



## **IWT SECTOR POSITION ON THE Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2005/44/EC on harmonised river information services (RIS) on inland waterways in the Community**

Started in 2005, the RIS Directive lays down a framework for the deployment and use of harmonized, interoperable and open RIS focusing on safety, efficient and environmental friendliness IWT in the EU. Almost 20 years later, the current Directive has been proposed for amendment. EBU/ESO/IWT would like to use this opportunity to give their opinion on the Proposal for amendment, compared to Directive 2005/44/EC.

The Proposal for Amendment acknowledges the benefits of Directive 2005/44/EC but highlights the need for further development to address new challenges such as automation, connected multimodal mobility and sustainability. It also aligns with the European Green Deal and the Sustainable and Smart Mobility Strategy., emphasizing improved data availability and interoperability e.g. with other transport modes, data sharing with port community systems and integration with logistics chain systems.

### **Initial remarks**

The current directive is of importance to the IWT sector which welcomes the Commission's endeavor to bring these services to a higher level. For this purpose, the Proposal adds new functionalities and responsibilities for the operation of the RIS platform. The IWT sector in particular welcomes the new complaints mechanism protecting abuse of RIS data, the data protection within the processing of the system, , the increased effort for Member States to provide updates to the ERDMS system as well the requirement to assess the extent to which personal data are concerned and ensuring that these data are processed in an appropriate way.

Both the 2005 Directive and the Proposal outline the minimum data requirements to be supplied, including waterway axis, restrictions for vessels, operation times of structures, location of ports, and reference data for level water gauges. The Proposal updates the requirements by adding information on current and expected waiting times and bridges, locks, and inland ports to reflect real-time situations. For Inland Ecdis, the Proposal adds a provision for integrating up-to-data depth information on the fairway and additional information into electronic navigational charts.

### Relation to other platforms and dataprotection

The proposal seeks to increase the digital link of IWT within the multimodal transport chain. For this purpose it introduces links to other platforms and by doing so, even tries to introduce mandatory reporting of cargo information.

#### 1. eFTI

In this context we express our concerns regarding the role of eFTI, AIS and ERDMS in the Proposal. In the chosen Policy option B, the reporting of cargo information through eFTI would become mandatory for vessel operators. This is in contradiction with the eFTI Regulation (2020/1056) itself, stating no obligation for use of eFTI by others than competent authorities and applicable to conventional as well ADN cargo information. We support the idea that the RIS-platform could be an authorized eFTI-platform, but eFTI may not be the only option to exchange cargo related information between the different actors in IWT.

#### 2. AIS

Besides, we strongly insist on the initial context for the use of AIS-data by fairway-authorities in combination with RIS, nautical (safety) purposes only. The use of AIS-data for any other functionalities can be done with explicit permission of the data-owner only. The Commission should undertake to safeguard the privacy protection principles based on EU law to avoid the current abuse of selling AIS data by the technical operators of AIS, which is currently the case, even acknowledged but not enforced by Member States

#### 3. ERDMS

Regarding ERDMS, we doubt whether DG-MOVE is the proper operator/provider. Important shortcomings amongst which the quality of the data in the database, the service-level and the governance are recognized since years but are not solved yet. This includes a better alignment of the database itself and the requirements from the users. Another concern is the minimum frequency (Article 4,3e) to update ERDMS at least once a year by Member States. This requirement should be raised to a higher level, preferably any update should be processed real-time. A delayed update in proper location codes will potentially disrupt the electronic reporting process. We would like to bring to the attention that this Article refers to Member States only, while ports are not mentioned. EBU/ESO/IWT emphasise that the ports are the weak part in the system by causing problems in providing the reference data. The current Proposal does not cover the responsibilities (and consequences in case of non-compliance) specifically for the port authorities on this subject. It would be beneficial to get more clarity here, especially about the obligations for ports to comply.

### Scope

Another topic we would like to highlight is the scope in the Proposal for TEN-T waterways, with a voluntary basis for Member States to continue the RIS-requirements to parts of their inland waterways network that is not included in TEN-T. The 2005 Directive included all waterways in the Member States from CEMT-class IV and higher with a voluntary basis for Member States to adopt

the RIS-requirements on the remaining inland waterways network. We do not understand the rationale for limiting the scope to TEN-T waterways. We would like to emphasize that many journeys start on fairways CEMT-class III and lower or on fairways that are not part of a TEN-T corridor. For IWT, the application of RIS on the majority of the fairways in the Member States is crucial, including sea- and inland ports. The availability of RIS should not be determined by whether the infrastructure is e.g. part of a TEN-T corridor, classified to a certain CEMT-level or in control by an independent authority. Any room for further deviation or voluntariness in the scope would undermine the aim of harmonized RIS services on the European network of waterways and ports and thus of the core-values in the 2005 Directive.

Besides, the Proposal needs to cover both inland and seaports to address the current shortcomings. In the current situation, especially seaports are creating a lot of (avoidable) administrative burdens for vessel owners, requiring often information that is already submitted through BICS to the fairway authorities. The underlying Impact Assessment tries to solve this issue, but uses e.g. the terms 'IWT-ports' and 'ports' alternately with no further explanation of their exact coverage. As IWT uses both inland- and seaports a clear definition of the term IWT-port is needed to avoid any deviations and misunderstandings.

### **Other points of concerns**

- The Proposal introduces the establishment of an 'inland Waterway Transport Committee'. We request more clarity about what it is and who will be part of it.
- Multiple pointing to the need of 'new technical specifications and standards' e.g. for navigation and voyage planning without further clarification or any reference to existing standards. We ask for more clarity here.
- When it comes to costs and investments, costs savings for vessel-operators are identified, many of them related to less administrative burdens. However, in none of these calculations and considerations any investments necessary for vessel operators to comply with all the new procedures are considered. Ships need to invest e.g. in IT-equipment, connectivity and training to fulfill the new requirements. These elements need to be integrated in the calculations.
- There is no reference to EuRIS as an example of a RIS-platform .
- The delegated power to the Commission to adopt acts related to the necessary information concerning navigation and voyage planning and to set the framework for the development and the functioning of the RIS platform requires more clarity.
- The introduction of the definition 'smart inland waterway infrastructure system' requires more clarity regarding the impact and specifications of this system. F.e. the replacement of the current AIS-stations by VDES AIS is a serious investment for IWT.

### **Conclusion and recommendations**

In conclusion, while the 2005 Directive primarily focused on setting basic principles and requirements for the system, the Proposal places greater emphasis on detailed technical specifications, real-time information, and data exchange. Additionally, it introduces a new Annex



referencing external technical specifications, potentially aiming for more standardized and advanced RIS systems in inland waterway transport.

EBU/ESU/IWT endorse the need for further development, though we consider it essential to realize its full implementation in all Member States in a certain timeframe. Currently, a full harmonization and interoperability of the 2005 Directive has not been achieved yet.

From the vessel owner's/operator's perspective this means that the scope of the Proposal needs to cover all European waterways with navigable IWT including all inland and sea ports along these waterways. While the Proposal is considered a good effort to solve some of the current shortcomings, it does not address them sufficiently. Any room for misunderstanding here is inconvenient.

The Proposal is adding a serious number of additional functionalities and roles to RIS, therefore we call on the Commission to examine these ambitions into a workable timeline. The Proposal is also listing a number of platforms linked to these additional functionalities, their exact role and coherence to RIS needs more clarity. Where the sector welcomes the complaint mechanism as introduced by the proposal, it emphasizes the need of a proper implementation and enforcement by the Member States including a strong governance role by the Commission.

The Proposal enables RIS to be further integrated into the platform driven evolution in transport and logistics. However there should be a focus on a seamless embedding of RIS in this architecture. not to achieve being the center hub for exchange of information in inland waterway transport and with other modes of transport. In that context, we agree that it could be valuable to pay attention to encourage cargo-related information exchange through the eFTI mechanism. However, we need to be careful here. At this moment the exact effect of eFTI is not fully clear yet. Also the exact approach and mutual coexistence of RIS IT architecture and eFTI needs more clarity. Standards still need to be developed to share information without any further explanation. In any case, the use of eFTI cannot be made mandatory for vessel operators for the transmission of the cargo information. We strongly object to that proposed direction.

Finally, we stress the need for sufficient funding to be made available through relevant funds, in particular CEF, to support the proper implementation of the new RIS directive as effectively and efficiently possible by the Member States. CEF-Projects (such as RIS COMEX, FENIX, FEDERATED,) are and could be the main driver for realizing harmonized and integrated RIS. Especially with a stronger focus on data exchange with other B2B which are outside the influence of waterway authorities), cooperative project initiatives will become even more relevant and important. On the same note, the intention to implement IWT's digitalization vision by means of a CEF Technical assistance project could be instrumental as well.

20240308



#### **EBU**

The European Barge Union (EBU) represents the inland navigation industry in Europe. Its members are the national associations of barge owners and barge operators of 9 European inland navigation countries (Austria, Belgium, Czech Republic, France, Germany, Luxemburg, Netherlands, Romania and Switzerland). [www.ebu-uenf.org](http://www.ebu-uenf.org)

#### **ESO**

The European Skippers Organisation is the voice of the independent Inland Waterway Transport entrepreneurs. ESO looks after the interests of the barge owners at European level with representatives from six European countries (Belgium, France, Germany, Netherlands, UK and Poland) [www.eso-ueb.org](http://www.eso-ueb.org)

#### **European IWT platform**

As an executive body of EBU and ESO, the European IWT platform aims at a stronger positioning of Inland Navigation in European and national transport policies by an intensified contribution to various governing bodies, working parties and standard setting committees like CESNI and ADN [www.inlandwaterwaytransport.eu](http://www.inlandwaterwaytransport.eu)