Council Decision (EU) 2020/1508 of 12 October 2020 on the position to be taken on behalf of the European Union within the European Committee for drawing up standards in the field of Inland navigation (CESNI) and within the Central Commission for the Navigation of the Rhine (CCNR) on the adoption of standards concerning technical requirements for inland waterway vessels

COUNCIL DECISION (EU) 2020/1508

of 12 October 2020

on the position to be taken on behalf of the European Union within the European Committee for drawing up standards in the field of Inland navigation (CESNI) and within the Central Commission for the Navigation of the Rhine (CCNR) on the adoption of standards concerning technical requirements for inland waterway vessels

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 91(1) in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) The revised Convention for Navigation on the Rhine of 17 October 1868, amended by the Convention amending the Revised Convention for Navigation on the Rhine, adopted on 20 November 1963, entered into force on 14 April 1967.

(2) Pursuant to that Convention, the Central Commission for the Navigation of the Rhine (CCNR) is able to adopt technical requirements for inland waterway vessels.

(3) Action by the Union in the sector of inland navigation should aim to ensure uniformity in the development of technical requirements for inland waterway vessels to be applied in the Union.

(4) The European Committee for drawing up standards in the field of inland navigation (CESNI) was created on 3 June 2015 in the framework of the CCNR in order to develop technical standards for inland waterways in various fields, in particular as regards vessels, information technology and crew.

(5) For efficient transport on the inland waterways, it is important that the technical requirements for vessels be compatible and as harmonised as possible under different legal regimes in Europe. In particular, Member States which are also members of the CCNR should support decisions harmonising the CCNR rules with those applied in the Union.

(6) CESNI is expected to adopt the European Standard laying down Technical Requirements for Inland Navigations vessels (‘ES-TRIN standard’) 2021/1 and the complementary Test Standard Inland AIS 2021/3.0 at its meeting on 13 October 2020.

Changes to legislation: *There are currently no known outstanding effects for the Council Decision (EU) 2020/1508. (See end of Document for details)*

(7) ES-TRIN standard 2021/1 lays down uniform technical requirements necessary to ensure the safety of inland waterway vessels. It includes: provisions regarding shipbuilding, fitting-out and equipment for inland waterway vessels; special provisions regarding specific categories of vessel, such as passenger vessels, pushed convoys and container vessels; provisions regarding the automatic identification system equipment; provisions regarding vessel identification; a model of certificates and register; transitional provisions; and instructions for the application of the technical standard. Test Standard Inland AIS 2021/3.0 defines the operational and performance requirements, test methods and required test results for Inland AIS shipborne equipment.

(8) It is appropriate to establish the position to be taken on the Union's behalf within CESNI, as ES-TRIN standard 2021/1 will be capable of decisively influencing the content of Union law, namely Directive (EU) 2016/1629 of the European Parliament and of the Council[1]. Annex II to that Directive refers to the technical requirements for craft as being those provided in ES-TRIN standard 2019/1. The Commission is empowered to update that reference to the most recent version of the ES-TRIN standard and to set the date of its application.

(9) Furthermore, at its meeting on 3 December 2020, the CCNR is expected to adopt a resolution which will amend the CCNR Regulations in order to include a reference to ES-TRIN standard 2021/1 and Test Standard Inland AIS 2021/3.0. It is therefore also appropriate to establish the position to be taken on the Union's behalf within the CCNR.

(10) The Union is not a member of the CCNR or of CESNI. The Union's position within those bodies should therefore be expressed by those Member States that are members of those bodies, acting jointly in the interests of the Union,

HAS ADOPTED THIS DECISION:

Article 1

1 The position to be taken on behalf of the Union within the European Committee for drawing up standards in the field of inland navigation (CESNI) on 13 October 2020 shall be to agree to the adoption of the European Standard laying down Technical Requirements for Inland Navigation vessels ('ES-TRIN standard') 2021/1 and the complementary Test Standard Inland AIS 2021/3.0.

2 The position to be taken on behalf of the Union at the meeting of the plenary session of the Central Commission for the Navigation of the Rhine (CCNR), where technical requirements for inland waterway vessels are decided upon, shall be to support all proposals aligning the technical requirements with those of ES-TRIN standard 2021/1 and the complementary Test Standard Inland AIS 2021/3.0.

Article 2

1 The position of the Union as set out in Article 1(1) shall be expressed by those Member States that are members of CESNI, acting jointly in the interests of the Union.

2 The position of the Union as set out in Article 1(2) shall be expressed by those Member States that are members of the CCNR, acting jointly in the interests of the Union.