



COMMISSION OF THE EUROPEAN COMMUNITIES

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COMMUNICATION FROM THE COMMISSION

**First progress report
on the implementation of the NAIADES Action Programme
for the promotion of inland waterway transport**

1. INTRODUCTION

1.1. Background

In January 2006 the Commission published a Communication on the Promotion of Inland Waterway Transport setting out the Action Programme “NAIADES”¹.

The Programme, covering 2006 to 2013, focuses on five strategic areas: improving market conditions, modernising the fleet, developing the human capital, strengthening the image and amending the infrastructure.

The programme is addressed to all stakeholders of inland waterway transport, the EU and its institutions, and the Member States. The European Parliament² and the Council of Ministers³ have welcomed the initiative and endorsed the programme; the industry⁴ has confirmed its broad consent.

This Communication is the first progress report on the status of implementation and achievements⁵. It also gives an outline on financial support for the Action Programme and reports on developments with regard to the organisational structure.

1.2. Developments 2006/7

In general, the volumes transported on Europe’s main waterways (+ 0,3%) and the modal share of inland waterway transport remained stable in 2006. While internal transports have diminished, international traffic grew by around 1%. The volumes transported on the Rhine grew by 3% in 2006 essentially thanks to much better water levels than 2005.

While other rivers like the Seine or the Rhône show a strong growth of container transport, one of the most promising growth providers to the sector, the latter experienced a slight decline (-1%) on the Rhine in 2006, essentially because of occasional difficulties of transshipment from maritime to inland waterway vessels, in particular in the port of Rotterdam.

In the first quarter of 2007, the volumes transported on inland waterways in Europe showed an upward tendency, a development expected to continue after 2007.

2. REPORT ON THE IMPLEMENTATION OF THE PROGRAMME

2.1. Adopted European legislation

Since the publication of the NAIADES Communication the following legislation has been adopted:

¹ COM(2006) 6.
² A 6-0299/2006.
³ On 8/9 June 2006.
⁴ High Level Meeting of 15 February 2006, Vienna.
⁵ See Appendix.

- Directive 87/2006/EC laying down *technical requirements* for inland waterway vessels creates harmonised modern requirements for inland waterway vessels on the entire Community waterway network, including the Rhine.
- The TEN Financial Regulation (EC) 680/2007 raises the financial rate for priority projects and for RIS projects from 10 to 20%, for cross-border sections up to 30%.
- The “Marco Polo II” programme (Regulation (EC) 1692/2006) will continue to promote shifting freight traffic off the road to other transport modes. As a new asset several smaller applications can now be grouped in one application, thus allowing also small companies to cooperate for the application.
- Directive 80/1119/EC on statistical returns in respect of carriage of goods by inland waterways has been updated and replaced by Regulation (EC) 1365/2006.

2.2. Commission

2.2.1. *Improving market conditions*

Inland navigation is characterised by a great number of SMEs generally facing strong competition in an open transport market, while enjoying small returns and having a difficult **access to capital**. This makes it more difficult to set up new transport services and businesses.

Should stakeholders so wish, the Commission, together with the European Investment Bank (EIB), could study the possibility of specific windows to be made available to inland waterway transport enterprises. The sectoral Reserve Fund and a possible syndication of Member States and Community funding could be an opportunity to develop modern means of assistance to the sector (see 3.1).

Regarding available aid schemes, the Commission has commissioned an inventory of European, national and regional aid schemes. A **Funding Handbook** shall be published in 2008.

In December 2006, the Commission decided that the *de minimis* rule regarding the application of the EC state aids also applies to the transport sector⁶. According to this rule, state aid may be granted to any one undertaking up to EUR 200.000 over a period of three years without further authorisation at EU level.

With a view to contribute to a favourable business environment, a **screening of administrative and regulatory barriers** has been launched. The results shall be presented in 2008.

2.2.2. *Modernising the fleet*

In order to maintain its assets, the sector must constantly adapt and improve its efficiency, safety and environmental performance.

⁶ Regulation (EC) 1998/2006.

In this regard, the Commission has presented a proposal for a Directive⁷ on the transport of dangerous goods, including by inland waterway.

In order to ensure that inland waterway transport can maintain its leading environmental edge on other transport means, the Commission has proposed the reduction of the maximum permissible **sulphur content of gas oils**⁸.

2.2.3. *Promotion of jobs and skills*

Work is in preparation, e.g. in the field of *working time* and *professional qualification requirements* (see 2.4.).

2.2.4. *Improvement of image*

The image of inland navigation does not always match its actual performance. Promotion of inland waterway transport and creating awareness of its potential among logistics decision-makers, freight forwarders and policy-makers are therefore crucial. Most of the relevant Member States are planning or have implemented promotional programmes.

One way to increase the visibility of inland waterway transport is to offer reliable, up-to-date market data and information. Therefore, from 2005 to 2007 the Commission had entrusted the Central Commission for Navigation on the Rhine (CCNR) with the task to elaborate an instrument of **market observation**. The continuation and further improvement of this action beyond 2007 is being prepared.

The Action programme suggests the establishment of a network of **promotion centres for inland waterway transport** as close to the customer as possible. The main objective is to advise and encourage transport users at regional and local level to use inland navigation by providing logistic solutions, best practices and publicity. The Commission launched a call for proposals in May 2007 which will materialise in 2008 and beyond.

2.2.5. *Provision of adequate infrastructure*

The efficiency of inland waterway transport depends on a properly proportioned and maintained infrastructure. The Community contributes to it through programmes, such as the **Trans-European Networks**. On 27 September 2007, the Commission designated Mrs. Karla Peijs as European **coordinator** in order to facilitate the realisation of the inland waterway priority axis Rhine/Meuse-Main-Danube (designated as Project No. 18) and the Seine-Scheldt link (No. 30).

Modern information and telecommunications systems supplement infrastructure networks. For implementing Directive 44/2005/EC on **river information services (RIS)**, the Commission adopted in 2007 three Regulations, on technical guidelines for the planning, implementation and operational use of RIS⁹ and on technical

⁷ COM(2006) 852.

⁸ COM(2007) 18.

⁹ Regulation (EC) 414/2007.

specifications relating to vessel tracking and tracing systems (Inland AIS)¹⁰ and to notices to skippers¹¹. Two further Regulations are on their way.

2.3. Member States

All relevant Member States are actively engaged in inland waterway transport policy. Depending on their specific situation, traditions and national priorities, the focus, intensity and magnitude of the measures to promote transport by inland waterways vary.

In the light of the NAIADES Programme for example one Member State has adopted a comprehensive national action programme of around 40 measures. In other Member States specific support measures already exist or are being considered. The measures focus e.g. on aid schemes enhancing the start-up of new services in the field of container transport or waste transport in metropolitan areas, etc. In one case an administrative focal point for the certification and attestation has been installed and a promotion centre for inland waterway transport reinforced.

Another focus lies on the modernisation of the fleet, which in some Member States is encouraged through tax-free reinvestment schemes, and financial aid for the improvement of the economic and environmental performance of vessels (e.g. grants for cleaner engines, more efficient propulsion techniques, new hull constructions). In certain areas, initiatives, sometimes cross-border, are being undertaken to enhance transport on smaller waterways.

In several Member States, measures have been taken to make the inland waterway transport profession more attractive (e.g. support for training schemes, start-up for young entrepreneurs).

In the area of waterway infrastructure, emphasis is laid on the maintenance of the network and related infrastructures, including the improvement of intermodal terminals and the installation of modern transshipment facilities. The Member States' procedures for the execution of the Seine-Scheldt connection and for the improvement of the Danube section close to the Austrian-Slovakian border have started. The deployment of River Information Services (RIS) and the equipment with ICT devices along the main inland waterways is gradually progressing.

2.4. Stakeholders

2.5. European social dialogue

The NAIADES Action programme identifies the improvement of working and social conditions in the sector as one of the central challenges. A constructive **dialogue between social partners** at European level is one way to address these objectives. In 2006 and 2007, the sectoral social dialogue committee¹², supported by the Commission, met at regular intervals and made headway in two major areas: regarding *sector-specific working time arrangements*, the social dialogue has reached

¹⁰ Regulation (EC) 415/2007.

¹¹ Regulation (EC) 416/2007.

¹² Decision 98/500/EC. http://ec.europa.eu/employment_social/social_dialogue/sectorial13_en.htm

a stage where negotiations are taking place. Regarding an EU-wide definition of *professional qualification requirements*, the committee has undertaken preparatory work by comparing the various national profiles.

3. FINANCIAL SUPPORT PROGRAMMES

3.1. Innovation Fund

In order to keep its advantage as an efficient, safe and environmentally friendly mode of transport, continuous investment in logistic concepts, fleet modernisation, human resources and marketing of inland waterway transport is needed. This is above all the responsibility of the industry itself. As an additional incentive and to facilitate further investment, the NAIADES Action Programme suggests targeted national support programmes and the use of available Community programmes. In this context it recommends to also examine the utilisation of the Inland Waterway Reserve Fund, created under Council Regulation (EC) 718/1999¹³ and financed by the profession, as well as other sources of financing.

In this regard the **Council** invited the Commission in its Conclusions of June 2006 to submit a proposal for a European Inland Waterway Transport Innovation Fund which should be coordinated with the national programmes of Member States. The **European Parliament** specified in its Resolution of October 2006 that such a fund, *“as a key instrument of the NAIADES Action Programme, (...) should be financed as to one third by the sector (the existing Inland Waterway [reserve] Fund), for another third by the EU and the remaining third by the Member States”* and invited the Commission further *“to draw up, in close cooperation with the sector, the conditions under which the fund should be established (...)”*.

The Commission services have undertaken exploratory work and suggested, in close cooperation with experts from the profession and from the Member States holding a positive balance in their Reserve Fund, various ideas for a specific IWT funding programme.

3.1.1. Financing objectives

The future programme of an Innovation Fund would primarily be targeted to IWT carriers and operators. In order to stimulate innovation and a speedier introduction of new concepts and techniques, it could define eligible funding measures in order to encourage the industry to

- establish new market and transport services in the inland waterway transport sector,
- modernise the fleet with a view to improve the safety, efficiency and the environmental standard of vessels,
- boost the human capital by training and education measures, and

¹³ OJ L 90, 2.4.1999, p. 1-5.

- improve the image of the sector through appropriate public relation actions.

The programme could run from 2009 to 2013. In parallel, financial support for inland waterway services would continue to be available under MARCO POLO, for infrastructure improvements under the TEN-T and Cohesion Policy, and for research under the RTD Framework programme.

3.1.2. Resources

The first resource is the existing Inland Waterway Reserve Fund, created under Regulation (EC) 718/1999, which has been accrued by the industry itself but which has not been used for almost a decade. To use it, a new legal instrument would have to be enacted and agreed by all concerned which would allow a Community wide support programme to the sector. The Reserve fund amounts today to approx. 40 Million €

Second, on top of this potential but so far inactive support, the Commission provides active support with the instruments described above. Should a meaningful and modern support tool be agreed and developed with the industry and Member States, it could consider a proposal to budget additional funds from existing resources.

The third part in the support programme could come from the Member States concerned. Several Member States have national aid schemes dedicated to inland waterway transport or are preparing to establish such programmes. Discussions are ongoing whether and how these schemes might be integrated or combined with a future Community funding programme.

3.1.3. Next steps

Based on these considerations, the Commission is carrying out an ex ante evaluation and impact assessment aiming at an analysis of solutions and their return, the utility and the cost-effectiveness of a “European Inland Waterway Transport Innovation Fund”. Depending on its outcome and further consultation with the professional organisations and the Member States, the Commission may come forward with a proposal in 2008.

3.2. Use of existing Community Programmes for inland waterway transport

- In the **Marco Polo** call for proposals 2006 a single inland waterway transport project was selected. The call of 2007 is still in evaluation.
- Under the **TEN-T-budget**, two inland waterway projects with a financing volume of around 9 Mio € have been co-funded in 2006 (1,5% of the total budget, which is far below IWT’s modal share). The evaluation of proposals for the 2007 call and for the major multi-annual programme up to 2013 is under way.

The implementation of river information services (RIS) became part of the TEN-T

multi-annual programme¹⁴. The first call for proposals for RIS is planned to be launched in December 2007.

- Based on the Regulations (ERDF, Cohesion Fund and ESF)¹⁵ and the Community strategic guidelines on Cohesion, the Commission, Member States and regions are finalising the preparation of the **Cohesion Policy** operational programmes (OP) for the 2007-2013 period. These OPs can include priorities related to transport infrastructure and in certain Member States, an OP fully dedicated to transport will be adopted.
- The **7th EC Framework Programme** for research, technological development and demonstration activities¹⁶ from 2007 to 2013 offers a number of windows of opportunity for the inland waterway transport sector, notably with regard to fleet modernisation, further optimisation of the sector as well its integration into overall logistics chains.

The first call for proposals¹⁷, closed in June 2007, invited for proposals in a number of areas relevant to inland navigation, including the setting up of a co-ordination action. The conclusion of contracts is expected for 2008.

4. MODERNISATION OF THE ORGANISATIONAL STRUCTURE

The NAIADES Communication also addressed the modernisation of the organisational structure for inland waterway transport in Europe. The Commission services have undertaken an impact assessment and stakeholder consultations¹⁸ regarding four options.

4.1. Impacts of the different options

The impact of the different options can be summarised as follows:

- Option 1: Increased cooperation but no change in the institutional framework

Increased cooperation between the European Commission and the river commissions would also mean an increase of coordination efforts by all parties involved. Even if the fragmented legal bases and different sets of rules within the single market would remain untouched, the objective to create a level playing field on all Community waterways can be reached without changing the existing framework. It would nevertheless take relatively long and come at similar administrative costs as option 2.

- Option 2: Adhesion of the Community to the Rhine and the Danube Commissions

Administrative structures and human resources might be used more efficiently if the Community adhered to the international river commissions. This option would not significantly modify the institutional setting, and would require a marginal increase

¹⁴ Commission Decision C(2007) 2158.

¹⁵ Cf Regulation (EC) 1083/2006.

¹⁶ Decision 1982/2006/EC.

¹⁷ Commission Notice 2006/C316/10.

¹⁸ SEC(2007) xxx.

in human resources. Relying on existing expertise and using established mechanisms might speed up legislative harmonisation. However, a clear difference of the impacts with regard to the CCNR or to the Danube Commission has been identified (see conclusions below).

– Option 3: Pan-European Convention

In comparison to the two first options, the establishment of a Pan-European Convention¹⁹ would mean an additional layer to the complex regulatory harmonisation process. On top of rather complicated negotiations, administrative costs would be significantly higher than in options 1 and 2, and the increase in human resources might not be justified by an increase in efficiency. Stronger political attention might however make it easier to achieve the objective of strategic promotion.

– Option 4: European Agency.

Establishing an EU Agency for inland waterway transport – or an inland waterway transport “antenna” of an existing agency – would have similar operational costs as option 3. It would be consistent with the Union’s policy regarding other transport modes and speed up the harmonisation process in comparison to options 1 and 3. But the establishment of an EU Agency *in addition* to the existing international river commissions and national safety authorities would not constitute a more efficient use of human resources.

4.2. Conclusions from the impact assessment

The impact assessment shows that, even though the current framework may have its shortcomings, no clear advantage of a particular option in terms of legislative, institutional or administrative impacts emerges. Under the current circumstances, it is preferable to base the organisational framework on the existing institutional actors, and to improve, modernise and coordinate working methods and relations wherever possible. Against this background, a combination of options 1 and 2 – increased coordination of the existing institutional actors combined with Community membership in the Danube Commission – offers the best advantages at present. In view of these findings the Commission does not suggest creating additional structures to the existing institutional framework. As requested by the stakeholders, the Commission should play a stronger part within the existing organisational framework.

Community membership in the Danube Commission is a particular case, because the legal regime for navigation on the Danube is currently under revision. The adhesion of the Community in areas of its competence will not only facilitate the co-existence or the adoption of harmonised rules for navigation on the Danube, but also help to speed up the revision of the 1948 Belgrade Convention – needed to reform the Danube Commission. In addition, it will reflect the internal distribution of competences within the EU vis-à-vis the non-EU members of the Danube Commission. On 7 June 2007, the EU Council of Ministers adopted a decision

¹⁹ Cf. EESC own-initiative opinion TEN/222 - EESC 599/2006.

authorising the European Commission to negotiate Community membership in the Danube Commission.

4.3. The way forward

Against this background which illustrates the common endeavour for a harmonious system, one can acknowledge that recent years have seen the development of the Community's role in the area of *legislative harmonisation*:

- The EC Directives on river information services (RIS)²⁰ and technical requirements for vessels²¹ provide a framework for all Community inland waterways, including the River Rhine.
- The proposal for a Directive on the inland transport of dangerous goods²² will incorporate a Pan-European agreement in Community legislation and thereby avoid the development of two different legal regimes in the future.

This development builds upon a strong involvement of experts from Member States in different fora, including the river commissions. The NAIADES Action Programme foresees further legislative Commission initiatives, namely with regard to boatmaster certificates or manning requirements.

As for *strategic policy development*, the European Commission will strive to play further a coordinating role.

In order to strengthen expertise in the area of inland waterway transport, and to make better use of existing resources – as suggested by the European Parliament – the international river commissions could be entrusted with the execution of particular tasks or mandates²³. Such assignments should be compatible with the river commissions' own legal, territorial and financial scope, and should benefit from a solid legal base in Community law; this requires further analysis²⁴. Nevertheless, the Commission has already intensified its contacts with the river commissions, in particular the CCNR.

Another way forward can be the creation and affiliation, on a voluntary basis, and under the auspices of the Commission, of an "IWT think tank" bringing together industry, policy and decision makers and academia, in order to address issues and advise on the future development of inland waterway transport in Europe.

²⁰ Directive 44/2005/EC.

²¹ Directive 87/2006/EC.

²² See 2.2.2.

²³ The Commission Staff Working Document "NAIADES" (SEC(2006) 34/3) listed the following: carry out studies; supervise/coordinate the respect of technical standards; monitor the work of notified bodies; manage databases, oversee the registration of vessels.

²⁴ For example, Article 8 of Regulation (EC) 549/2004 (single European sky) allows the Commission to issue mandates to Eurocontrol. The Commission's experience of cooperating with the European Space Agency in the setting-up of the Galileo Project could also be considered.

5. CONCLUSION

Although the NAIADES Action Programme has only been in place for one and a half year, the political perception of inland waterway transport has been strengthened not only at EU level, but also in the Member States and shipping industry. The Commission is committed to the fulfilment of the programme and intends to maintain the momentum created by its initiative. The coming years will see action in the following areas:

Funding

Following the impact assessment/ex-ante evaluation as well as stakeholder consultations, a legal basis for an “*IWT Innovation Fund*”²⁵, including implementing rules will be elaborated. This would be complemented by a *Funding Handbook* and possibly dedicated *State aid guidelines*.

The human factor

A further cluster of actions would focus on the human factor. Specific *working time arrangements* and the definition of EU-wide *professional qualification requirements* should be best agreed in the framework of the social dialogue²⁶. These results could be complemented, following impact assessments and consultations, by legislative proposals regarding the *harmonisation of minimum manning requirements* as well as for a *uniform boatmasters’ certificate*, valid on all Community waterways.

Administrative and regulatory framework

In order to address administrative and regulatory barriers, the results of the relevant study²⁷ will be evaluated and used wherever possible in cooperation with Member States’ administrations and stakeholders.

Infrastructure improvement

In addition to the coordinated implementation of RIS, an indicative *development plan for the improvement and maintenance of inland waterways and ports* will be elaborated, also taking into account the European Port Policy, in close cooperation with the Member States. This exercise will also take into consideration environmental and other requirements, building on the ongoing dialogue between the international navigation and protection commissions for the Rhine and the Danube.

²⁵ See 3.1.3.

²⁶ See 2.4.

²⁷ See 2.2.1.

Organisational support

In order to facilitate the coordinated implementation of the NAIADES Programme, the Commission will look for support from a platform of all interested stakeholders, Member States, river commissions and industry alike, possibly in the shape of an “IWT think tank”²⁸. The call for proposals under RTD FP7²⁹ might help in this respect, for example through a Co-ordination action for inland waterway transport.

²⁸ See 4.3.

²⁹ See footnote 17.

A. LEGISLATIVE INSTRUMENTS

	Status 2007
Harmonisation of:	
▪ technical requirements for vessels	☑
▪ intermodal loading units (ILU)	✓
▪ statistics of goods transport by inland waterways	☑
State aid guidelines for support schemes and possibly <i>de minimis</i> rules for IWT	△ ☑
Harmonisation of:	
▪ transport of dangerous goods	✓
▪ engine emissions	△
Reinforcement of position and normative framework of IWT	~~~
Harmonisation of:	
▪ boatmasters' certificates	△
▪ intermodal liability	2008
▪ manning requirements	2009
▪ waste disposal	2009
▪ education and training standards	2009
▪ intermodal documentation	2010
▪ infrastructure charging	2013
▪ fuel quality	✓

B. POLICY INSTRUMENTS

	Status 2007
TEN Coordinator Inland Waterways	✓
Funding Handbook for IWT industry	△
Screening for barriers in existing and new European and national legislation	△
Administrative one-stop-shops and IWT focal points	△
Social dialogue within sector	~~~
IWT Market observation	~~~
European Development Plan for waterway infrastructures and transshipment facilities	2009
Recruitment campaigns	
Spatial planning giving higher priority to (re-)developing industrial zones nearby waterways	
Interdisciplinary dialogue on project level	

- ☑ = adopted by EP and Council
- ✓ = proposed by the Commission
- ~~~ = ongoing
- △ = in preparation

C. SUPPORT INSTRUMENTS

	Status 2007
European IWT Reserve Fund	△
National support programmes	
▪ Promote modal shift, facilitate investment	AT△,BE,DE,FR,NL,UK△
▪ Efficiency, environment and safety technologies	AT,BE,DE, FR, NL
▪ Promotion and development organisations	AT, BE, DE, FR, NL
▪ Infrastructure improvement & maintenance	AT, BE, BU,CZ, DE, FR, NL ,PL, RO, UK △
European RTD and support programmes	
▪ Services: Marco Polo, CIP, INTERREG, etc.	~~~
▪ Fleet: RTD programmes (FP 7), etc.	~~~
▪ Jobs and skills: SOCRATES, LEONARDO DA VINCI, etc.	
▪ Infrastructure	
- TEN-T Priority projects 18&30	~~~
- RIS (TEN-T MIP)	~~~
- PHARE, ISPA, CARDS, INTERREG, etc.	~~~
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