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Economic Commission for Europe**Inland Transport Committee****Working Party on the Transport of Dangerous Goods**

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)

Thirty-sixth session

Geneva, 27–31 January 2020

Item 4 (c) of the provisional agenda

Implementation of the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN): Interpretation of the Regulations annexed to ADN

Paragraphs 9.3.x.13.3 of ADN – Stability booklet**Transmitted by the Government of Germany* ******Introduction**

1. Germany has found differences between the wording of paragraphs 9.3.1.13.3, 9.3.2.13.3 and 9.3.3.13.3 of ADN in the German version, on the one hand, and the French and English versions, on the other. Unfortunately, it was not possible for the German delegation to check the Russian version.
2. At the twentieth session of the ADN Safety Committee, Germany submitted a new version of paragraphs 9.3.x.13.3 in document ECE/TRANS/WP.1/AC.2/2012/14 (ZKR/ADN/WP.15/AC.2/2012/14). In the documents submitted, the texts corresponded.
3. In annex I to the report of the twentieth session (ECE/TRANS/WP.15/AC.2/42), containing the amendments adopted, there are significant differences between the German version and the French and English versions. In the German version of the report, the text has been taken from the request for amendments contained in CCNR-ZKR/ADN/WP.1/AC.2/2012/14, but, in the French and English versions of the report, there are significant changes to the paragraph compared to text of document ECE/TRANS/WP.15/AC.2/2012/14.

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** In accordance with the programme of work of the Inland Transport Committee for 2018–2019 (ECE/TRANS/2018/21/Add.1 (9.3)).



I. Legal texts in the version of ADN currently in force

4. The differences between the German text and the French and English texts can be seen from the following table:

<p>Die Stabilitätsunterlagen mit diesem Nachweis und den durch die anerkannten Klassifikationsgesellschaft, die das Schiff klassifiziert hat, genehmigten Ladefällen sind in einem Stabilitätshandbuch zusammenzufassen.</p> <p>Wenn nicht alle Ladefälle und Ballastfälle konkret berücksichtigt wurden, muss zusätzlich ein von der anerkannten Klassifikationsgesellschaft, die das Schiff klassifiziert hat, genehmigter Ladungsrechner, der die Inhalte des Stabilitätshandbuches abbildet, installiert und genutzt werden.</p> <p><u>Translation:</u></p> <p>The stability documents with this proof and the loading cases approved by the recognised classification society which classified the vessel shall be compiled in a stability booklet.</p> <p>If not all loading and ballast cases have been concretely taken into consideration, a loading instrument approved by the recognised classification society which classified the vessel shall be used which contains the contents of the stability booklet.</p>	<p>La preuve d'une stabilité suffisante doit être démontrée dans le manuel de stabilité pour chaque condition d'opération, de chargement et de ballastage, et doit être approuvée par la société de classification pertinente qui classe le bateau.</p> <p>S'il n'est pas pratique de calculer à l'avance les conditions d'opération, de chargement et de ballastage, un instrument de chargement agréé par la société de classification reconnue qui classe le bateau, reprenant le contenu du manuel de stabilité, doit être installé et utilisé.</p>	<p>The proof of sufficient stability shall be shown for every operating, loading and ballast condition in the stability booklet, to be approved by the relevant classification society, which classes the vessel.</p> <p>If it is unpractical to pre-calculate the operating, loading and ballast conditions, a loading instrument approved by the recognised classification society which classes the vessel shall be installed and used which contains the contents of the stability booklet.</p>
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II. Assessment by the German delegation

5. The significant changes made to the legal text during the twentieth session, between submission of the request and the session report, can no longer be identified.

6. The German text – which agrees with the wording of the request in the original language in ZKR/ADN/WP.15/AC.2/2012/14 (ECE/TRANS/WP.15/AC.2/2012/14) – differs from the French and English texts adopted as follows:

(a) The first sentence does not include the terms “Betriebsfälle” (operating cases/conditions) or “Ballastfälle” (ballast cases/conditions).

(b) According to the first sentence, the loading cases/conditions considered (“berücksichtigten Ladefälle”) must be approved by the classification society; however, the wording in the French and English versions indicates that proof of stability must be demonstrated using the stability booklet.

(c) The second sentence does not include the term “Betriebsfälle” (operating cases/conditions).

(d) According to the second sentence, the loading cases/conditions (“Ladefälle”) and ballast cases/conditions (“Ballastfälle”) must only be taken into account (“berücksichtigt”), whereas in French and English, they should be calculated in advance (“im Voraus zu berechnen”).

7. In the opinion of Germany, these are not merely drafting or linguistic differences, but substantive discrepancies.

III. Request

8. Germany invites the Security Committee to address this problem and to align the language versions of paragraphs 9.3.1.13.3, 9.3.2.13.13 and 9.3.3.13.3 of ADN by means of either a retroactive correction (subject to a notification) or an amendment to take effect on 1 January 2021.
