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Delegations will find attached document SWD(2026) 28 final.

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COMMISSION STAFF WORKING DOCUMENT
EXECUTIVE SUMMARY OF THE FITNESS CHECK

on market access in Inland Waterway Transport

{SEC(2026) 50 final} - {SWD(2026) 27 final}

1. Introduction

This fitness check covers seven legal acts¹ governing the access to EU's internal market for Inland Waterway Transport (IWT) and is based on stakeholder consultation activities, reviews of market observation reports and of evidence on implementation.

2. Expected outcome of the intervention

The legal acts in scope (Framework) aimed at transforming the IWT market into a single market. For the assessment they were categorized into two pillars. **Pillar 1 legislation**² aimed to liberalise pricing, remove market-restrictive practices, and address overcapacity. **Pillar 2 legislation**³ focused on equal market access across the EU and harmonise qualifications for carriers.

3. Conclusions

The Framework has been **effective** to a large extent.

Regarding **efficiency**, information gathered does not allow robust conclusions. Nevertheless, Member States administrations value the contribution of the Framework to competitiveness.

Coherence: the Framework is generally aligned with international agreements, while complexity in governance requires the launching of a formal coordination procedure⁴ in cases when legal acts of river commissions touch upon EU competence. The complexity also leads to temporary inconsistencies of certain rules. Terminology misalignment with the Professional Qualifications Directive was observed (knowledge-based vs competence-based approach). External consistency is maintained with the Combined Transport Directive and eFTI, while it could be improved vis-à-vis the TFEU as well as between different legal instruments in IWT, notably, Professional Qualifications Directive for crew. Finally, there is a lack of internal coherence of Pillar 2 legislation regarding passenger transport.

Stakeholders acknowledged the Framework's **EU value added:** high degree of harmonisation resulting in level playing field for enterprises, as well as non-discrimination. Legal form of Directive leaves room for diverging implementation.

The Framework was and still is **relevant** for delivering the EU Single Market and the common transport policy - maintaining those achievements imply its continued relevance.

As an overall conclusion, the legislation was found fit for purpose.

¹ - Regulation (EEC) No. 11/1960, as amended
- Council Directive 87/540/EEC,
- Council Regulation (EEC) No. 2919/85,
- Council Regulation (EEC) No. 3921/91,
- Council Regulation (EC) No. 1356/96,
- Council Regulation (EC) No. 718/1999, as amended,
- Council Directive 96/75/EC as amended.

² Council Regulation (EEC) No 11/1960, Council Directive 96/75/EC, and Council Regulation (EC) 718/1999.

³ Council Regulation (EEC) No 2919/85, Council Regulation (EEC) No 3921/91, Council Regulation (EC) No 1356/96, and Council Directive 87/540/EEC.

⁴ Art 218.9 TFEU

4. Lessons learned

Pillar 1 legislation

An outdated, and now obsolete, reference in Regulation (EEC) No 11/1960 to exempted goods⁵ could impair legal clarity. Reduction of administrative burden is underway with the implementation of eFTI Regulation from July 2027.

Pillar 2 legislation

There is no definition for ‘temporary’ in the cabotage legislation.

Introducing digital (vessel) documents could further improve efficiency and drive the sector towards paperless solutions. Consider opportunities for administrative simplification by rationalisation of certificates⁶, where possible.

Concerning implementation of Council Directive 87/540/EEC the assessment revealed a potential for simplification by introducing an EU-wide digital template of certificate of carriers. Its Annex (containing a list of knowledge requirements) could be updated and its coherence with the competence-based approach of the Professional Qualifications Directive for crew improved. Possibility to align scope of legal acts within in Pillar 2 (coverage of passenger transport carriers for the legislation of access to the occupation).

The monitoring system is weak, hindering efficiency analysis. Recommended to draw on synergies on monitoring and reporting requirements with other legislation and data collection methods.

⁵ Article 1 of Regulation (EEC) No 11/1960 contains a reference to Annexes I and III of the Treaty establishing the European Coal and Steel Community, which is obsolete.

⁶ E.g. instead of *Certificate of belonging to the Rhine navigation* including the relevant information on vessel ownership in the *Union inland navigation certificate*. Existing Regulations already allow this, if the *Union inland navigation certificate* and the registration certificate for a particular vessel are issued by the same state. A CESNI Working Group is currently examining the practicalities of such an approach