intentional external influence". Bulgaria has undertaken concrete steps in its national legislation. In December 2012 a decree by the Minister of Transport introduced requirements

for ensuring security of inland waterway ports. In order to obtain a certificate of operating ability, all ports must have and apply Port Security Regulations. The type and minimum security measures which should be prescribed by Port Security Regulations depend on the objectives and activities of the port and are determined by specific criteria. An evaluation of port security is carried out by the port owner/operator, coordinated by the director of the regional branch of the Bulgarian Maritime Administration and must include an analysis of applicable criteria and possible threats the port is exposed to and security measures or steps ensuring security. Based on the evaluation of port security the port owners/operators elaborate Port Security Regulations in accordance with the model provided by the Ministerial Decree. Port Security Regulations include procedures for the implementation, evaluation and updating of security measures and other measures required for ensuring the stable port operation in the event of security threats and incidents. The Bulgarian Maritime Administration is in charge of enforcing Port Security Regulations.

Russian Federation

6. Issues related to the infrastructure security are governed in the Russian Federation by a federal law No.16-Φ3 "On transport security".

7. Policy on transport security is aimed at a durable and safe functioning of transport system, safeguard of persons, society and state interests in the field of transport from the intentional external influence.

8. The main tasks in ensuring transport security are as follows:

- 1) legislative regulation in the field of transport security;
- 2) identification of the threat of intentional external influence actions;
- 3) estimation of vulnerability of transport infrastructure objects and of transport means;
- 4) categorization of transport infrastructure objects and of transport means;
- 5) development and implementation of transport security provisions;
- 6) development and implementation of transport security measures;
- 7) training of transport security experts;
- 8) carrying out federal state control (supervision) over the ensuring of transport security;
- 9) ensuring IT, logistical and scientific support of transport security