

EU Strategy for the Danube Region

Priority Area 1a – To improve mobility and multimodality: Inland waterways

Priority Area 11 – To work together to tackle security and organised crime

Joint Working Group Meeting of Priority Area 1a and Priority Area 11 of the EUSDR

Tegernsee, Germany
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MINUTES

Author(s):

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Venue: Haus Tegernsee, Hochfeldstrasse 31 ,Tegernsee, Germany
Attendants: see attached list of attendants

1. Welcome Note

Speaker: Mr. Hubert GRIEPE (PA 11 / Bavarian State Criminal Office)

Mr. Griepe welcomed all participants and summarised the topics and decisions taken at the previous working group meeting. The working group meeting in Karlsruhe did not bring the progress as expected, since many member states were not present. In that sense, the conditions for today's meeting are much better: all Danube riparian states are represented in the working group meeting. In order to get the participants in the right mood, a poem on the Danube was presented by Mr. Griepe.

2. Introduction

Speaker: Mr. Gert-Jan MUILERMAN (PA1a / viadonau)

Mr. Gert-Jan Muilerman, the representative member of the Technical Secretariat for Priority Area 1a, thanked Mr Griepe and his team for organising the meeting. He again explained the rationale for the joint working group between PA1a and PA11, which consists of simplification, harmonisation and digitalisation in order to achieve improved border controls along the Danube. It is the clear vision to first simplify and harmonise and not to digitalise bad procedures or forms.

Mr. Muilerman continued by pointing out that the results of PA1a & PA11 working group have been endorsed by both Steering Groups of PA1a and PA11. Moreover, political support and endorsement by the Danube Ministers of Transport is under preparation by the European Commission (DG MOVE) and the Austrian Presidency of the Council of the EU. The ministerial conclusions will contain clear supportive statements on the work of PA1a/PA11.

Mr Muilerman briefly summarised the previous work done (survey, practical manual and final recommendations catalogue, DAVID forms). He explicitly invited the participants to discuss and provide feedback during the meeting, as we are in a joint process that should be based on cooperation.

3. Status quo of the Working Group on administrative processes

Overview of activities implemented in cooperation between PA1a & PA11

Speakers: Mr. Hubert GRIEPE (PA 11 / Bavarian State Criminal Office)
Mr. Simon HARTL (PA1a / viadonau)

DAVID Forms

Mr. Simon Hartl opened his speech by presenting a brief summary of the recommendations (measures) that are clustered to six thematic fields, which he then displayed in an overview. He stressed that the clusters "Control forms" and "Control database" have been in the focus of this working group meeting, whereas the clusters "Guidance for shipping companies" and "Deployed control personnel" will be more in the centre of attention in the upcoming period.

He then summarised the status of the cluster “Control forms” by saying that we have reached an agreement on the technical level during the Working Group meeting on 24/4/2018 in Karlsruhe and that both Steering Groups have meanwhile also endorsed the Danube Navigation Standard Forms (DAVID) in June and July 2018. In the meantime PA1a and PA11 received the feedback of the Ukrainian Ministry of Internal Affairs, which indicated general agreement to implement the DAVID forms (Border Guard Service, Fiscal Service and Ministry of Infrastructure). Subsequently PA1a took the initiative to prepare political conclusions by the Danube Ministers of Transport, under the Austrian Presidency of the Council of the EU and coordinated by the European Commission. These positive and supportive statements by the ministers of transport have been negotiated during the last weeks and the final result will be signed during a Transport Ministers’ meeting in Brussels on 3rd December 2018.

For instance, the harmonised arrival and departure report shall replace the existing national control forms. For national implementation of the DAVID forms, other authorities shall be involved and coordinated (e.g. customs, ADN authorities, water police) by the PA11 working group members. The **PA11 working members should therefore organise national coordination meetings, and report to PA1a and PA11 on the status of implementation in due course.** A best practice is available in Bulgaria, where forms have already been aligned with other authorities.

The main three questions that need to be discussed and answered in the context of implementation of the Danube Navigation Standard Forms (DAVID):

1. Which authorities need to be included in your specific country for the next required steps?
2. How can this alignment be facilitated in the most efficient way?
3. Which relevant national legislation/ordinances need to be adapted?

Regarding these questions Bulgaria already answered completely, whereas Romania and Hungary provided partial answers. Feedback of Serbia, Croatia, Moldova and Ukraine is open.

Tour de Table on the above questions:

Hungary: Hungary has formally accepted and approved the use of the DAVID forms. An e-mail statement by Ms Mónika Herzceg was sent in July 2018. The type of legislation to be adapted in Hungary is subject to further investigations in the upcoming period. Regarding IBISweb, Hungary is planning to become member of Aquapol as of 1st January 2019.

Serbia: The border police of Serbia can use the DAVID forms. Other authorities to be involved include customs and port authorities. The basic legislation to be adapted is under the responsibility of the Ministry of Transport.

Croatia: so far problems occurred in contacting other customs and port authorities. A national meeting should be organised to coordinate the authorities in Croatia, related to the ministries of transport, interior and finance. Mr Muilerman of PA1a shall support by contacting Ms Marijana Cindric of the Ministry of Transport to set up such a national coordination meeting.

Bulgaria: works closely together with the ministries of Finance and Transport for a coordinated implementation of the DAVID forms. No major problems occurred.

Romania: legislation to be adapted for implementation of the DAVID forms is under the responsibility of the Ministry of Transport. The border police will then use the forms prescribed by the ministry of Transport (and adopted by parliament). National coordination meetings are to be organised by the Ministry of Transport (PA1a Technical Secretariat from Romania) in coordination with upcoming presidency of Romania for both EUSDR and the EU Council. A positive result is expected.

Moldova: a meeting with different involved ministries (Interior, Regional Development, Agriculture) has already been envisaged. As the DAVID forms are in most parts identical with already applied IMO forms, implementation is not expected to face many difficulties. Mr Malic will coordinate the national alignment.

Ukraine: The Ministry of Transport is the main responsible authority for implementation of the DAVID forms. So far there are no main problems. The applicable legislation in UA momentarily does not oblige any captain to use a standardised form. Different forms are acceptable as long as the required information is contained. The border police organisations have no objections against the DAVID forms. Other authorities such as customs, sanitary and veterinary services need to be involved.

Action by Working Group members: provide the final answers and status information on the three above questions by 20/11/2018 mail to gert-jan.muilerman@viadonau.org, simon.hartl@viadonau.org and hubert.griepe@polizei.bayern.de, so that a report can be given by Mr Muilerman and Mr Griepe to the PA11 Steering Group on 28/11/2018.

ADN training

Mr. Hubert Griepe presented the status of the planned “ADN trainings”. The aim of this is to provide transnational training and know-how exchange for control bodies in order to ensure harmonised control mechanisms along the Danube with a special focus on regulations regarding the transportation of dangerous goods. Even if the transport of dangerous goods by inland waterway vessels is governed by the European Convention on the International Carriage of Dangerous Goods River Transport (ADN) implementation and enforcement of this Regulation varies in large parts among the Danube riparian states. Ultimately, this leads to unfair competition between companies complying with the stringent requirements of ADN (e.g. investing in modern double hull tankers) and companies using ships and equipment that do not meet these requirements. Another problem is that a safe working environment must always be guaranteed for ship's crews.

In order to ensure harmonized control mechanisms along the Danube, Priority Area 11, in cooperation with Priority Area 1a, intends to provide an exchange of information and know-how for regulatory bodies at transnational level. This exchange wants to be done through joint workshops with theoretical and practical input from recognized experts in the field of ADN. Another purpose of the workshop is to create a win-win situation for both sides.

The technical coordinator of PA 11 is responsible for the implementation of the measure. The professional execution of the workshop must be guaranteed by an experienced competent expert for the field of ADN (to be determined). The training is planned to take place in Tegernsee on 27/03/2019.

Mr Griepe asked the participants for names/institutions that should be delegated to the ADN training session:

Moldova: generally the naval authority would be first candidate. Concrete nomination of persons is to be determined.

Hungary: generally the Ministry of Interior (disaster management) would be first candidate.

Romania: Ministry of Transport (as well as customs and border police) would be first candidate for participation.

Mr Griepe will develop the topics to be trained and ask the PA11 Steering Group members on 28/11/2019 in Prague for further concrete names and institutions.

Transnational control database

Mr. Hubert Griepe presented the status of the planned “transnational control database along the Danube”. The reason for this introduction is mainly the avoidance of multiple vessel controls, but it is also a support for an effective control work of the authorities. So we would have here a pure win-win-situation and fulfil thereby the requirement of the EUSDR and the Flagship Project Rhine-Danube-Corridor to facilitate inland navigation. This control database, named IBISWEB, is operated by Aquapol and made available to the Danube States. This database is already used in Bulgaria and Romania and also in France, the Netherlands, Switzerland and Belgium. Thus, the Danube region

would be connected with the core European Waterway System. To use the database, an Aquapol membership or partnership is required. But there are no membership fees or operating costs and the application is extremely simple.

In April 2018, the joint working group meeting of PA1a and PA11 took place in Karlsruhe. The discussion there regarding the control database was not as successful as desired. However, the introduction of the control database could start, also with only a few participant states. On 27th of June a meeting took place for this purpose at viadonau in Vienna, in which the former Aquapol states Hungary, Austria and Slovakia took part. The outcome of the meeting was very positive - the delegates of the three states would like to use IBISWEB. The implementation now only requires the approval of the responsible ministries. For the other Danube countries, of course, participation is still possible.

The theme of a transnational control database will be discussed in more detail during tomorrow's session. Mr Griepe asked the delegations for their first impressions:

Moldova: should be discussed in the ministries. Questions on the requirements on the single national IT manager to be appointed.

Bosnia & Herzegovina: is interested but final decision is to be taken by the authority.

Serbia: Principally interested, especially since no personal data are processed. Needs more information.

Bulgaria: is already taking part (Aquapol member since 2012). Positive experiences with the control database. Very simple to use.

Romania: is already taking part in IBISweb and Aquapol.

Croatia: is generally interested but requires more information on responsibilities.

Austria: would like to use IBISweb but needs to apply for Aquapol membership first.

Ukraine: is generally ready to take part, but needs to clear details.

4. Implementation strategy and next steps

Steps towards a Danube-wide application of measures to simplify, harmonize and digitalize border control processes

Speaker: Mr. Gert-Jan MUILERMAN (PA1a / viadonau)

Mr. Muilerman briefly explained the implementation strategy and the previous and next steps between April and December 2018.

1. **April 2018: Technical agreement > PA1a/PA11 Working Group**
Agreement on technical recommendations on working group level (on selected issues such as DAVID forms) by PA1a/PA11 working group.
2. **June/July 2018: Steering Group endorsement**
Agreement on Steering Group level of Priority Area 1a (Inland Waterways) and Priority Area 11 (Security) as regards the technical proposals of the joint working group PA1a/PA11
3. **October 2018: Organisation of political commitment > PA1a/DG MOVE**
Inclusion of the theme of administrative barriers in political conclusions (Danube Transport Ministers), to be endorsed on 3rd December 2018, prepared by PA1a in conjunction with European Commission and the Austrian EU Presidency

4. **Q1 2019: Prepare anchoring of existing DAVID forms in legislation > PA1a/PA11 Working Group**
Preparatory steps towards anchoring of harmonised forms in EU and/or national legislation
 - Identify and check relevant national legislation/ordinances to be adapted
 - Identify other ministries/departments to be involved/consulted
5. **Q1/2 2019: Organisation of further political commitment > PA11 Steering Group**
Inclusion of the theme of administrative barriers in political conclusions, possibly by Danube Ministers of Interior in conjunction with European Commission and the Romanian EU Presidency
6. **Q1 2019: Identification of further control forms to be harmonised – extension of the DAVID forms suite > PA1a/PA11 Working Group**
 - Identify and check relevant national legislation/ordinances to be adapted
 - Consult with IWT industry and control authorities
 - Identify “quick wins”: forms that can realistically be harmonised within 2-3 years and that would result in significant improvements in efficiency and effectiveness
7. **Q2 2019: In-depth analysis of digitalisation of already adopted DAVID forms > PA1a**
 - Investigate embedding of forms in River Information Services
 - Link up with EU initiatives for digitalisation: try to define a pilot project in these frameworks, possibly as joint project of PA1a/PA11

The participants agreed with the planned activities and the time plan.

Next meeting

The next working group meeting could be organised in Spring 2019 in Bucharest, to be agreed with the Ministry of Transport and the EU / EUSDR presidency in Romania.

Mr. Muilerman concluded the meeting and thanked the participants for their contribution.