
Economic and Social Council

Inland Transport Committee

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Working Party on the Transport of Dangerous Goods

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Joint Meeting of Experts on the Regulations annexed to the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN) (ADN Safety Committee)

Forty-first session

Geneva, 23-27 January 2023

Item 5 (b) of the provisional agenda

Proposals for amendments to the Regulations annexed to ADN: other proposals

Approval of Classification Societies

Transmitted by the Informal Group of Recommended ADN Classification Societies

Introduction

1. In document ECE/TRANS/WP.15/AC.2/2023/5 the delegations of Belgium and Luxembourg have proposed an amendment of paragraph 1.5.3 of ADN. The Group of the Recommended ADN Classification Societies would like to contribute to this discussion with this document.
2. It is considered necessary to bring to the ADN Safety Committee's attention the extremely regulated environment in which the Classification Societies are currently operating, in particular the members of the International Association of Classification Societies (IACS). Therefore, these classification societies are subject to recognition, agreements and certification granted by external bodies (European Commission, Flag Authorities, accredited certification bodies) based on standards EC 391/2009 Regulation, RO Code, IACS QSCS, which are all compliant with ISO 17020. Classification Societies are then submitted every year to several oversight programs implemented separately by several bodies (European Maritime Safety Agency (EMSA), Flag Authorities, accredited certification bodies) through performance of many external inspections and audits.

I. Analysis

3. The management system that the IACS Classification Societies have in place is based on both ISO 9001 and ISO17020, represents the standardised way under which these organisations work to deliver conformity assessment services to a product or a service to a client.
4. The IACS Classification Societies are granted by an Accredited Certification Body with an ISO 9001:2015 certificate and a Statement of Compliance showing compliance with IACS QSCS standard the referential of which is based on RO Code, ISO 9001:2015 and ISO 17020 standards.
5. Regarding the technical requirements related to the transport of dangerous good, national administrations are free to set in place specific requirements which may vary depending on the local context.
6. Inland navigation activities are carried out on national waterways and local national administration in charge of this activity are and should remain responsible to set in place the requirements that societies which perform this activity should perform. It seems important

that national administration may continue to set in place a flexible system of criteria adapted to the local context and bodies allowed to perform such conformity assessment services. It would be not acceptable that classification societies should fulfil requirements more stringent than those applicable to other bodies; in the opposite side would it be acceptable to force some of these other bodies to stop their activities due to the need to be granted with an accreditation?

7. It should be noted that Classification Societies are audited by accredited certification bodies with competent auditors while there is no identified accreditation body competent to audit Classification Societies on the scope of classification services.

8. This is relevant to question the real benefit behind an accreditation request while classification societies shall already fulfil ISO 17020 requirements as this is an existing ADN requirement.

9. It should be kept in mind that the ADN certificate is issued to inland waterways ships only on certain cases, and always after a CCNR or European Union (EU) certificate or similar has been issued. Following this approach, it would be difficult to understand why applying CCNR or EU requirements would not be sufficient for ADN. Instead, a deeper analysis of the requirements that have been found missing or that have been identified as non-compliant should be carried out, so that proper solutions can be proposed, agreed and implemented.

10. It is noted that the requirements for recognition of Classification Societies in the ADN and the EU Directive are similar. However, it seems that some questions raised in the document ECE/TRANS/WP.15/AC.2/2023/5 are already being answered in the EU Directive. It is agreed that, when applicable, specific references to ADN skills, expertise and knowledge should be referred to in the new ADN criteria.

11. With regards to the paragraph 1.15.3.8 of ADN, the ADN requirement differs from the EU Directive, as the latter recognises compliance with the EN ISO/IEC 17020, as interpreted by the IACS Quality System Certification Scheme (QSCS) requirements. This means that the Classification Societies members of IACS are complying with the ISO 17020 requirements, and the European Union recognises these as being sufficient to deliver the classification and statutory requirements. This compliance was already highlighted in the letter dated 23/12/2015 addressed by the IACS Quality Committee Chair to the Inland Transport Committee.

12. The IACS QSCS is including in its Annex 3 the applicable requirements for the Accredited Certification Bodies (ACB) to be approved to complete the audits to the Classification Societies on behalf of IACS. These ACB are signatory to the International Accreditation Forum (IAF) Multinational Recognition Agreement (MLA).

13. According to the information provided, it is concluded that the management system implemented by the IACS Classification Societies are complying with different International Standards and other applicable regulations, including the ISO 9001:2015 and the ISO 17020:2012 standards. These organisations are regularly evaluated across the globe by, amongst others, ACBs, EMSA, Flag Authorities etc.,. It is then unclear the benefit to add an additional accreditation to a Standard where compliance can be demonstrated.

II. Proposal

14. Considering all the above we recommend that, to ensure the recognised Classification Societies are complying with IWW requirements in general, and with ADN regulations in particular, the potential workstream is open:

- To review of QSCS requirements vs CCNR+EU+ADN requirements to identify any gap which, if any, should be included as a criterion under 1.15.3.
- Should the above review show a large gap to be fulfilled, to state the way to move forward in order to define the requirements that the Classification Societies should comply with to satisfy all inland waterway's stakeholders and fill this gap.

15. Apart from the above proposal it might be useful to consider that a dedicated agency would fulfil a similar role for IWW as EMSA has for seagoing ships. It is to be noted that the CCNR is also discussing the recognition of Classification Societies under item VI-22-6 of the CCNR working programme.

16. It might be a good moment to move ahead with this project. This agency will have the capacity to perform audits/inspections over the recognised Classification Societies and have a common understanding of performance, gaps, establish benchmarking etc.
