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EXECUTIVE SUMMARY OF THE EVALUATION

Directive 2005/44/EC on harmonised river information services

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The Directive 2005/44/EC on harmonised river information services (RIS) on inland waterways in the Union establishes a framework for the deployment and use of harmonised, interoperable and open RIS. The Directive defines the general obligation of the Member States to ensure the development and implementation of river information services in an efficient, expandable and interoperable way. It currently applies to the 13 Member States that are part of the European interconnected network of waterways. The RIS Directive has been one of the main drivers of digitalisation in the inland waterway transport (IWT) sector through the introduction of information and communication technologies.

The purpose of the evaluation was to support any further decisions related to the development of the legislative framework in this policy area, including a possible revision of the current Directive. As fifteen years have passed since the Directive entered into force in 2005, it was considered time to assess how well the RIS Directive has performed relative to original expectations. The ex-post evaluation takes into account not only the Directive as such, but also the implementation process for the five Implementing Acts concerning guidelines and technical specifications for RIS, and how they have contributed to the overall achievement of the objectives of the Directive. The evaluation period spans from January 2005 to December 2018 and assesses the implementation of the Directive in 13 EU Member States and 2 non-EU countries.

The Directive's expected core benefits originate in cost savings for the IWT sector from a reduction in costs due to non-harmonised national RIS systems. The **effectiveness** findings therefore provide evidence on the extent of the actual regulatory fitness of the Directive and are relevant for future policy making and in the context of the European Commission's REFIT programme. The evaluation findings concerning the effectiveness of the Directive suggest that the degree of harmonisation differs between RIS technologies. According to the evidence, most harmonisation was achieved in type-approval of RIS equipment and electronic navigational charts, slightly less in data for navigation and planning and notices to skippers. The least harmonisation was achieved in electronic ship reporting, especially due to different reporting requirements in the Member States resulting in resubmissions of electronic reports. A highly positive harmonisation effect of the Directive was achieved through the implementation of tracking and tracing systems, even though this is not mandated by the Directive. The evidence showed as well that RIS technologies are not utilised to the same extent in all countries and river corridors. Despite the lack of full harmonisation and differences in use of RIS in countries, consulted stakeholders agreed that standardisation of RIS has been the strongest benefit brought about by the Directive. Not a single respondent from the public consultation believed that the EU properly implemented the monitoring of the setting up of RIS.

As regards the achievement of the **general objectives** of the Directive, the evidence is mixed. There is no robust evidence that the RIS Directive had an impact on the growth of the inland navigation sector or led to the optimised use of existing infrastructure. There are indications that it has promoted environmental protection through a decrease in fuel consumption, although the degree to which this is fully attributable to the RIS Directive is difficult to measure. Despite the absence of consistent accident data across the Member States, there is a clear perception among all stakeholder groups that the RIS Directive has contributed to the improved safety in inland navigation.

Concerning the evaluation findings on the **efficiency** of the RIS Directive, there is very limited evidence for the overall costs the Directive has entailed to establish interoperable, harmonised RIS. Most RIS authorities are unable to differentiate between the overall costs related to the implementation of the RIS Directive, let alone distinguish between costs associated with RIS as such. The very limited quantitative evidence could not be aggregated and generalised to the level of the RIS Directive. A qualitative assessment of the overall efficiency, based on evidence from the stakeholder consultations,

indicates that overall costs of the Directive are outweighed by the benefits accrued to the sector as a whole.

Evidence shows a clear potential for simplification and reduction of regulatory burden emerging from the slow update and adoption process of technical standards. There is an agreement among public and private stakeholders that the RIS Directive suffers from a lack of monitoring and slow implementation, as it takes too long for technical standards to be updated. Consequently, the sector permanently works with outdated standards. This imposes a cost on the sector that likely could be reduced through changes to the process. This finding on a potential for simplification is particularly relevant in the context of the European Commission's effort to enhance the regulatory fitness of EU law (REFIT programme).

The evaluation found that the **RIS Directive and its implementing acts are still relevant**. Evidence suggests that there has been a high degree of alignment between the objectives laid out in the Directive and the needs of the inland waterway transport sector. However, stakeholder consultations unveiled a paradigm shift for digitalisation in inland navigation. While the Directive primarily focuses on the safety of navigation, the sector now has a stronger need for improving its efficiency and establishing stronger links with other modes of transport. Green, smart and congestion-free transport and logistics are the key concepts for the whole transport sector, stipulated by the European Green Deal communication of the European Commission. The IWT sector needs to respond to these new needs and to adapt to the changes. Although guidelines and technical standards in the framework of the RIS Directive are still relevant and necessary, inefficiencies in their adoption process reduces their relevance.

The evaluation shows that the Directive and its Implementing Acts form a **consistent legal framework** for the achievement of the Directive's objectives. The main mechanisms of the Directive, namely the establishment of technical requirements, specifications and conditions for data communication and RIS equipment as well as the imposition of a minimum level of RIS services through the Implementing Regulations, are consistent and set forth logically. The RIS Directive shows a strong and successful effort to maintain consistency and guarantee adequate interaction between the Directive and other international legal requirements applicable to inland waterway transport. No external inconsistencies have been found between the Directive and the EU legislation in the areas of (a) inland waterway transport policy; (b) EU transport legislation; (c) other EU legislation in areas outside transport policy.

The rationale for **public intervention at EU level** through the RIS Directive is rooted in the cross-border, international character of the inland waterway transport sector. Evidence from the stakeholder consultations confirms that the RIS Directive is justified and relevant as a public intervention at EU level, in order to avoid fragmentation between different national RIS implementation approaches. There is strong agreement among stakeholders that the same benefits could not have been achieved by comparable interventions at the international, regional or national level. Standardisation and harmonisation quite clearly emerge as the main benefits brought about by the RIS Directive. Especially in the Danube region, a strong cohesion value of the RIS Directive could be observed, as the Directive had given countries the necessary impetus to cooperate and to invest in inland navigation. For all regions, the Directive's effect was amplified by that of European funding instruments, particularly by the TEN-T and CEF programmes.

The RIS Directive has a clear **EU added value**, even though it is difficult to quantify the findings due to the difficulty of attributing actual (observed) EU added value on the basis of evidence. Nonetheless, the findings confirm the positive perception that RIS users have of the Directive's EU-wide effects on the inland waterway transport sector. The most notable finding is the strong impulse provided towards

standardisation and harmonisation of river information services across Europe as a result of the common EU-wide technical standards introduced by the RIS Directive, and towards an increase in safety.