



**Economic and Social  
Council**

Distr.  
GENERAL

TRANS/SC.3/2002/5/Add.1  
6 August 2002

Original: ENGLISH

---

**ECONOMIC COMMISSION FOR EUROPE**

**INLAND TRANSPORT COMMITTEE**

Working Party on Inland Water Transport  
(Forty-sixth session, 22-24 October 2002,  
agenda item 9)

**IMPLEMENTATION OF CONVENTIONS AND APPLICATION  
OF RESOLUTIONS RELATING TO INLAND NAVIGATION**

Transmitted by the International Touring Alliance (AIT)

Note: The secretariat reproduces below the observations and proposals of AIT concerning the situation with the application of resolutions Nos. 14, revised, and 40 on the International Certificate for Operators of Pleasure Craft.

\* \* \*

1. The International Touring Alliance (AIT) would like to inform the Working Party on Inland Water Transport about practical and information-related problems that members of the AIT experience in issuing International Certificates for Operators of Pleasure Craft (ICC).

### **The new ICC**

2. In October 2000, resolution No. 40 of the UNECE Working Party on Inland Water Transport took effect. Essentially, it differs from resolution No. 14, revised, in that it states that an ICC can only be issued on production of a national sailing certificate, or after passing an examination which tests knowledge of regulations, sailing areas, ship and equipment, safety, meteorology, and the like. Such examinations must be approved by the national Government of the country of origin. In England, for example, no obligatory sailing certificate exists. However, the Royal Yachting Association only issues ICCs once the applicant successfully completes an examination.

3. In the Netherlands, the Royal Netherlands Touring Federation (ANWB) holds a mandate from the Government to issue “new-style” ICCs for the time being on production of the obligatory sailing certificates for inland waters, all waters and commercial sailing. In principle, countries that apply resolution No. 40 will require water sports enthusiasts, for whom sailing certificates are mandatory in these countries, to be in possession of an ICC.

### **Only a sailing certificate required**

4. In some instances, a national sailing certificate may be sufficient. This is the case, for example, when the receiving country still recognizes the sailing certificates of other countries. This applies for instance in the Netherlands, and also in Germany and Belgium. For these countries, no ICC is required.

### **Differences**

5. Due to the recommendatory nature of the UNECE resolution, it now appears that major differences exist in the level of skill and knowledge required of water sports enthusiasts in different countries.

The major differences are as follows :

- Some countries, including Romania, the Russian Federation, Spain and Ireland do not apply either of the resolutions (TRANS/SC.3/2001/7). Water sports enthusiasts will have few problems in the first two countries mentioned above. However, it is known that in Spain confusing situations can arise. Before sailing to countries such as these, water sports enthusiasts should at least obtain good information about what papers are required.

- A second group of countries that seems to be the least problematic for water sports enthusiasts, is the group of countries where resolution No. 14, revised is still applied. It is enough for these countries that the regulations of the country of origin be satisfied. An ICC could, however, still be useful in these countries, given that not every inspecting official is aware of the arrangements governing sailing certificates in other countries.
- The third group now comprises eight countries that all apply resolution No. 40. These countries have either recognized one or more national sailing certificates and/or require an ICC.
- The final group of countries are those in which even on production of an ICC or national sailing certificate, the holder is still expected to meet additional requirements. An example is the Netherlands, where those piloting craft faster than 20 km/h must be over the age of 18 years. In Germany, for instance, the minimum age for sailing inland waters is 16 years. Despite holding a German sailing certificate or ICC, 16-year-olds are not allowed to pilot fast speedboats in the Netherlands – and it is not the only country with this additional requirement. In Switzerland, a “Ferienpatent” is required for Lake Boden.

### **Finding Solutions**

6. Many European water sports organizations are facing a confusing situation created by the introduction of resolution No. 40. What was aimed at creating uniformity has had the opposite effect. Many people are affected by the fact that in different countries water sports enthusiasts are expected to meet different requirements. For boat hire companies in the Mediterranean, for example, it means tighter restrictions and in all likelihood a decrease in clientele. Nevertheless, it is also consider that there is a logical side to resolution No. 40. It is only natural to expect water sport enthusiasts to possess a certain level of knowledge. Even as part of a small fleet, it is never comfortable to be totally dependent on the fleet leader.

7. However, consumers can at least expect a more uniform regulation, and this can be achieved in two ways :

- (i) The UNECE, and also the international water sports organizations could urge more countries to apply Resolution No. 40. This does mean, however, that more people would have to obtain an ICC. Each country would have to investigate the courses that would entitle those passing the examinations to be issued a national sailing certificate.

- (ii) An alternative way of achieving harmonization would be through EU legislation. This is the longer path of the two, but it should be seriously examined. The limitation lies in the fact that there are fewer EU Member States than members of the UNECE. Countries like Croatia, for example, have a voice in the UNECE, but are not yet part of the EU.

8. In conclusion, it is the belief of the International Touring Alliance that despite the efforts of the UNECE, true harmonization of sailing certificate requirements has not been achieved. To the contrary, the situation has become even more confused.

### **Request**

9. The AIT,

*recalling* the decision of the Working Party on Inland Water Transport concerning resolution No. 40 on the International Certificate for Pleasure Craft Operators (TRANS/SC.3/147 and Corr.1),

*considering* the fact, that only a minority of the countries have so far accepted this resolution, others still applying resolution No. 14, revised (TRANS/SC.3/96 and TRANS/SC.3/131) and some applying none of the two,

*having* dealt with numerous consumer questions caused by indistinctness about the regulations in destination countries,

*asks* UNECE member Governments to accept resolution No. 40 as soon as possible.

---