

ADMINISTRATIVE ARRANGEMENT

**CONCERNING A FRAMEWORK
FOR COOPERATION**

BETWEEN

**The Secretariat of the Central Commission
for the Navigation of the Rhine**

and

**The Directorate-General for Mobility and Transport
of the European Commission**

ADMINISTRATIVE ARRANGEMENT
Concerning a framework for cooperation between the Secretariat
of the Central Commission for the Navigation of the Rhine
and the Directorate-General for Mobility and Transport
of the European Commission – DG MOVE

This Administrative Arrangement is between the Secretariat of the Central Commission for the Navigation of the Rhine and the Directorate-General for Mobility and Transport of the European Commission, hereinafter "the Sides".

1. Introduction

The Central Commission for the Navigation of the Rhine (hereinafter called "CCNR") and the Directorate-General for Mobility and Transport of the European Commission (hereinafter called "DG MOVE") in their respective legal and institutional contexts both pursue the support of the inland navigation sector and have common interests in streamlining the development of inland navigation. In this respect, both Sides recognise the need for stepping up cooperation for the achievement of the objectives of the respective policies.

Their cooperation should consider the requirements of the Common Transport Policy of the European Union covered by the Treaty on European Union and the Treaty on the Functioning of the European Union and the Revised Convention for the Navigation of the Rhine.

The current cooperation framework was established in 2003 through the Administrative Agreement concerning the cooperation between the CCNR and the European Commission. Both Sides welcome the outcome of this cooperation. In particular, during the last ten years the most important achievements of the cooperation concerned the implementation of an observation tool of the inland waterway transport market and the permanent reviews of the technical requirements.

The European Commission in its White Paper "A Roadmap to a single European Transport Area" from 2011 has emphasised the importance of the inland waterway transport in the context of an enlarged Union. In particular the objective for future actions should be to establish an appropriate framework to optimise the Internal Market for inland waterway transport, and to remove barriers that prevent its increased use. For that purpose inland waterway will have a relevant place in the up-coming new legal framework concerning Trans European transport network.

The European Commission in its Staff Working Document "Towards NAIADES II" (SWD (2012) 168) has recognised the need to review and reinforce international cooperation in the field of inland navigation. In particular DG MOVE considers that new approaches could be envisaged to better use the expertise of the CCNR in the field of the minimum technical requirements applicable to vessels on inland waterways and in the fields of market observation and jobs and skills.

In its Conclusions "On the way ahead towards integrated and competitive EU inland waterway transport " of 16 June 2011, the Council of the European Union stressed the need, given the complexity of the current organisational structure of the sector, to facilitate decision-making between the different actors and to reinforce cooperation between them.

To this purpose, the Sides take note that a Committee under the auspices of the CCNR would be set up and would be in charge of the elaboration and adoption at technical level of standards in inland navigation.

This Administrative Arrangement should be considered as a necessary step, insofar as the cooperation between the two Sides may need to be consolidated once the legal framework allowing reference to the work of the above-mentioned Committee will be in place.

Therefore, the Secretariat of the CCNR and DG MOVE intend to reinforce their cooperation in line with the following arrangements.

2. Purpose

The purpose of this Administrative Arrangement is to establish a framework for cooperation between the Secretariat of the CCNR and DG MOVE. In particular, both Sides endeavour to strengthen the cooperation in order to increase synergies and make their actions more complementary and mutually reinforcing.

3. Areas of cooperation

Without prejudice to other issues that may acquire more importance or require immediate attention and action, and subject to the results of joint reviews referred to in paragraph 7 (Review), the priority areas for cooperation are:

3.1. Technical requirements and information technology concerning inland waterway vessels,

3.2. The modernisation of the legal framework on boat master certificates governed by Council Directive 96/50/EC of 23 July 1996 on the harmonization of the conditions for obtaining national boatmasters' certificates for the carriage of goods and passengers by inland waterway in the Community and its extension in the area of professional qualifications for workers in the field of inland navigation, in line with the provisions of the Treaty on the Functioning of the European Union,

3.3. Market observation.

4. Forms of cooperation

4.1. The activities to be pursued in the context of the areas of cooperation referred to in paragraphs 3.1. and 3.2. may take in particular the forms set out below:

- Exchange of information, documentation and experience;
- Putting in place mechanisms for overall steering and priority setting;
- Establishment of appropriate structures and mechanisms for streamlining cooperation and coordination, in particular by the elaboration and adoption of standards which can be referred to by both sides in their respective regulations.

4.2. The elaboration of standards in the areas of cooperation referred to in paragraphs 3.1. and 3.2. will be performed through a Committee for drawing up standards in the field of inland navigation to be set up by the CCNR, and involving EU Member States and CCNR Member States. The European Union, represented by the European Commission may participate in this Committee. The Committee will be assisted by expert groups it may deem necessary.

4.3. In performing these activities, the Secretariat of the CCNR and DG MOVE should aim to exchange information relevant to the fulfillment of their respective tasks and responsibilities, in particular with regard to their objectives and timetables of activities in the area of inland navigation and related fields, and share, where appropriate, the experiences acquired.

4.4. A work programme for a multi-annual period, prepared by both Sides shall be presented to the Committee for deliberation and adoption.

4.5. The Secretariat of the CCNR will provide secretarial support, as well as linguistic assistance on inland navigation terminology to the Committee, subject to the availability of funding and the provisions laid down in paragraph 6 (Funding).

5. Contents of cooperation

The content of cooperation for the areas referred to in the above-mentioned paragraph 3 may cover in particular the following items:

5.1. Technical requirements and information technology concerning inland waterway vessels

The purpose for this area of cooperation is the following :

- a) to put into operation on both Sides the new model of governance on the technical requirement provisions;
- b) to explore possible ways to further increase the coherence between technical requirements for the Rhine and for the other parts of the inland waterways networks in the European Union, leading to adequate, proportionate and unified standards;

c) to elaborate standards in the field of inland navigation for the development and updating of the technical requirements in the way established in the present Arrangement.

5.2. Professional qualifications

The purpose for this area of cooperation is the following:

a) to contribute to the preparation and impact assessment of new initiatives elaborated by DG MOVE for the modernisation and extension of the legal framework governed by Directive 96/50/EC in the fields of certification and professional qualifications, in line with the provisions of the Treaty on the Functioning of the European Union.

b) to exchange information on the current system of mutual recognition of boatmaster certificates and of service record books, including an analysis of the prospects and limitations of the further extension of this approach.

5.3. Market observation

The cooperation in this area is twofold:

a) to carry out and develop the market observation of the European inland waterway transport market as agreed under the existing *Technical Assistance* contract between the European Commission and the CCNR;

b) to contribute to the broader reflection on the evolution of the current market observation which could encompass the streamlining of data gathering on markets, fleets, infrastructure, etc. from various sources, a data repository, forecasting of trends based upon modelling and the establishment of a capacity to analyse and interpret the data.

6. Funding

A draft indicative budgetary planning relating to the cooperation will be defined, in particular for the implementation of the items referred to in paragraph 5 and for the functioning of the Committee referred to in paragraph 4.2.

A multi-annual indicative budgetary planning shall be prepared by the Secretariat of the CCNR and DG MOVE taking into account the work programme of the Committee.

Subject to the availability of appropriations, both sides will endeavour to allocate the respective budgetary resources and proceed to the conclusion of corresponding contracts or other appropriate agreements. Any funding of the CCNR by the European Commission will be pursuant to the European Commission's own procedures. The terms and conditions of such funding will be defined in the relevant contracts and/or agreements in line with the applicable Union legislation, taking into consideration the multi-annual indicative budgetary planning.

7. Review

This Administrative Arrangement may be amended or modified at the request of either Side.

Whenever appropriate, consideration will be given to the need for improvements in the cooperation.

Both sides agree to consider the extension of paragraph 3 to the elaboration of standards in the field of River Information Services (RIS), depending upon the results of the evaluation of the respective EU-policy, which will be available in 2014.

8. Communication

All communication in relation to this Administrative Arrangement should be done in writing between the Directorate-General for Mobility and Transport and the Secretary General of the CCNR.

9. Final provisions

This Administrative Arrangement does not create rights and obligations under international law between both Sides. It enhances the existing cooperation in the field of inland navigation, as defined by the Administrative Agreement 2003.

Done at Brussels on 22 May 2013 in the Dutch, English, French and German languages, in two originals

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