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**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**

Note by the secretariat

Reproduced below is the text of a questionnaire prepared and circulated by the secretariat on request by the Working Party (TRANS/SC.3/155, paras. 40 and 41) concerning the Convention on the Contract for the International Carriage of Passengers and Luggage by Inland Waterway (CVN), of 1976 and the Protocol, of 1978 to that Convention.

Delegations which have not yet replied to the questionnaire are invited to transmit their replies to the secretariat as early as possible.

RE: Convention on the Contract for the International Carriage of Passengers and Luggage by Inland Waterway (CVN), of 1976 as amended by the Protocol, of 1978

Dear Sir/Madam,

At its forty-fifth session in October 2001, the UNECE Working Party on Inland Water Transport, noting the request of the Inland Transport Committee addressed to all its subsidiary bodies to undertake an assessment of legal instruments in order to consider updating those which have become obsolete and taking also into account the general spirit of the 2001 Rotterdam Declaration and its call for “legislative harmonization” in this field, noted that the Convention on the Contract for the International Carriage of Passengers and Luggage by Inland Waterway (CVN), of 1976, as amended by the Protocol of 1978 (documents ECE/TRANS/20 and ECE/TRANS/33) has not yet entered into force and has only one Signatory State and one Contracting Party.

The Working Party requested the secretariat to prepare a questionnaire and circulate it to Governments concerned with a view to identifying the difficulties which might have prevented their accession to CVN, as amended by the Protocol, and the action to be taken in this regard (TRANS/SC.3/155, para. 41).

In order to investigate whether there is still an opportunity for an entry into force of the Convention and of the Protocol within a reasonable period of time and to obtain further clarity about the conditions for acceptance of the Convention, Governments are invited to give their opinion about the following issues:

- (1) What are the reasons that your country has not signed/ratified or acceded to the Convention and to its Protocol?
- (2) Are the limits of liability envisaged in articles 7 and 11 considered to be appropriate, too low or too high? Would ratification be facilitated by amending the present limits? If so, at what level should the limits be set in order to facilitate acceptance of the Convention by your country?
- (3) Can you provide (statistical) information on the average height of damage (in SDR's), in your country, caused by accidents relating to the transport of passengers and luggage by inland waterway?
- (4) Are there any other concerns about the level of the limitation of liability?
- (5) May article 2 of the Convention, providing for full responsibility of the carrier for acts and omissions of his agents and servants, represent an obstacle for your Government to become a Party to the Convention?
- (6) Is there a need at all in setting up of an international regime of contractual liability in transport of passengers and goods by inland waterway?

I should be grateful if you could arrange for the information requested above, to reach the secretariat by 15 September 2002 so that it could be presented for consideration by the Working Party, at its forty-sixth session (22-24 October 2002).

Yours sincerely,

José CAPEL FERRER  
Director  
Transport Division  
Economic Commission for Europe

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