



2024/1005

2.4.2024

COUNCIL DECISION (EU) 2024/1005

of 25 March 2024

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 and within the Central Commission for the Navigation of the Rhine on the adoption of standards concerning professional qualifications in inland navigation

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 Rhine Navigation of 17 October 1868, as amended by the Convention amending the Revised Convention for the Navigation of the Rhine, signed in Strasbourg on 20 November 1963 (the 'Convention'), entered into force on 14 April 1967. The Convention maintains the Central Commission for the Navigation of the Rhine ('CCNR') and the regime for inland navigation of the Rhine established in 1815.
- (2) 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.
- (3) The adoption of standards by the CESNI does not have direct legal effect, but Directive (EU) 2017/2397 of the European Parliament and of the Council⁽¹⁾ requires that reference be made to the latest CESNI standards on professional qualifications, namely European Standards for Qualifications in Inland Navigation ('ES-QIN'). The CCNR also refers to the latest standards in its Regulations for Rhine Navigation Personnel ('RPN'). Pursuant to Articles 17 and 46 of the Convention, the CCNR may adopt binding resolutions establishing requirements for professional qualifications in inland navigation of the Rhine.
- (4) The CESNI is to adopt an updated European Standard for Qualifications in Inland Navigation 2024/1 ('ES-QIN 2024/1') during its session on 11 April 2024. Following that adoption, the CCNR intends to adopt a resolution amending the RPN to refer to the ES-QIN 2024/1, in its plenary session on 13 June 2024. The ES-QIN 2024/1 is to replace the ES-QIN 2019.
- (5) The ES-QIN 2024/1 is to provide for an update of the minimum harmonised European standards necessary to facilitate mobility, to ensure the safety of navigation and to ensure the protection of human life and of the environment. Those standards are now to be updated in terms of requirements for sailing on waters with a maritime character. The ES-QIN 2024/1 also includes updated references to the European Standard laying down Technical Requirements for Inland Navigation vessels and to the European Standard for River Information Services. Finally, editorial clarifications adding to legal certainty are to be made.
- (6) It is appropriate to establish the position to be taken on the Union's behalf within the CESNI and within the CCNR, as the ES-QIN 2024/1 will be capable of decisively influencing the content of Union law. Articles 32 and 34 of Directive (EU) 2017/2397 require the Commission to adopt delegated acts and implementing acts which refer to the latest version of the CESNI standards regarding professional qualifications, provided that those standards are

⁽¹⁾ Directive (EU) 2017/2397 of the European Parliament and of the Council of 12 December 2017 on the recognition of professional qualifications in inland navigation, and repealing Council Directives 91/672/EEC and 96/50/EC (OJ L 345, 27.12.2017, p. 53).

available and up-to-date and comply with the requirements set out in the Annexes of that Directive, and provided that Union interests are not compromised by changes in the decision-making process of the CESNI. Furthermore, Article 10 of that Directive provides for the recognition of documents issued in accordance with the RPN which lay down requirements that are identical to those of that Directive.

- (7) To facilitate mobility, to ensure the safety of navigation and to ensure the protection of human life and the environment, it is important that the technical requirements for crew members be as harmonised as possible under the various legal regimes in Europe. In particular, Member States that are also members of the CCNR should be authorised to support decisions harmonising CCNR rules with the rules applied in the Union.
- (8) The Union is neither a member of the CCNR nor of the CESNI. The Union's position should therefore be expressed by the 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 the Union's behalf within the European Committee for drawing up standards in the field of inland navigation ('CESNI') with regard to the adoption of ES-QIN 2024/1 (CESNI (23) 21 rev.1) shall be to agree to their adoption.
2. The position to be taken on the Union's behalf within the Central Commission for the Navigation of the Rhine ('CCNR') shall be to support all proposals aligning the CCNR Regulations with ES-QIN 2024/1 (CESNI (23) 21 rev.1).

Article 2

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

Article 3

Minor technical changes to the positions set out in Article 1 may be agreed upon without further decision of the Council.

Article 4

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 25 March 2024.

For the Council
The President
A. MARON