

EBA Position Statement Cruising Boat Tourism on Inland Waterways

Executive Summary

The European Boating Association¹ (EBA) supports, in principle, any initiative that enhances and facilitates the unhampered movement of recreational boats across member state borders.

Recreational Boating² provides an exceptional opportunity for wealth and job creation. The contribution that Cruising Boat Tourism^a makes to local economies should be given far greater recognition and should not be underestimated. However, money spent by recreational boaters is discretionary; it is therefore particularly sensitive to legislation and other limiting factors.

In mainland Europe inland waterways do not stop at national borders. For Cruising Boat Tourism to thrive a waterway network which is interconnected across the European continent and harmonised navigation conditions and legislation are required.

Background

The importance of recreational boating was acknowledged by Ministers in the United Nations Economic Commission for Europe (UNECE) Ministerial declaration of the International Ministerial Conference on Inland Water Transport, Wroclaw, Poland, 18 April 2018 in which Ministers asked “to increase the role of freight and passenger transport as well as recreational navigation on inland waterways for social and economic development, enhancing the international cooperation.”

In September 2021 the European Parliament adopted a resolution towards future-proof inland waterway transport in Europe^b in which it calls on the European Commission to include inland waterway tourism in its upcoming European Agenda for Tourism 2050. It also “*Stresses the need to further explore the potential of inland waterways for recreational navigation and other waterfront activities, which would boost growth, create new job opportunities and enhance tourism in the regions concerned*”.

Furthermore the resolution, “*calls on the Member States to endorse the International Certificate for Operators of Pleasure Craft by adopting resolution No 40 of the UN Economic Commission for Europe Inland Transport Committee in order to allow the cross-border recognition of licences and facilitate*

^a Cruising Boat Tourism is the movement of recreational boaters (sail and motor) through, on and between the inland and coastal waters of foreign states. The boats are primarily privately owned and operated by the owner.

^b https://www.europarl.europa.eu/doceo/document/TA-9-2021-0367_EN.pdf

recreational navigation in Europe”.

This resolution echoes calls the EBA has been making for several years.

The Recreational Boating Contribution

Recreational boating (including Cruising Boat Tourism) and the economics associated with it provide a vibrant opportunity for many communities which have seen their traditional water-based industry and associated businesses sharply decline. Many of these communities are situated in areas of natural interest and are geographically well positioned to support the recreational boating community.

Recreational boating also offers a particularly valuable opportunity to retain or revive the economies of smaller inland ports and port communities that are at risk of being bypassed due to changes in commercial traffic. It can bring new life to waterways, no longer required for commercial purposes and help isolated waterways and lakes thrive. Little used inland ports can be developed into marinas, to provide secure berthing for recreational boats. Recreational boating therefore provides an exceptional opportunity for wealth and job creation.

Planning authorities should recognise and fully support the continuing use of waterfront areas for recreational boating and associated amenity and commercial services.

Under the Water Framework Directive natural waterbodies are required to meet Good Ecological Status and a Good Ecological Potential is the target for Heavy Modified Water Bodies (HMWB). The use of waterways by shipping is protected and should not be overruled by environmental demands. Consequently waterways utilised by shipping should have a Good Ecological Potential.

In spite of this, environmental stakeholders claim to have returned some smaller waterways, where there was no commercial shipping activity, to their natural state and Good Ecological Status disregarding recreational boating. The EBA believes that discussions between environmental, shipping, waterways administrations and other stakeholders, including recreational boaters are crucial to ensure that environmental demands are balanced with the economic benefit afforded by recreational boating.

Although Cruising Boat Tourism does see fluctuations with the seasons, it does not cease out of season and the maintenance work that is carried out on the boat if it is laid up for any period also contributes to the economy. Many boaters continue to use their boat off season and some owners live aboard all year round. Cruising Boat Tourism is therefore also an important consideration in terms of out-of-season spend.

Barriers to Cruising Boat Tourism

One of the major challenges to Cruising Boat Tourism is the regulatory disincentives to move from one country to another. There might be very good reasons for neighbouring countries adopting different rules, however, very often obstacles to free movement are caused by nothing more than bureaucracy.

Although regulation of inland waterways has traditionally been a matter for the national and local governments of the areas through which waterways pass, the need to ensure that national and local rules are as consistent with each other as possible, to facilitate navigation by through traffic, has been recognised and a number of inter-governmental organisations have been created with this object in mind^c. However, the various sets of rules that have been developed are not designed with small Inland Cruising Boats^d or Cruising Boat Tourism in mind. As a consequence, different countries or regions apply different rules to recreational boats engaged in Cruising Boat Tourism and such boats could be required to comply with both the rules of the country in which they are registered and the rules of the country whose inland waters it is navigating as well as any local variations^e.

Although the EBA is supportive of EU harmonised legislation on recreational boat construction (e.g. the Recreational Craft Directive), the EBA believes that regulations relating to a recreational boat's equipment and manning should be the responsibility of the national Government of the country in which the boat is registered. The EBA recognises that some usage restrictions may be necessary at a regional or local level to accommodate local conditions, features and cultures, although the EBA believes that these should be kept to a minimum for visiting small Inland Cruising Boats. The EBA's position in this regard is entirely consistent with the EU subsidiarity principle.

Reduce Unnecessary Bureaucracy

Money spent by recreational boaters is discretionary, it is therefore particularly sensitive to legislation and/or regulations that impose unreasonable additional expense and the right conditions must be created to foster growth in the sector. Cruising Boat Tourism brings particularly high value, low impact tourism to often predominantly rural communities, stimulating the local hospitality, transport, construction and supporting trades.

The voyage itself is as much a part of the experience as the destinations and experiences ashore. Inland Cruising Boats visit places away from the routes used by commercial passenger boats – in fact many will choose such destinations as recreational boaters generally have an adventurous nature.

Very often obstacles to free movement of recreational boats (and Inland Cruising Boats in particular) are caused by nothing more than bureaucracy. The EBA considers it impractical to expect a small Inland Cruising Boat engaged in tourism (and not engaged in trade) to adjust its equipment, manning and practices to match differing legislation in each country or region it visits. In order to encourage both intra-EU tourism and to encourage recreational boats to visit from outside the EU, the EBA encourages the recognition of the laws of the boat's country of registration, rather than the imposition of the laws of the visited country, for visiting recreational boats.

^c The Central Commission for Navigation on the Rhine (CCNR) has its origins in the 1815 Congress of Vienna and the Danube Commission in the Paris Conferences of 1856 and since its formation in 1947 the UN Economic Commission for Europe has taken a keen interest in inland water transport and pan-European technical requirements for the construction of inland navigation vessels were first harmonized in 1975 with the adoption by UNECE of the Recommendations on Technical Requirements for Inland Navigation Vessels (Resolution No. 17). The EU adopted its own technical requirements for inland waterways vessels in 1982 and has, in conjunction with the CCNR (though the formation of CESNI), since developed European standards covering such technical requirements.

^d Inland Cruising Boats are recreational boats which are capable of voyages which involve navigating (conducting the vessel from one place to another) on inland waterways. Such recreational boats may have sail or motor propulsion and will normally have accommodation and domestic facilities on board.

^e This is particularly apparent on the River Rhine where the rules may be different to those in force in the rest of the country the river is passing through.

Although the EBA does not consider it necessary for other countries to impose their requirements for evidence of competence on visiting foreign-registered recreational boats (not engaged in trade), where evidence of the skipper's competence to operate the vessel is required the EBA strongly supports the use of the International Certificate for the Operation of a Pleasure Craft (commonly referred to as the ICC) created under Resolution 40 of the UN Economic Commission for Europe Inland Transport Committee^f. Adoption of this Resolution or a least recognition of certificates issued under this Resolution and held by other nationals would greatly ease the movement of recreational boats across borders, thereby promoting and enabling high value, low impact Cruising Boat Tourism.

The ICC should also be accepted as suitable evidence of competence for chartering vessels and mutual recognition of other essential documents for chartering such as VHF radio operator certificates should be the norm^g.

National Governments should encourage voluntary codes of conduct and the identification and promotion of best practice in the recreational boating sector before introducing any statutory or legislative measures to control activities. There are a number of projects and publications in the recreational sector aimed at promoting the sustainable development of boating and its associated facilities and these have met with a high level of support and compliance from both industry and users.

The EBA helped World Sailing (then the International Sailing Federation) produce voluntary environmental guidelines for recreational boats for adoption by the International Maritime Organisation (IMO) Marine Environment Protection Committee (MEPC). Such voluntary codes of conduct might be an appropriate way to tackle other significant differences in national legislation where it is not always physically possible, let alone practical, for a boat to comply with another country's legislation for the time that it may be visiting and contributing to the local economy.

Maintaining International Routes

The United Nations Economic Commission for Europe, Inland Transport Committee, Working Party on Inland Water Transport in its [Resolution No. 52](#)^h on a European Recreational Inland Navigation Network indicated its belief that public authorities can contribute significantly to the development of tourism by inland waterway through their engagement to the provision and maintenance of an appropriate recreational inland navigation network based on internationally agreed classifications and parameters, which it established in the Resolution.

The intent of Resolution No. 52 should be preserved and the importance of maintaining waterways which provide critical links in the network should be recognised. Furthermore the important safety role played by smaller routes which enable recreational boaters to avoid the main commercial waterways should be recognised.

^f UN Economic Commission for Europe Inland Transport Committee Working Party on Inland Water Transport Resolution 40 – International Certificate for Operators of Pleasure Craft. www.unece.org/trans/doc/finaldocs/sc3/TRANS-SC3-147e.pdf.

^g The process of harmonising the VHF Short Range Certificate (SRC) has been started by the CEPT/ERC/RC Recommendation 31-04.

^h <https://unece.org/DAM/trans/doc/2019/sc3/ECE-TRANS-SC3-164-Rev.2e.pdf>

The EBA Position on Cruising Boat Tourism on Inland Waterways

Recreational boating and Cruising Boat Tourism make an discretionary financial contribution which could be increased if unnecessary bureaucracy and expense were removed.

Recognition of the laws of the boat's country of registration, rather than the imposition of the laws of the visited country, for visiting recreational boats (not engaged in trade) is encouraged. Simplified procedures, with local rules and restrictions clearly published, would enable Cruising Boat Tourism and encourage boaters to venture further afield.

Adoption and/or formal recognition by member states of the International Certificate for the Operation of a Pleasure Craft (commonly referred to as the ICC) created under Resolution 40 of the UNECE Inland Transport Committee would greatly ease the movement of recreational boats across national borders.

The EBA supports the adoption and recognition of any initiative that facilitates unhampered movement of recreational boats. Cruising Boat Tourism should be encouraged, not hampered by regulation.

It is crucial to ensure that environmental demands are balanced with the economic benefit afforded by recreational boating.

The EBA will

- Encourage its members to recommend full adoption of Resolution 40 to their respective governments where they have not already done so.
- Work towards recognition of the ICC as a reasonable and appropriate certificate of competence for an operator regardless of Flag State.
- Work with its members to gather information on the regulations applicable to visiting foreign recreational boats and encourage the publication of this information on national Government web-sites.

The EBA will not support any proposal which seeks to impose unreasonable additional regulatory burdens or controls on recreational boaters not engaged in trade.

Notes

¹ **European Boating Association**

The European Boating Association, Europäischer Sportschiffahrtsverband, Association Européenne de Navigation de Plaisance, is a civil, not for profit association of recreational boat users' organisations, founded in 1982, and established as an Unincorporated Association whose members agree to be governed by its constitution. The EBA member organisations (see

<http://www.eba.eu.com/participantorgs>) collectively represent in excess of 1.5 million recreational boaters and an estimated 20 million active participants.

The purpose of the EBA is to represent the mutually agreed common interests of national recreational boat users' organisations in Europe, and in particular to:

- Coordinate and develop recreational boating activities in Europe by exchange of information, and action on matters of mutually agreed common interest.
- Promote the practice of all activities on the water, promoting and exchanging knowledge and experience between recreational boat users' organisations in Europe.
- Represent EBA members in environmental, regulatory and technical matters affecting their safe enjoyment of recreational boating activities on the water.
- Encourage the safe, unhampered and environmentally sustainable use of recreational boats on all European waters.
- Provide the link between the European institutions and EBA Members for consultation and information on proposed EU directives and regulations.
- Provide the link between other relevant global and regional organisations and EBA Members.

² Recreational Boating

The EBA is the European representative organisation for recreational boating.

There is no general consensus as to the terminology used to describe the types of boat used for "recreational boating", with expressions such as "recreational craft" or "private pleasure craft" being used to describe only subsets of such types of boat for the purposes of specific pieces of EU legislation. "Recreational boating" also includes the use of beach- or slipway-launched water toys such as wind surfers, sailing dinghies, inflatable boats and personal watercraft.

Boats used for "recreational boating" may be small or large, propelled by sail and/or power and used on inland waters and/or at sea. "Recreational boating" at sea can range from close-to-shore to trans-oceanic.

"Recreational boating" also includes the use of such boats privately owned and operated by the owner, hired (on bareboat or skippered charter) or used to provide a service (such as training or race participation).

In the context of this document, therefore, the EBA considers "recreational boating" to mean using boats that are designed or adapted for sport or leisure, whether propelled by sail and/or power, for the purposes for which they are designed or adapted.