

EUROPEAID/131347/C/SER/MULTI

# **EU TRACECA CIVIL AVIATION II**

**Ref. Contract ENPI 2011/279-740** 

**INCEPTION REPORT** 

**April 2012** 



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A project implemented by Egis Avia in consortium with AVSEC/AMEC/DGAC/ECORYS/ENAC/UCA



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# **ACRONYMS**

V <i>YMS</i>	
ACI	Airports Council International
ANS	Air Navigation Services
ANSP	Air Navigation Services Provider
AOC	Air Operator Certificate
ATC	Air Traffic Control
ATCO	Air Traffic Controller
ATM	Air Transport Management
CA	Central Asia
CAA	Civil Aviation Authority
CNS	Communication Navigation Surveillance
DG MOVE	Directorate-General for Mobility and Transport
EASA	European Aviation Safety Agency
EASTI	European Aviation Security Training Institute
EC	European Commission
ECAA	European Common Aviation Area
ECAC	European Civil Aviation Conference
ENPI	European Neighbourhood and Partnership Instrument
ENV	Environment
ESARR	Eurocontrol Safety Regulatory Requirements
EU	European Union
FAB	Functional Airspace Block
FUA	Flexible Use of Airspace
IATA	International Air Transport Association
ICAO	International Civil Aviation Organisation
JAA	Joint Aviation Authorities
JAR	Joint Aviation Rules
KE	Key Expert (Long Term)
KOM	Kick Off Meeting
MAR	Market Access
MoT	Ministry of Transport
NS	National Secretariat
OJT	On the Job Training
PBN	Performance Based Navigation
PM	Project Manager
PMD	Progress Monitoring Document
QA	Quality Assurance
RTA	Resident Twinning Advisor
RVSM	Reduced Vertical Separation Minimum
SAF	Safety
SAR	Search And Rescue
SARPs	Standards And Recommended Procedures
SC	Steering Committee
SEC	Security
SES	Single European Sky
SESAR	Single European Sky ATM Research
SMS	Safety Management System
STE	Short Term Experts
TA	Technical Assistance
TC	Training Course
ToR	Terms of Reference
TRACECA	Transport Corridor Europe Caucasus Asia
To	Start date of the Project (3 February 2012)
USOAP	Universal Safety Oversight Audit Programme
WP	Work Package
WS	Workshop
WD	workshop



# 1 INTRODUCTION

The EU TRACECA Civil Aviation II Project is an initiative of the European Commission in the framework of the TRACECA Programme whose purpose is promoting optimal connection of the international transport TRACECA corridor into Pan European Corridors and Trans-European Networks (TEN-T), global EU strategy towards these countries and pursues primarily the purpose of facilitation of the flow of the merchandise.

This document is the Inception Report delivered in the frame of the "EU TRACECA Civil Aviation II" project according to the Terms of reference (chap. 7.1) and the General conditions of the Contract (art.26).

It is issued at the end of the "Assessment Phase" and it covers the period from 3<sup>rd</sup> of February 2012 (T0) to 3<sup>rd</sup> of April 2012 (T0+2).

#### The document includes:

- Section 1 is the present introduction.
- Section 2 provides an overview of the project, introduces consortium members, core team composition and proposes several modifications to the methodology and ToRs.
- Section 3 gives information on basic principles which are the foundations to conduct this Project, establishes ongoing monitoring and proposes indicators aimed at measuring the progress achieved towards the objectives of the Project. Chapter 3.2 is devoted to coordination with different stakeholders
- Section 4 is focused on brief analysis of the major problems and challenges in current aviation security, ATM, economic regulation and environment areas for each country, brief analysis of needs in capacity-building, including training needs.
- Section 5 provides a description of the draft action plan which is not limited to the purely implementing actions in the shape for instance of training or technical assistance, but also encompass management issues such as necessary coordination arrangements with other programmes.
- Section 6 details activities performed during inception period and displays in the table activities relate to the next period which end will match the issuing of the first interim progress report, i.e. from 03 Apr.2012 to 02 Aug.2012 (T0+2m T0+6m).
- Section 7 is a set of annexes which gather all significant documents (Minutes, Reports ...) issued by the Project Team during the covered period



# 2 PRESENTATION OF THE PROJECT

## 2.1 PROJECT SYNOPSIS

## **Project Name:**

TRACECA Civil Aviation II Reference EUROPEAID/131347/C/SER/MULTI Contract ENPI 2011/279-740

## **Beneficiary countries:**

- ENPI East Partners Armenia, Azerbaijan, Georgia, Moldova, Ukraine
- Central Asia TRACECA Kazakhstan, Kyrgyzstan, Tajikistan, Uzbekistan
- Indirect beneficiary countries Bulgaria, Romania, Turkey

# **Overall Objective:**

 Support the sustainable development of civil aviation in the beneficiary countries, harmonise regulations and working practices to comply with international standards (ICAO), international best practices and prepare for the implementation of international standards and EU regulations concerning security, ATM and the environment.

# **Specific Objectives:**

- To continue to acquaint aviation personnel (in the sectors of security, ATM and environment of the beneficiary countries) from the administration and from operators with the requirements of international and European conventions, resolutions and standards.
- To continue to provide aviation personnel (in the sectors of security, ATM and environment of the beneficiary countries) from the administration and from operators with *improved knowledge*, *skills and capacities in the relevant technical sectors*.
- To contribute to further development and strengthening of the administrative capacity of the civil aviation authorities of the beneficiary countries in their implementation of international and, where relevant, European security, ATM and environmental standards.
- To prepare the civil aviation authorities of the beneficiary countries for *closer relations* with (Central Asia) or *integration* (Caucasus, Moldova, Ukraine) *to Pan-European aviation structures*.
- To promote closer *regional cooperation between the aviation administrations of the beneficiary countries* to optimise the use of scarce resources.

# **Requested outputs:**

- Progress as regards regulatory approximation towards the EU aviation acquis for the ENPI countries;
- Contributing to the extension of the Common Aviation Area to the ENPI countries;
- Progress as regards security issues and ATM safety for the Central Asian countries.



#### **Activities:**

For production of the above outputs, the activities to be implemented are divided into the following Work Packages (WP), with each WP comprising a set of different sub work packages, as follows.

- WP 1: Assessment of TRACECA 1 achievements / needs analysis
- 1.1: Analysis of TRACECA 1 achievements / remaining needs
- 1.2: Preparation of questionnaires
- 1.3: Regional Opening Seminar
- 1.4: Inception report including a draft action plan
- WP 2: Support in the field of aviation security
- 2.1: Design of activities for security support
- 2.2: Training and Workshops
- 2.3: Technical Assistance
- WP 2bis: Support in the field of ATM
- 2bis.1: Design of activities for ATM support
- 2bis.2: Training and Workshops
- 2bis.3: Technical Assistance
- WP 3: Support related to European Common Aviation Area
- 3.1: Analysis of the current situation / gap analysis for each ENPI country
- 3.2: Training and Workshops on EU legislation
- 3.3: Roadmap towards the European Common Aviation Area
- 3.4: Technical Assistance
- 3.5: Coordination with EASA
- WP 4: Awareness, Communication and Visibility Programme

#### **Target Groups:**

The Project Partners are the Ministries of Transport and other state entities responsible for civil aviation. The target groups will include management, technical, operational and instructional personnel working in the safety, security, ATM and environmental areas of:

- The Civil Aviation Departments in the Ministries of Transport;
- The Civil Aviation Authorities or other Authorities;
- The Operational, technical and administrative departments of airports;
- The Operational, technical and administrative departments of airlines;
- The Instructional and administrative departments of those training centres, academies, schools etc. that are concerned with aviation disciplines.

**Project starting date:** 3 February 2012

**Project duration:** 36 months **Project main office:** Kiev, Ukraine





# 2.2 LOGICAL FRAME

	Description	Indicators	Source of verification	Assumptions
Overall objective	To support the sustainable development of civil aviation in the beneficiary countries, harmonise regulations and working practices to comply with International and European standards and practices.	Political commitment towards the establishment of the Roadmap for CAA compliance.  Progress of implementation of the Roadmap for CAA compliance for beneficiary country (ENPI East)  Improvement of the ICAO critical elements compliance degree (CA countries)  Increase/improvement of air traffic in the region	Government declaration or decree  Roadmap status, Project review (EC)  ICAO USOAP reports and follow-up reports  Traffic statistics: national figures, EUROCONTROL, IATA	Political stability in the region  Continuous support and willingness from the ENPI East and Central Asia countries
Purpose	A- To continue to acquaint aviation personnel from the administration and from operators with the requirements of international & European conventions, resolutions & standards.  B- To continue to provide aviation personnel from the administration and from operators with improved knowledge, skills and capacities in the relevant technical sectors.  C- To continue to further develop and strengthening the administrative capacity of the civil aviation	Number of training / workshops, study tours, technical assistance organised in the various fields of the project (ATM, market access, security, environment, other regulations)  Number of beneficiaries' representatives involved in the implementing activities  Number of website visits  Number of signed or projected CAA agreements with the EU  Number of signed or projected agreements between ENPI East	Project progress interim reports Final report Training reports Technical assistance reports Minutes of meeting Newsletters Press release Project, EC/EASA, NAA websites	Full commitment of the beneficiary countries  Availability of specialists  Willingness from each ENPI East countries to reach an agreement with the EU





	authorities of the beneficiary countries in their implementation of international and, where relevant, European security, ATM and environmental standards  D- To prepare the civil aviation authorities of the beneficiary countries for closer relations with (Central Asia) or integration (Caucasus, Moldova, Ukraine) to Pan-European aviation structures.  E- To promote closer regional cooperation between the aviation administrations of the beneficiary countries to optimise the use of scarce resources.			
Results	<ol> <li>Progress as regards regulatory approximation towards the EU aviation acquis for the ENPI countries</li> <li>Contributing to the extension of the Common Aviation Area to the ENPI countries</li> <li>Progress as regards security issues, particularly for the Central Asian countries</li> <li>Progress as regards ATM issues, particularly for the Central Asian countries</li> </ol>	Number of EU acquis provisions related to CAA agreements and decided to be adopted or adapted/being drafted or implemented/applicable in ENPI countries legal frameworks  Number of ICAO ATM-related provisions decided to be adopted or adapted/being drafted or implemented/applicable in ENPI countries legal frameworks  Number of ICAO security-related provisions decided to be adopted or adapted/being drafted or implemented/applicable in ENPI	EC & EASA audits  AVSEC/EC/ECAC audits  ICAO USOAP CAP  ICAO ATM training programs  Project progress interim reports  Final report	





	countries legal frameworks	
	Progress in revising/implementing National Security Programs	
	Progress in revising/implementing ICAO USOAP CAP &ATM training programs	

Activities	Description	Resources / Means	Budget	Assumptions
	WP0 Project management and coordination	Continuous phase of 36 months, estimated activity of 200 man-days of KE1/Team Leader, 40 of KE2, 40 of KE3.	Re: Financial proposal	
		Project office in Kiev		
		Egis Avia support facilities in Europe		
		Consortium regional partners facilities used as necessary		
	WP1 Inception Phase	Two months inception phase, estimation of 40 man-days of KE1/TL + 40 man-days for KE2 (SEC) + 40 man-days for KE3 (LEG) + 60 STEs man-days during the first two months of the project.		
	WP2 Support in the field of security	Continuous phase from T0 + 2 months to 36 months. Estimated inputs of 300 man-days from KE2, 50 man/days from TL and 100 man/days from STE.		Support and fruitful coordination from/with ICAO & ECAC
		Use of the above expertise to provide		





	technical assistance, training and organise workshops and study-tour  STE on-site technical assistance mission are foreseen	
WP2bis Support in the field of ATM	Continuous phase from T0 + 2 months to 36 months. Estimated inputs of 120 man-days from TL and 80 man/days from STE.	Support and fruitful coordination from/with ICAO & EASA
	STE on-site technical assistance mission are foreseen	
	Use of the above expertise to provide technical assistance, training and organise workshops and seminars.	
WP3 – Support related to Common Aviation Area		Support and fruitful coordination from/with EASA & ENPI Twinning programmes  Involvement of ENPI ministries/agencies dealing with the scope of non-aviation topics being part of the "other regulations" technical area
WP4 – Awareness, Communication & Visibility programme	mission are foreseen  Continuous phase from T0 + 2 months to 36 months. Estimated inputs 60 man-days from TL, 20 man days for KE2 and 20	





	man/days for KE3.	
	Use of the above expertise to set up and update the project website, newsletters and promotional tools with relevant documentation and information as needed.	
	Egis Avia support facilities in Europe.	
	Consortium regional partners facilities used as necessary	



# 2.3 MODIFICATIONS PROPOSED

The modifications listed below stem from the outcomes that came up during this inception phase. A rationale is given in each case to explain the reasons and further details can be found in the subchapters referenced in bracket.

#### 2.3.1 IN RELATION TO THE TERMS OF REFERENCE

#### In relation with the ToR

# • Addition of technical assistance and training activities related to the ATM technical area for Central Asia countries

Although it is not explicitly mentioned in ToR as one of the separate activities, discussions during the inception phase involving different stakeholders proved that such activities could become a part of the project, being a subject of agreement with EASA. They have therefore been taken into account in this inception report. This addition is considered as a component or work package "2bis" so that the numbering of the initial components expressed in the ToR remains unchanged. As the total amount of man-days has to remain equal despite this additional component, the split implies that man-days have been retrieved from the initial work package to feed the new one.

• Determination of the scope of the Project regarding ATM/ANS issues for ENPI countries. The Project has to deal with ATM/ANS issues but taking into account that all safety aspects are to be covered by EASA in the ENPI countries. It is therefore necessary to define what ATM/ANS items are going to be dealt with by EASA or the Project depending on their dependency with safety aspects. An analysis in this regard has been performed by the Project so as to split the items. This breakdown has been submitted to EASA for approval. The Draft Action Plan will retain the items assigned to the Project once approved (see 3.2.3).

## • Removal of coordination activities related with the twinning in Armenia

As far as it could be understood from the twinning fiche (i.e. ToR) of this project, its scope is fully safety-related. Besides, all safety-related aspects in the ENPI countries are dealt by EASA and in consequence do not fit within the scope of activities directly managed by the Project. So, coordination activities should therefore be directly conducted by EASA.

#### 2.3.2 IN RELATION TO OUR METHODOLOGY

## • Amendment of the log frame

The log frame has been reviewed and modify to make the indicators and sources of verification more precise. Man-days in the means per work-package have also been changed to take into account work package 2bis which has been inserted in the description of activities. Insertion of coordination issues has been also added as part of the assumptions of the activities.



# • Recalculation of the allocation of manpower resources

As the total amount of man-days has to remain equal despite the additional work package 2bis, the breakdown had to be modified by retrieving man-days of the KE1 and STEs previously allocated in other work packages in order to feed the additional one (see 2.5.2).

# • Reschedule of the Road Map and technical assistance to Georgia

According to our methodology, the Road Map for all ENPI countries (WP 3.3) has to be ready by T0+18m so that technical assistance activities (WP 3.4) could start then. However, it is understood through exchanges with the EC that the ECAA agreement signed by Georgia in Dec.2010 is applicable, irrespective of the ratification process. Therefore the Project will contribute to this process through TA to Georgia in order to become ready with the implementation of the acquis. For this reason, it is proposed to bring forward the scheduling of the Road Map for Georgia by around T0+6m so technical assistance could then start (see 5.2.4). The scheduling for the other countries remains unchanged and the lessons learnt from the previous experience with Georgia will be capitalized.

# • Preparation of a dissemination plan

Despite that the ToR mention that "a communication plan should be proposed (...)", this was not reflected in our methodology as part of the awareness, communication and visibility activities (WP 4). It is therefore proposed to issue a dissemination plan at T+2m which will indicate how it is planned to manage these activities. This communication plan is part of the inception report (see 5.2.5).

# • Modification of the newsletters frequency

According to our methodology, newsletters have to be issued every three months in the framework of WP 4. This frequency would imply added efforts focused on this activity that would not be productive. In the previous TRACECA 1 such frequency was set on a twice-yearly basis (every six months) and it was deemed to be an accurate rhythm with the information to be released. It is therefore proposed to set again this twice-yearly frequency.

## • Delivery of the questionnaires for the preparation of the Opening Seminar

According to our methodology, the questionnaires should have been delivered by T0+1m in the framework of the WP 1.2. Nevertheless, as these questionnaires are more relevant with contextual data, it has been agreed with the Contracting Authority (EU Delegation) to deliver them with the inception report. These questionnaires are included as an annex per technical area (see 7.1).



# 2.3.3 GENERAL SCOPE OF THE PROJECT FOR ENPI COUNTRIES

*	AREA/Topic	EU legal ref.	AM	ΑZ	GE	MD	UR
	MARKET ACCESS						
	Operation of air services (licensing)	Reg.1008/2008					
	Airport slot allocation	Reg.95/93 (as amended)					
	Ground handling market access	Dir.67/96					
_	Insurance requirements for air carriers	Reg.785/2004					
	Airport charges	Dir.12/2009					
	AIR TRAFFIC MANAGEMENT	212, 2003					
	SES creation framework	Reg.549/2004					
	Provisions of ANS in SES	Reg.550/2004					
	Airspace organisation and use in SES	Reg.551/2004					
	Interoperability	Reg.552/2004					
	Provisions of ANS (safety oversight/software/methods)	•	)				
	Flexible use of airspace	Reg.2150/2005	ĺ				
	Airspace classification	Reg.730/2006					
	Charging scheme for ANS	Reg.1794/2006					
-	Flight plans in the pre-flight phase for SES	Reg.1033/2006					
	Automatic systems for the exchange of flight data	Reg.1032/2006					
	Joint undertaking European ATM system (SESAR)	Reg.219/2007					
	Flight message transfer protocol	Reg.633/2007					
	Air ground voice channel spacing for SES	Reg.1265/2007					
	Safety oversight in ATM & amend Reg.2096/2005	Reg.1315/2007					
	Software safety assurance sys. & amend Reg.2096/2005	Reg.482/2008					
	Amend Reg.2096/2005	Reg.668/2008					
	Amend Reg.219/2007	Reg.1361/2008					
	Data link services for SES	Reg.29/2009					
	Amend Reg.1032/2006	Reg.30/2009					
	Coordinated allocation and use of Mode S interrogator	Reg.262/2009					
	Amend Reg.549-550-551-552/2004	Reg.1070/2009					
	Amend Reg 216/2008 for aerodromes/ATM/ANS	Reg.1108/2009					
	Quality of aeronautical data/information for SES	Reg.73/2010					
	Air traffic flow management	Reg.255/2010					
	Performance scheme for ANS & Amend Reg. 2096/2005	Reg.691/2010					
	Amend Reg.1033/2006	Reg.929/2010					
	Amend Reg.1794/2006	Reg.1191/2010					
	Information to be provided re FAB	Reg.176/2011					
	Amend Reg.633/2007	Reg.283/2011					
	Implementation ATM network & amend Reg.691/2010	Reg.677/2011					
	Detailed rules for ATCO licences/certificates	Reg.805/2011					
	AVIATION SECURITY						
	Common rules in the field of civil aviation security	Reg.300/2008					
	Suppl. Common rules of civil aviation security	Reg.272/2009 (as amended)					
	Derogation of standards and alternative measures	Reg.1254/2009					
	Amend Reg. 300/2008 (National Quality Control Progr.)	Reg.18/2010		<u> </u>			
	Conducting inspections	Reg.72/2010					
	Detailed measures of implementation	Reg.185/2010 (as amended)					
	ENVIRONMENT	D. 00/000-					
	Operation of aeroplanes - Chapter 3	Dir.93/2006					
	Noise-related operating restrictions	Dir.30/2002 (as amended)		<u> </u>			
	Assessment and management of environmental noise	Dir.49/2002					
	OTHER REGULATIONS (SOCIAL - CONSUMER PROTECTION	Dir.79/2000					
	Working time of mobile workers in civil aviation	•		$\vdash$			
	Working time	Dir.88/2003 Dir.314/90		<u> </u>			
_	Package travel/holiday/tour		ı			I	
	Package travel/holiday/tour	·					
	Processing of personal data	Dir.46/95					
	Processing of personal data Air carrier liability in the event of accidents	Dir.46/95 Reg.2027/97 (as amended)					
	Processing of personal data	Dir.46/95					



# 2.3.4 GENERAL SCOPE OF THE PROJECT FOR CENTRAL ASIA COUNTRIES

AREA/Topic	ICAO legal ref.	ΚZ	KY	TJ	UZ
SARPS For AIR TRAFFIC MANAGEMENT/ANS					
Personal Licensing	Annex 1				
Rules of the Air	Annex 2				
Meteorological Service for International Air Navigation	Annex 3				
Aeronautical Charts	Annex 4				
Aeronautical Telecommunications	Annex 10				
Air Traffic Services	Annex 11				
Search and Rescue	Annex 12				
Aeronautical Information Services	Annex 15				
AVIATION SECURITY					
Aviation Security	Annex 17				



# 2.4 CONTRACTING AUTHORITY AND RELATED STAKEHOLDERS

The **Contracting Authority** is the European Commission EuropeAid Development and Cooperation Directorate-General in Brussels.

The contract is managed on the Contracting Authority side by the EU Delegation to Ukraine:

Name	Function	Contact
Svitlana DIDKIVSKA	Task Manager Transport	T.:+380(44)3908010 ext.392
		@: svitlana.didkivska@eeas.europa.eu

Related to the management of the Project, the following **stakeholders** are closely associated to follow up of the project:

- ✓ The TRACECA National Secretary in each of the beneficiary countries
- ▼ The TRACECA General Secretariat in Baku
- ✓ The EU Delegations in each of the beneficiary countries, or EU representations when applicable (Europa House in Tashkent, EU representation in Dushanbe)

Related to the technical aspects of the Project, the following stakeholders with their respective scope are closely associated to follow up of the project:

✓ ICAO European and North Atlantic regional office Scope: ATM/ANS and Security in CA countries

**✓** ECAC

Scope: Security & Environment in ENPI & CA countries

- ✓ EASA, which is in charge of all safety-related aspects
  Scope: ATM/ANS-safety related issues in ENPI countries (CA countries to be confirmed)
- Eurocontrol

Scope: ATM/ANS-safety related issues in ENPI countries

More details with defined stakeholders are provided under the coordination chapter (see Ошибка! Источник ссылки не найден.).



# 2.5 CONTRACTOR

## 2.5.1 PRESENTATION OF THE CONSORTIUM

The Contractor is a consortium led by EGIS AVIA and composed the following members: ENAC, DGAC, UCA, AVSEC, ECORYS and AMEC. It has established its project office in Kiev.

The different companies of the consortium are displayed in the table below with their respective role and inputs.

Company	Role	Inputs
EGIS AVIA – France	Prime contractor	PM, KE1, KE3, Backstopping /support staff & STEs
AVSEC – United Kingdom	Co-contractor	KE2 & STEs
AMEC – United Kingdom	Co-contractor	STEs
UCA - Russia	Co-contractor	STEs
ECORYS – The Netherlands	Co-contractor	STEs
DGAC – France	Co-contractor	STEs
ENAC – France	Co-contractor	STEs

The Core Team is composed by three Key Experts: a Team Leader (KE1) on a full-time basis, a Civil Aviation Security Expert (KE2) and a Civil Aviation Legal Expert (KE3), both on a partial-time basis. A Project Manager (PM) is designated to deal with administrative and financial issues, as well as a Referent to take over backstopping and logistics issues.

Name	Function	Contact
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		M.: +33(0)6 17 98 39 48
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Peter COOPER	KE2 – Security Expert	T.: +44 7717 368 305
		M.: +38 099 484 06 14
		@: cooper105@btinternet.com
Jorg GUESNET	KE3 – Legal Expert	T.: +41 78 789 60 80
		M.: +38 095 433 53 47



		@: jguesnet@yahoo.fr
Olesya TATARNIKOVA	Referent	T.: +38 044 279 0134/6472
		@: traceca-aviation@ukr.net

The address of the office is:

TRACECA Civil Aviation
Office 19, 1 – 3/5 Pushkinskaya, Kiev, 01034, Ukraine

## 2.5.2 MANPOWER – ALLOCATION OF RESOURCES

In line with the ToR and as described in the methodology proposed, the three Key Experts composing the Core Team have together an amount of 1350 man-days (KE1:550 /KE2:400 /KE3:400) while the short term experts (STEs) are selected among the experts of the consortium, or subcontracted by its members, up to 500 man-days. A grand total of 1850 man-days are thus available within for the Project.

The allocation of the Key Experts short Term Experts and KE1 remains thus so far unchanged. Any further proposed change of this allocation in the future that would stem from an assessment impacting the workload will be submitted to the Contracting Authority.

The effort breakdown summary table below shows the current figures expressed in man-days.

Work Packages	KE1	KE2	KE3	STEs	TOTAL
WP 0: Project Management	200	40	40	0	280
WP 1: Assessment / Needs Analysis	40	40	40	60	180
WP 2: Support in Aviation Security	50	300	0	100	450
WP 2bis: Support in ATM/ANS in CA	120	0	0	80	200
WP 3: Support to ECAA in ENPI	80	0	300	260	640
WP 4: Awareness, Communication	60	20	20	0	100
GRAND TOTAL	550	400	400	500	1850

The distribution of tasks and responsibilities within the consortium, including the selection process of the STEs for onsite assistance, are addressed in the methodology.



# 3 MANAGEMENT OF THE PROJECT

## 3.1 BASIC PRINCIPLES

The basic principles which are the foundations to conduct this Project are the following.

# - Use of the Terms of Reference (ToR) as the basic document to work with

The ToRs accurately indicate the overall & specific objectives, the results to be achieved and the scope of the work.

The nature of Services to deliver during the Project is described (Technical assistance, Training, Communication).

## - Common understanding with the European Commission

The core team strives to reach and continuously maintain a common understanding through a constant dialogue with the appointed representatives of the European Commission.

The progress of the Project is to be constantly reported as well as monitored. Significant decisions are submitted to the European Commission.

## - Information and feed-back exchanges with the beneficiaries

Continuous contact and dialogue with the Beneficiary countries shall be maintained by the Core Team thanks to regular e-mails and phone calls related to the implementation of the Project and the organisation of missions, workshops, training, etc.

For example, in order to inform the countries about the Project and get their objectives, their requirements and their priorities as regards civil aviation, questionnaires have been sent to each country before the Opening Seminar. This exchange will serve as a preparatory base for the upcoming action plan.

# - Close cooperation with air transport stakeholders and European/International organisations

The Core Team is setting up a Steering Committee expected to meet twice a year. This Group shall comprise official representatives (coordinators from beneficiary countries, EU Member States and EC representatives).

The role of the Steering Committee is to supervise the Project, provide input and oversee the implementation of its activities.

#### - Flexibility introduced in the Project management

Whilst the main framework of the Project is fixed in the ToR, unforeseen situations may appear during the implementation of the Project from the local context, the project team, stakeholders, STE or the industry.



If the Project faces such internal or external difficulties during its implementation phase, changes might appear necessary and will be quickly proposed by the Team Leader and discussed with the European Commission.



# 3.2 COORDINATION

#### 3.2.1 TRACECA ORGANISATION

The TRACECA Permanent Secretariat and the TRACECA National Secretaries play an important coordination role and should liaise with the project beneficiaries and all the stakeholders at national level.

Team Leader participated in the regular Meeting of the Permanent Representatives (National Secretaries) of the Permanent Secretariat of the Intergovernmental Commission TRACECA held on 27 February 2012, in Brussels, the Kingdom of Belgium.

TRACECA National Secretary of Turkey highlighted at the meeting that Turkey is considered as one of the indirect beneficiary country and expressed its highest interest in Civil Aviation Project and therefore requested participation of its national exerts in the project activities.

The Project Team appreciates willingness of the TRACECA National Secretary of Turkey to participate in the civil aviation related activities. In response of this inquiry, the Project Team will strive to extend the scope of the capacity building activities to the indirect beneficiary country and involve Turkey in the regional training events which are foreseen under the work package 3. A formal invitation letters on regional seminars and training activities will be addressed to the TRACECA National Secretary of Turkey for consideration as well as the invitations for participating to the Steering Committee meetings. However, travel and accommodation expenses for participating in such above-mentioned activities will not be covered by project.

The other two indirect beneficiaries are Bulgaria and Romania. So far, they have not expressed any interest in the Project's activities. Nevertheless, we are considering to involve these countries to host one of the study tours.

The meeting held in Belgium adopted more than 10 recommendations with one of them, Recommendation 9, relating to the Project: "On implementation of a new Technical Assistance TRACECA Project for Civil Aviation Safety and Security". It addresses coordination aspects as follows:

"Having heard the information on the launch of the Technical Assistance EC TRACECA Project "Civil Aviation – II", the Meeting addressed to the MLA Parties with the request to provide every support possible to the project in implementing its activities, with coordination by the PS IGC TRACECA to achieve its purposes. The Meeting pointed at the necessity of active cooperation between the Project and the National Secretariats of the Parties for efficient fulfilment of the tasks and objectives of the Terms of Reference of TRACECA Civil Aviation Project – II. "

The Project will work closely with the TRACECA Permanent Secretariat in Baku and its representatives in the beneficiary countries. TRACECA Permanent Secretariat will help in coordinating the projects activities between the beneficiary countries and between the countries and the European Commission.



The scope of the project is extended to the other ministries and institutions beyond the area of responsibility of Civil Aviation Authority. The STE in "other regulations" technical area has experienced difficulties to obtain the relevant information from representatives of three ENPI East CAAs on non-specific aviation issues during the Regional Opening Seminar held in Kiev. Requests to TRACECA National Secretaries of the relevant ENPI East States have been raised for facilitating the establishment of contacts with the institutions concerned to get their feed-back regarding the questionnaire.

Two representatives of CAA Uzbekistan attended the Regional Opening Seminar. However, it is not clear yet whether Uzbekistan will join the Project. The Core Team is in a process of coordination with TRACECA National Secretary of Uzbekistan to set a high level meeting with CAA.

#### 3.2.2 ICAO / ECAC

Contact with ICAO EUR/NAT office has already been initiated and coordination has already started. A Regional Officer attended Opening seminar, held on 14<sup>th</sup> February in Kiev. The Project Director and Team Leader discussed security topics with the ICAO EUR/NAT office team composed of Director, Deputy Director, Implementation and Security Regional Officers.

# Security-related topics

The ENPI countries use ECAC Doc 30 (which is part of Reg. (EC) 300/2008) as the guide reference for the development and implementation of security measures whereas the Central Asian countries are bound by the requirements of ICAO Annex 17.

As a result of this a different approach is taken for each group and contact has been made with both ICAO and ECAC to harmonise the activities of the TRACECA project and ensure that there is no duplication of effort between the parties thus maximising the impact and ensuring financial efficiency.

The countries from TRACECA that are under the ECAC system – i.e. ENPI countries - are still coming to terms with the differences from ICAO that they face in relation to the auditing and regulatory process. In the previous TRACECA project there was a demonstrable need to run technical assistance missions to assist in the development of corrective action plans following an ECAC thematic security audit.

This was particularly relevant where administrations were also undergoing a restructuring procedure in other areas to comply with EU requirements. It is important that the TRACECA project maintains close operational links with ECAC. To assist in this objective the Team Leader went to the ECAC offices in Paris and presented the objectives of the project. Following this the key expert for security established a working relationship with ECAC and identified a focal point in the administration for ongoing liaison.

The project has been provided with a comprehensive list of training courses and technical assistance capabilities of ECAC. These will be considered when the work plan identifies areas to be covered.



The Central Asia countries fall under the umbrella of ICAO with regard to aviation security compliance. Although this is a regime they are familiar with, the numerous challenges that aviation security have been facing during recent years resulted in some problem areas that need to be addressed.

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It is important to understand that Annex 17 of ICAO is not as comprehensive document as ECAC Doc 30 is, and it needs to be used in tandem with the implementation procedures that are also issued by ICAO.

Prior to the collapse of the Soviet Union the adaptation of the requirements of Annex 17 were developed in Moscow but this situation has now changed and some of the beneficiary countries have to work hard to be able to deal with the need to implement strategic directives based on Annex 17. Efforts are being made by the TRACECA project to establish a working relationship with ICAO so as to ensure the best outcome for the beneficiary countries.

# ATM/ANS-related topics

The EU TRACECA Civil Aviation II Project is similar to the approach and objectives that ICAO follows in most of the CA countries, hence the relevancy to work in close coordination. The contractor acknowledges the fact that the capacity building activities to be performed through TRACECA Aviation Project must not duplicate the efforts carried out by ICAO. Therefore coordination between the TRACECA aviation project and ICAO EUR/NAT activities is highly desirable.

It is indeed relevant to discuss with ICAO several coordination aspects, strengthening the relationship with this organisation, establishing a contact for collaboration in training and obtaining their interaction with the ATM-related seminars and workshops to be held at ICAO regional office in Paris. At present stage the coordination allows to exchange information on current situation and expressed/identified needs country by country in CA region.

At further stage of the Project contacts exchange with the ICAO Regional Office officer can become useful taking into account ICAO ATM concerns and needs expressed by countries to implement ICAO USOAP CAP ATM/ANS-related actions in the Civil Aviation Authorities concerned. ICAO approved the principle that ATM auditors and instructors could be mobilised in the framework of the Technical assistance missions as well as in training sessions and workshops.

Communication will be maintained with ICAO EUR/NAT in order to progress in the mutual understanding and establish mechanisms of coordination in ATM domain. Project also considers possible participation of ICAO EUR/NAT ATM officers in Steering Committee Meetings. Nevertheless, this is feasible after coordination of ATM related activities and feedback exchange with EASA only.



#### 3.2.3 EASA

The EU launched two regional projects in aviation field for TRACECA countries in February - March 2012. One is the TRACECA Civil Aviation Safety/EASA project led by EASA in the area of safety and other one is the EU TRACECA Civil Aviation II project.

In the framework of the close coordination to develop between EASA-led project and TRACECA Civil Aviation project II in order to ensure the full coverage and consistency of the actions towards the beneficiaries, it has to be defined who will perform what regarding ATM topics.

The Project has worked on and proposed a possible split between the EASA-led project and the project in question for ATM related activities for ENPI countries, as displayed below

Regulation	Implementing body
549/2004 – Framework regulation	EASA or EU Traceca Project
550/2004 - Service provision regulation	EASA or EU Traceca Project
1034/2011 - Safety oversight	EASA
1035/2011 - Common Requirements	EASA
805/2011 – ATCO regulation	EASA
551/2004 – Airspace regulation & related IRs	EU Traceca Project
552/2004 – Interoperability regulation & related IRs	EU Traceca Project
1070/2009 – SES II - Performance Regulation	EU Traceca Project

On the other hand, the team of the project proposes to cover safety ATM for <u>Central Asian</u> countries.

For this area, the Project will bring the following advantages:

- Knowledge of the procedures and cultures for these ex-soviet countries;
- Availability of Russian speaking experts for these countries where English is rarely spoken;
- MAK and ICAO-based regulation.

It is the first time that such a level of coordination is raised. Therefore EASA has first to discuss internally on which principles it will base its involvement regarding ATM/ANS before clarifying the sharing the related tasks among EASA-led project and TRACECA Civil Aviation I project. It is nevertheless agreed that in the meantime the project will perform the needs assessment phase (WP1) including ATM/ANS and the further phases will be adjusted according to the clarified ATM/ANS scope EASA will take over. Hence Project's activities relating to ATM/ANS in CA countries (WP2bis) and to ATM/ANS in ENPI countries (part of WP3) are subject to EASA approval.



#### 3.2.4 GEORGIAN AVIATION TWINNING PROJECT

Information on this twinning can be found at: http://www.twinning-civil-aviation.ge/eng

This twinning involves Germany and Austria. It started in April 2011 and is scheduled to end 18 months later, i.e. October 2012.

The overall objective of this twinning is to harmonize Georgian regulations regarding safety issues concerning airworthiness, certification, licensing and ANS. As Georgia has recently concluded a special agreement with Eurocontrol on ANS this area is covered jointly by twinning project and Eurocontrol. Another topic in the scope of the twinning project is the implementation of Reg. 1008/2008 (licensing of air carriers). There is "potentially" – but yet not confirmed – implementation activities related to environment that could take place in the future.

If our proposal to start the technical activities at the earliest in Georgia – to match the EU expectation to implement as many as possible regulations in the frame of the Project - is approved, we will plan a visit to the representatives of the twinning project in Tbilisi – besides organising meetings with the Georgian Civil Aviation Authority – in May or June 2012. Our exchanges will allow us to prepare the Road Map for Georgia framing the implementation of the technical assistance taking into account the actions the twinning project is already dealing with. This document would be ready by August 2012.

#### 3.2.5 UKRANIAN AVIATION TWINNING PROJECT

Information on this twinning can be found at: www.twinning.com.ua/index.php?option=com content&task=view&id=1540&Itemid=398

This twinning project involves Sweden and Spain. It started in October 2011 and is scheduled to end 21 months later, i.e. August 2013.

The overall objective of the twinning project is to support the sustainable development of civil aviation in Ukraine, harmonise regulations and working practices to comply with international standards (ICAO), Eurocontrol Regulations and international best practices and prepare for the implementation of international standards and present and forthcoming EU regulations concerning airports, aerodromes and Air Traffic Management/Air Navigation Services (ATM/ANS).

The purpose of the twinning project is development of a regulatory framework compliant with the [anticipated] Common Aviation Area (CAA) agreement and institutional development including capacity building of the Civil Aviation Regulator, and other relevant institutions to enable aviation activities to be carried out in accordance with the International Civil Aviation Organisation (ICAO) Standards and Recommended Practices (SARPs), Eurocontrol Regulations and applicable and forthcoming Union Acquis.

This twinning project is to enhance institutional capacity of SAA in terms of implementing its rulemaking and oversight functions in the fields of certification of aerodromes and air traffic



management/ air navigation services, including repartition of rulemaking (MoI) and supervisory (SAA) responsibilities and tasks between SAA and the Ministry of Infrastructure.

In what relates to the scope of the current TRACECA Project in question, this twinning project covers three technical areas: market access, ATM/ANS and environment, with the focus being on the following topics.

Technical area	Main topics focussed	opics focussed Other topics focussed		
Market access	• Operations (licensing)	• Airport slot allocation		
	<ul> <li>Airport charges</li> </ul>	<ul> <li>Ground handling</li> </ul>		
ATM/ANS	• Certification	Charging scheme		
	<ul> <li>Oversight</li> </ul>	<ul> <li>Airspace organisation</li> </ul>		
Environment	To be determined	To be determined		

The approach adopted by the twinning project is a four-step one for each technical area considered: review of current situation/needs identification, study tours, OJT & practical support. Nevertheless, the schedule of activities is not simultaneous. For market access and environment, the study tour stage has already been performed and are to be performed in the near future whereas for ATM/ANS the twinning project is currently in process of undertaking the first stage of review of current situation/needs identification.

It has been agreed for coordination purposes and as a first action that the Resident Twinning Advisor will hand over to the core team the assessment reports already drafted regarding market access. This information will be helpful to feed the gap analysis for Ukraine to be completed at T0+6 months. The Project will on its side provide to the twinning project all deliverables interfering with the common scope, once they have been approved by the EU Delegation.

#### 3.2.6 ARMENIAN AVIATION TWINNING PROJECT

As far as it could be understood from the fiche (i.e. ToR) of this twinning project, its scope is fully safety-related. Besides, all safety-related aspects in the ENPI countries are dealt by EASA-led project and consequently do not fit within the scope of activities directly managed by the Project. So, coordination activities should therefore be directly conducted by EASA. An examination of the scope of the twinning project shows that there is no overlap in the activities which could influence the TRACECA Civil Aviation II project and therefore does not imply coordination of activities.

#### 3.2.7 EU TECHNICAL COOPERATION PROJECT IN MOLDOVA

The Project Team are aware that an EU funded Technical Cooperation Project in the area of aviation safety and security is currently proposed and the Terms of Reference are likely to be available in August 2012.

This will clearly impact on the EU TRACECA Civil Aviation II Project and when the contract is awarded the TRACECA Civil Aviation II project will need to ensure that the activities of both projects are harmonised.



# 3.2.8 OVERALL VIEW OF THE SCOPE OF COORDINATION

The table below shows the coordination in ENPI countries with EASA-led project , as well as the Georgian and Ukrainian twinning projects.

*	AREA/Topic	EU legal ref.	AM	ΑZ	GE	MD	UR
	MARKET ACCESS						
	Operation of air services (licensing)	Reg.1008/2008					
	Airport slot allocation	Reg.95/93 (as amended)					
	Ground handling market access	Dir.67/96					
	Insurance requirements for air carriers	Reg.785/2004					
	Airport charges	Dir.12/2009					
	AIR TRAFFIC MANAGEMENT						
	SES creation framework	Reg.549/2004					
	Provisions of ANS in SES	Reg.550/2004					
	Airspace organisation and use in SES	Reg.551/2004					
	Interoperability	Reg.552/2004					
		Reg.2096/2005 (as amended	)				
	Flexible use of airspace	Reg.2150/2005					
	Airspace classification	Reg.730/2006					
	Charging scheme for ANS	Reg.1794/2006					
	Flight plans in the pre-flight phase for SES	Reg.1033/2006					
	Automatic systems for the exchange of flight data	Reg.1032/2006					
	Joint undertaking European ATM system (SESAR)	Reg.219/2007					
	Flight message transfer protocol	Reg.633/2007					
	Air ground voice channel spacing for SES	Reg.1265/2007					
	Safety oversight in ATM & amend Reg.2096/2005	Reg.1315/2007					
	Software safety assurance sys. & amend Reg.2096/2005	Reg.482/2008					
	Amend Reg. 2096/2005	Reg.668/2008					
	Amend Reg.219/2007	Reg.1361/2008					
	Data link services for SES	Reg.29/2009					
		Reg.30/2009					
	Amend Reg.1032/2006	•					
	Coordinated allocation and use of Mode S interrogator	Reg.262/2009					
	Amend Reg.549-550-551-552/2004	Reg.1070/2009					
_	Amend Reg 216/2008 for aerodromes/ATM/ANS	Reg.1108/2009					
	Quality of aeronautical data/information for SES	Reg.73/2010					
	Air traffic flow management	Reg.255/2010					
	Performance scheme for ANS & Amend Reg. 2096/2005	Reg.691/2010					
	Amend Reg.1033/2006	Reg.929/2010					
	Amend Reg.1794/2006	Reg.1191/2010					
	Information to be provided re FAB	Reg.176/2011					
	Amend Reg.633/2007	Reg.283/2011					
	Implementation ATM network & amend Reg.691/2010	Reg.677/2011					
	Detailed rules for ATCO licences/certificates	Reg.805/2011					
	AVIATION SECURITY						
	Common rules in the field of civil aviation security	Reg.300/2008					
	Suppl. Common rules of civil aviation security	Reg.272/2009 (as amended)					
	Derogation of standards and alternative measures	Reg.1254/2009					
	Amend Reg.300/2008 (National Quality Control Progr.)	Reg.18/2010					
	Conducting inspections	Reg.72/2010					
	Detailed measures of implementation	Reg.185/2010 (as amended)					
	ENVIRONMENT						
	Operation of aeroplanes - Chapter 3	Dir.93/2006					
	Noise-related operating restrictions	Dir.30/2002 (as amended)					
	Assessment and management of environmental noise	Dir.49/2002					
	OTHER REGULATIONS (SOCIAL - CONSUMER PROTECTION)						
	Working time of mobile workers in civil aviation	Dir.79/2000					
	Working time	Dir.88/2003					
	Package travel/holiday/tour	Dir.314/90					
	Processing of personal data	Dir.46/95					
	Air carrier liability in the event of accidents	Reg.2027/97 (as amended)					
	Denied boarding, cancellation or long delay of flights	Reg.261/2004					
	Rights of disabled/reduced mobility persons	Reg.1107/2006					
	Code of conduct for computerised reservation systems	Reg.80/2009					
		5 ,	1	1			



KEYS:			
	Twinning with Ukraine		
	Twinning with Georgia		
	EASA scope (according to our		
	proposal of split regarding fully		
	safety-related reg.)		

#### 3.3 ONGOING MONITORING OF THE IMPLEMENTATION

#### 3.3.1 REPORTING

# **Progress Monitoring Document**

In order to report the progress achieved during the Project lifespan, a Progress Monitoring Document (PMD) has thus been developed during the Inception Period. The PMD constitutes a benchmark document to continuously monitor the progress made.

The PMD is thus a "living tool" which can be and/or detailed when necessary. The decision to issue a new version of the PMD is taken and validated by the Team Leader. It is then distributed to the Core Team and the members of the Consortium. Besides, it is sent to the European Commission for information.

#### Interim reports

The status of the Project will be presented to the Contracting Authority formally through the six-month interim reports split into a narrative and a financial section. The purpose of the narrative section is to:

- Reflect the part of work completed for each of the activities;
- Highlight any slippage in the scheduled completion dates for any activities together with an explanation of the reason for slippage and a proposed plan for mitigating its effects;
- Highlight all other potential risks to the completion of the Tasks on schedule;
- Propose the date of next meetings.

Regarding the financial section, individual monthly timesheets have to be filled by each expert involved in the Project and sent to the PM the last day of the applicable period. The PM fills a project monthly timesheet on the base of the received individual monthly timesheets. He also prepares the incidental expenditure report with the proof enclosed. All these documents are annexed to the corresponding interim reports sent to the European Commission



# Final report

The content of the final report, to be delivered at T0+36months is similar to the interim reports. Nevertheless, it will also stress on the general achievements during the whole Project lifespan besides the 6-month period considered. Recommendations for further actions to undertake will also be provided.

A prior draft final report will be prepared and delivered at T0+35months.

The evolution of these indicators will be reflected in the progress reports.

#### 3.3.2 RISK CONTROL

Informal control will be provided along the Project lifespan by continuous direct contacts between the European Commission Project Manager and the Team Leader of the Core Team. Continuous information on project progress will be therefore available to the Commission thus ensuring the possibility to detect and analyse deviations from project objectives, if any, and to initiate corrective actions if necessary.

Recognised problems and risks will be notified by the Team Leader to the Project Manager of the EU Delegation in writing together with proposed counter measures and vice versa. In the event of problems and risks which cannot be fixed between two consecutive interim reports, they will form a subject within the interim report following the date of recognition and will be discussed at the following progress or review meeting.

#### 3 3 3 MEETINGS

## **Steering Committee Meetings**

Steering Committee meetings should take place twice a year in line with the issuance of the interim reports so as to steer the Project most effectively in close coordination with the Contracting Authority and the Stakeholders.

The first of these Steering Committee meetings is planned to take place in Astana, Kazakhstan, in September 2012.

## **Progress Meetings**

The progress meetings are optional and scheduled if the Contracting Authority feels they are required. Their objective is to set out the state of progress of work already completed and, where appropriate, to change the subsequent course of the work in the light of the results achieved.

Their purpose is to enable the contracting parties to discuss any matter related to the Project, such as important issues, achievements and suggestions made by the Delegation following the submission of either an interim report and/or the final report.



# Agenda & Minutes

The Core Team provides an agenda for all formal meetings at least five days before the date. Important meetings held and attended by at least one member of the Core Team are followed up by minutes. A draft is sent to the attendees within a week following the meeting so as to get their comments, feed-back and approval. A final version is then released with copy to the representatives of the Contracting Authority.

The minutes have always the same format with a list of the attendees, the matters and findings discussed as well as a table showing the further agreed actions to be undertaken.



# 4 ANALYSIS OF THE CURRENT SITUATION

#### 4.1 INITIAL FINDINGS

The initial findings may be divided according to the split of technical areas adopted in the annexes of the Common Aviation Area: Safety: Market Access, Air Traffic Management, Security, Environment, and Other Regulations which include Social Aspects and Consumer Protection.

#### 4.1.1 MARKET ACCESS (ENPI Countries)

#### • Operation of air services

- All the ENPI countries are applying the "traditional" approach of delivering operating permits to air carriers on specified markets or routes (either for domestic markets or within bilateral air service agreements). These requirements are linked to the AOC of the air carriers.
- There are no similar financial conditions for granting and validity of an operating licence by the competent authority as reflected in the articles 5 and 8 of the Regulation (EC) 1008/2008.
- Ukraine performs an appraisal of the economic and financial situation of an air carrier applying for an AOC but there are no follow-up actions such as continuous oversight/monitoring in this matter.
- The other ENPI countries do not have financial requirements for air carriers applying for, or already holding an AOC.

#### • Allocation of airport slots

- Except for the case of Kiev Borispol Airport (which is coordinated, with a further planned step of having an independent coordinator), the remaining airports in ENPI countries do not have capacity constraints.
- There is nevertheless an original slot allocation process in Baku based on a rule published in the AIP stating that slots not used during one month are withdrawn.

#### Access to the ground handling market

- Except in the case of Moldova where there is one state-owned operator (plus the national carrier), ground handling activities in the ENPI countries need a permit based on technical skills but there is no regulation aiming at preventing monopoly situations and organizing fair and transparent competition.
- Nevertheless, Ukraine through its newly adopted Air Code (art.78) states that airport operators shall grant equal conditions of use to entities carrying out activities in their respective airport.



## • Insurance requirements for air carriers and aircraft operators

- In the case of Ukraine, the main difference applies to damages to third parties in case of an accident. For other risks, the minimum amounts insured are based on Montreal Convention liability of carriers.
- For Armenia, the minimum requirements are different whereas in Moldova the requirements are based on the Montreal Convention.

# • Airport charges

- The existing charging system in the main airports of Moldova, Georgia and Armenia are linked with concession, BOT or loan contracts, and therefore not with at regulatory level.
- Ukraine has established in the newly adopted Air Code provision regarding airport charges; however, EU principles on differentiation and independent supervision authority are not in application.

#### 4.1.2 AIR TRAFFIC MANAGEMENT (ENPI & CA Countries)

#### **For ENPI countries**

#### • Framework regulation

- All the ENPI countries have started implementation of Single European Sky regulations, most of them started with ANSP certification process.
- Today, in all beneficiary countries this process is not compliant with EU regulations and based on national regulations. For some of them Eurocontrol ESARRs are the bases of the national regulation.
- The most technical areas of SES such as interoperability, risk assessment and mitigation, approvals, airspace and FAB, ANSP performance monitoring have not yet been implemented by CAA.
- The beneficiary countries expressed their needs mostly in the "known" fields (certification and licensing), where they have started implementation process but still need some practical support.
- For more technical subjects such as interoperability or risk assessment, activities should start from general training on the regulations and concepts to more dedicated training.



## • Service provision and certification

- The certification process is in place in Armenia and the ANSP is required to fulfill ESARR/3 requirements. The level of resources in the CAA dedicated to ATM seems low
- Apart from the certification processes, the SES regulations are not today integrated in Armenian civil aviation regulatory framework.
- The Civil Aviation Authority of Azerbaijan have already commenced a programme to bring their National regulations in line with the EU safety regulatory framework, however not all the EU requirements are in the current work programme.
- Georgian CAA has established certification process and the ANSP is required to fulfill national regulations that are partially compliant to EU regulations. A gap analysis is ongoing on that subject. Apart from the certification processes, the other SES regulations are not yet implemented.
- CAA of Moldova requires certification of ANSP in conformity with EC requirement (1034/2011 regulation). The processes in place in the CAA have to be evaluated to see if they are compliant with 1035/2011 (ESARR/1). Apart from the certification processes, the SES regulations are not implemented.
- CAA Ukraine is currently engaged in the EU twinning project with Sweden and Spain. In the twinning project, Sweden is responsible for the ATM part of the EU regulations.
- TRACECA project will act if needed and on a coordinated basis with EU and the Swedish RTA as a supporting tool to the twining project. As far as the twinning project has just started, it is now too early to define any training needs and technical assistance.

#### • Airspace regulation

- In all ENPI counties, a formal agreement between civil aviation authority and military organisation regarding airspace management is signed.
- VFR Flights are authorised in the airspace above FL 195 up to and including FL 285 by the responsible ATS unit in accordance with procedures established and published by all ENPI counties in the their relevant aeronautical information publications.

# • Interoperability regulation

- All ENPI counties admitted to have a very limited knowledge on the interoperability principles and regulations, and need an extensive explanation on this topic.

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#### Single European Sky package II

- All ENPI counties indicated that they had no or very few knowledge on SES II regulations, especially regarding the new concepts of performance monitoring of ANSP performance.
- No performance programme at the level of the state regarding monitoring of ANSPs performance is implemented.
- No performance indicators at the level of the authority regarding ANS providers are identified.

## **For CA countries**

#### • Primary aviation legislation

- All Civil Aviation Authorities in Central Asia beneficiary counties have promulgated primary aviation legislation that applies to the current situation in the States. The set of legal basis seem to exist and the necessary regulations have been adopted to implement the ICAO standards.
- This legislative framework entails the development and promulgation of civil aviation regulations consistent with the State's acceptance of the provisions of the ATM related Annexes to the Chicago Convention. Primary legislation contains provisions for the establishment of a civil aviation entity, namely a Civil Aviation Authority and the appointment of Accountable Executive. This legislative framework also addresses the powers to ensure compliance with these provisions.

#### • Operating regulations

- CAA's responsibility under the legal framework includes, *inter alia*, development of technical regulations for licensing of ATC personnel; the supervision of licensed personnel, the provision of and supervision of air navigation services (inclusive of meteorological services, aeronautical telecommunications, search and rescue services, charts and the distribution of aeronautical information); and the conduct of aircraft accident and incident investigation.
- Maturity level of national regulatory provisions naturally varies from State to State. Amendments to existing regulations and orders are carried out more quickly in some States than in others.
- Civil Aviation Authorities in Central Asia beneficiary counties have promulgated national regulations in the ATM area, based on the provisions of the ANS-related Annexes to the Chicago Convention, *inter alia*:
  - Annex 1—Personal Licensing
  - Annex 2 Rules of the Air
  - Annex 3 Meteorological Service for International Air Navigation
  - Annex 4 Aeronautical Charts
  - Annex 10 Aeronautical Telecommunications
  - Annex 11 Air Traffic Services



- Annex 12 Search and Rescue
- Annex 15 Aeronautical Information Services

#### • ATM safety oversight function

- The concept of inspectorate to carry out safety oversight of the service providers is relatively new. States are in a process of establishing an organizational structure for an ANS inspectorate with clearly defined lines of accountability and responsibility. Beneficiary Sates in CA are establishing and implementing mechanism to oversee, in an objective manner, the provision of ANS.
- In general, States have to employ a sufficient number of qualified ANS inspectorate staff to carry out their safety oversight tasks and regulatory functions. Responsibilities and functions of the ANS inspectors have to be defined and job descriptions still need to be modified. Furthermore, the CAAs of Central Asian States are not a competitive employer due to the significant differences between its salaries and those offered by the industry and service providers.
- The Kyrgyz Republic has delegated to the CIS Interstate Aviation Committee (MAK) the responsibility for the aircraft type certification, accident investigations, and for the certification of training and medical centers.
- In the Republic of Tajikistan Civil Aviation duties are split between several entities:
  - The Civil Aviation Authority of the Ministry of Transport dealing mainly with regulation purposes and staffed with 20 people.
  - The Civil Aviation Department of the State Agency in charge of safety oversight and staffed with 6 people.
  - A third entity has been recently created as part of the State Agency, it is supposed to issue and renew certificates in all transport domains.
- Certification and surveillance responsibilities and functions in the Republic of Kazakhstan are shared between Civil Aviation Committee and Flight Safety Assessment Center.
- Based on the feedback provided by inspectors from the CAAs of the beneficiary countries, there is a functional separation between Air Navigation Service Provider and Regulatory Authority or Supervisory Authority in all CA beneficiary countries, except in Uzbekistan.

## • ATM inspectorate staff qualification and training

- With respect to ANS, some States have already established minimum qualification and experience requirements for ANS inspectorate staff or the entity responsible for carrying out safety oversight of ANS providers.
- However, States have not yet developed and implemented a formal training programme and a periodic training plan detailing and prioritizing the type of training to be given to ANS inspectorate staff. With respect to ATM, PANS-OPS, cartographic inspectors, SMS/SSP, States need to implement appropriate training programmes and develop requirements for staff to satisfactorily complete OJT prior to exercising assigned tasks and responsibilities.



- Training records for ANS inspectors are not systematically maintained in a manner that provides for the effective evaluation of an individual's competency and training needs.

#### • Technical guidance, tools and the provision of safety critical information

- With regard to ANS, the need for the development/modification of a manual/handbook incorporating applicable procedures for all functional areas to be covered within the framework of its safety oversight system for ANS inspectorate staff has been recognized. Some beneficiary states have yet to ensure that the latest version of applicable documents is readily available to all ANS inspectors.
- As by end of 2012 the Civil Aviation Committee of Kazakhstan committed to deliver OJT training, develop ANS Inspection Manual and AIS Handbook to ensure safety related policy and procedure in the fields of ATS, PANS-OPS, AIS, MAP and CNS.
- Civil Aviation Authority of Kyrgyzstan established a plan for training of PANS-OPS, AIS and aeronautical charts inspectors in safety oversight and provide them OJT with qualified inspectors. CAA will update and approve the appropriate inspector's check-list by beginning of 2012.

## • Licensing, certification, authorisation and/or approvals in ATM

- One of the common findings in the ANS area is the need for the establishment of State Safety programme by the ATS regulatory authority, including a requirement for the ATS providers to implement an ATS SMS which is acceptable to the States. The establishment of requirements, policies, regulations and guidelines, the definition of acceptable levels of safety, and the identification of resources to support the implementation of the programme have not been addressed by any CA beneficiary country. Likewise, States have not established a properly organized quality system containing the procedures, processes and resources necessary to implement quality management at each function stage in the provision of AIS.
- In the framework of TRACECA 1 CAA of Kyrgyz Republic have requested assistance on the establishment of its Aviation State Safety Programme. The mission supported performance of the GAP analysis identifying existing elements and those to be developed as required for the establishment of a State Safety Programme in compliance with the ICAO Standards.
- In the field of licensing, the regulation is using ICAO Annex 1. ATCO initial licensing delivery is based on the fulfilment by the candidate of the regulatory requirements. This check is based the documents issued by the approved training institutes, flight academies or medical institutes. The language proficiency requirements have been included in regulation and published in the Official Journal in April 2011.
- Civil Aviation Authorities of CA beneficiary Sates are responsible for the oversight of relevant ANSPs and airports, which provide independent aerodrome ATC services, but there is currently no certification requirement. It also oversees the meteorological services provided by a State Agency.



#### • ATM surveillance obligations

- In the field of air navigation services, the CA Beneficiary CAAs have developed an inspection programme for ensuring continuing surveillance of the ANS provider. The frequency of programmed inspections depends on the capacity of each ANSP. However, it does not always include the oversight of PANS-OPS, charts and AIS.
- With respect to personnel licensing, the renewal of a license is performed by the CAA inspectorate following the established procedures, after review of the license holder's file. All relevant data, including proficiency in English for the relevant flight and air traffic control (ATC) personnel, are added to the file.
- Approved training organizations are subject to a monitoring process with inspections at least once per year before the renewal of the certificate.
- Flight inspection of navigation aids is contracted to a foreign flight inspection service provider and carried out in accordance with ICAO criteria and guidance material (Doc 8071 Manual on Testing of Radio Navigation Aids). The ANS provider has established a programme for flight inspection and keeps all necessary records on the outcome of the inspections.

## • Resolution of ATM safety concerns

- Maturity level of resolution of safety concerns in the field of air navigation services naturally varies from State to State. Not all Civil Aviation Authorities of beneficiary Sates in Central Asia have implemented procedures to request the ANS provider to correct identified deficiencies. At the end of the period allowed for rectification, additional inspections are carried out. However, although the Air Navigation Division keeps records of the inspections, there is no clear system to ensure the consistent tracking of deficiencies. In the event that enforcement action becomes necessary, the inspectors may communicate the situation to the Director of the CAA, who is empowered to take administrative action on civil aviation providers, if needed.
- With respect to personnel licensing, a procedure is implemented by the CAA for dealing with deficiencies identified during inspections, exams, tests, or the renewal of a ATC license.

#### 4.1.3 SECURITY (ENPI & CA Countries)

#### **For ENPI countries**

#### • EU Security Regulations

- There is an identifiable need for a more detailed knowledge of the EU standards applicable to aviation security.
- Some beneficiary countries need to further develop the National Aviation Security Programme and the legal framework surrounding it.
- The role of Aviation Security Inspectors and the ability to apply 'stepped' compliance measures should be reinforced.



- Quality control measures do exist within the security field but some countries would benefit from assistance in developing the programme.
- Some of the beneficiary countries have recently installed and are using body scanner X ray systems and whilst the practical installation and use of the devices presented few problems the development of operating protocols that dealt with privacy, human rights and religious beliefs were a challenge.
- Currently there is no protocol in Doc 30 covering the introduction of such devices and as more countries adopt them it will be necessary for the project to provide technical assistance in this area.
- The ability to respond to an ICAO or ECAC thematic security audit by the timely production of a corrective action plan is an area where some countries would benefit from assistance especially where restructuring of the CAA has resulted in new managerial level staff being in place.

## • Cargo Regulations

- This is probably the biggest challenge all the countries will have to deal with in the next 18 months to ensure compliance with new EU regulations.
- None of the countries use the Regulated/Known Consignor system for cargo security and instead have a policy of 100% screening and treat all cargo as 'unknown'. This can sometimes be difficult to achieve when dealing with cargo that does not easily lend itself to x ray screening especially as the 24 hour 'hold' procedure is no longer approved.
- The proposal to deal with this issue is to organise a regional seminar outlining the new EU requirements and their dates of implementation and an update on the latest screening methods available and how to introduce and approve a Regulated/Known consignor scheme.
- For a country that has never had a consignor system the introduction procedure is a complicated issue and a totally new concept which will require new regulations and procedures to be added to the National Aviation Security Programme.

#### • Contingency Planning

- It is an ICAO requirement that all member states develop a National Contingency Plan.
- Not all of the countries have sufficiently detailed plans in place and developing them can be time consuming due to the fact that they often involve the need for the involvement of other agencies and Ministries in the event of the plan being activated.
- There is also a requirement that contingency plans should be tested and crisis exercises carried out on a regular basis and this is not the case in some of the beneficiary countries.
- This issue could best be dealt with by targeted On Job Training missions to countries where it has been identified as being needed.



## • Security Training

- There is a need to develop the technical knowledge of security instructors and put in place procedures to ensure they remain current with the latest developments.
- The development of National or Regional security training centers by some of the beneficiary countries is likely to be the most effective avenue for TRACECA to assist.
- The concept of Computer Based Training (CBT) and it's use as an approval tool for training is not widely adopted by the member states who would benefit from an input in this area.
- The recent development of 'Cyber Threat' to security and airport operations is now beginning to manifest itself and there is a demonstrable need for training in this area.
- This will become even more critical as Advance Passenger Information Systems (APIS) are mandated by more countries.

#### For CA countries

#### • Introduction

- The objective is to assess the level of compliance of central Asian countries with ICAO Annex 17 and recommendations from the ICAO Security manual to assist in formulating the inception report by identifying the need for training and technical assistance.
- The assessment was conducted within the provisions of the terms of reference.
- The format of the assessment was a round table discussion with the representatives. The discussion was based on a questionnaire that was distributed prior to the event. The discussions were limited to one hour and were conducted with an interpreter.
- The countries participating from the CAC's were Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan.
- Security is a sensitive subject for any country to discuss.
- At times it was clear that some delegates were not comfortable answering questions. In one case, this made it very difficult to form any assessment.
- All countries are satisfied that they are complying with Annex 17 however technical issues from the Security manual were discussed, and this highlighted that there was a general knowledge gap in the countries and a reliance on former instruction.
- There is a need at strategic level to be more comfortable in implementing directives into the National Security Programme without staff feeling that they are working in a 'blame culture' environment.
- All states were members of the MAC agreement and when questioned on audit findings there was a lack of detail given. This means that the assessment in this



report is limited to the responses given by the delegates and the information obtained from the findings of the TRACECA 1 project.

- There was a degree of openness when discussing the assistance of TRACECA. There were some requests for specific help. Much of the requested help came from more than one country..
- This indicates that if those were valid requests then assistance could be delivered regionally with the opportunity to build cooperation amongst the countries.

#### • Security Regulations

- There is a general need for a more detailed understanding of the requirements of ICAO Annex 17 particularly where there is a need to implement new regulations that have to be introduced into The National Aviation Security Programme.
- As the operators from the Central Asian countries expand their operations into the EU it will be incumbent on the Civil Aviation Authorities to remain up to date on the requirements placed on them by the EU and ensure that directives are issued.
- Some of these issues are the result of regulatory framework problems whilst others have difficulty in complying due to financial constraints.
- The enforcement powers of security inspectors in some areas are hampered by their lack of authority and independence and the need to sometimes involve central Government agencies which prevents immediate enforcement when it is required.
- The development of National Aviation Security Programmes continues to be an area where improvement is necessary, the primary cause is the lack of staff skilled in such work and the administrative procedures surrounding the need for it to be legislated.
- The lack of sufficient security auditors in the region is likely to continue to see these countries subject of 'findings' when thematic security audits are carried out by ICAO.

#### • Cargo Regulations

- The situation regarding cargo regulations for the Central Asian countries is identical to that outlined for the ENPI countries.
- However the implication for the Central Asian countries is more serious due to the fact that they are all landlocked countries and some of them have vast geographical areas and large freighter operations to compensate for this.
- This is an area where TRACECA can have a big impact and the fact that the needs of all the countries are virtually identical mean that the work can be conducted on a regional basis.

#### • Contingency Planning

- This is an area where all the countries have scope for improvement to ensure that contingency plans at a national level comply with international standards.



- Crisis management plans need to be realistic and achievable based on the facilities available in each country and to validate them it is necessary to run test exercises which currently are not happening.
- An analysis is currently being conducted by the core team key expert to identify if this area would best be dealt by way of a study tour or a 'table top' regional seminar.

#### • Security Training

- Historically the security training in the region has been allocated to ICAO approved training centres in Kiev or Moscow but this has to be considered in the context that the cost implications of this sometimes hamper the number of staff some countries are able to train.
- There is also a regional training facility in Almaty.
- It would be cost effective for the countries to develop in house training capabilities especially in relation to ground security awareness training (GSAT) and any refresher training that is mandated on a 12 month basis.
- The use of computer based training should be considered and legislation amended to allow for it to be used as a certification tool.
- The implications and need for 'cyber threat' training and expertise for the Central Asian countries are identical to those of the ENPI countries.

#### 4.1.4 ENVIRONMENT (ENPI Countries)

#### • General findings

- No beneficiary country has legislation/policy that currently exists which ensures adherence with the EU acquis.
- However, in some countries efforts have been made to manage noise including by regulating noise from aircraft but not to the standard required by the EU.
- There is generally a lack of suitably qualified resources in country and often there is no senior person or role with responsibility for dealing with environmental issues.
- Often there is lack of senior level political support for environmental issues in aviation. It is in particular the case of Ukraine which is most advanced of the beneficiary countries but suffers from a lack of senior level political support perhaps because little effort has been made to provide the justification needed to ensure measures for managing aviation noise.



## • Regulation of the operations of the aircraft (Chapter 3)

- In Ukraine a draft policy document has been produced which if implemented, would put in place a mechanism for banning Chapter 2 aircraft. However, currently there is limited senior political support for introducing such a ban.
- Azerbaijan would be unlikely to ban all Chapter 2 aircraft because this could compromise their aviation function.
- Georgia does require all aircraft to be 'Chapter certified' or if they are not, before they are scheduled, they must be subject to noise testing to ensure that engine noise meets the 'Chapter certified' standards.
- Armenia under the legislative driver Director General Order 192N (2004), requires adherence to ICAO standards including that all aircraft have to be 'Chapter certified'.
- Moldova complies fully with ICAO Annex 16 Volume 1 'Aircraft Noise'.

#### • Noise-related operational restrictions at airports

- In Georgia, sensitive receptors are not overflown if they can be avoided and noise preferential routes (flight tracks) do already exist at some airports; however, they are not regulated.
- In Armenia, although noise is not managed by imposing restrictions on flight movements, at Yerevan International Airport, main residential areas are not overflown because of topographical constraints.
- In Azerbaijan and Moldova, limited interaction currently occurs between organisations at the national (central government) and local (town council, district council etc.) level that could influence the way noise is managed at, or close to, airports. There is some cooperation between land-use planners and the Civil Aviation Administration to establish Public Safety Zones in accordance with ICAO standards.
- Aviation noise is not currently managed at airports in Ukraine although, as has already been stated, much work has been undertaken to draft policy that would, if implemented, require appropriate noise management measures to be taken.

#### • Assessment and management of environmental noise

- In Azerbaijan, Georgia, Armenia and Moldova no measures to manage/control noise have been implemented and no system exists for capturing noise complaint data. Furthermore no noise mapping has been completed.
- In Ukraine a draft policy document has been produced which if implemented, would put in place a mechanism for mapping and managing airport noise.



#### 4.1.5 OTHER REGULATIONS (ENPI Countries)

Note: Unlike the remaining technical areas, the "other regulations" area encompasses non-aviation specific topics. As the meaningful information necessary to carry the analysis of the current situation in the ENPI countries was only obtained from Georgia and Armenia, the report will only address these two beneficiary countries at this point in time. Concerning the non-aviation specific legislations, this was mainly due to the fact that they were the responsibility of other ministries or administrations which could not be identified or contacted before the Seminar. Most delegations expressed the views that more time was required as in some cases formal steps had to be initiated with the ministries concerned in order to obtain their cooperation and input.

## • Occupational health and safety of travelling or flying personnel (aviation specific)

- In Georgia, OHS of travelling or flying personnel are not the subject of an agreement between the social partners in civil aviation. There is no specific legislation stimulating the social dialogue or addressing minimum standards to protect the occupational health and safety of travelling or flying personnel.
- In Armenia, OHS of travelling or flying personnel is not dealt with by the way of an agreement between the social partners in civil aviation. A number of the EU Directive provisions are however addressed in the Labour Code and some are providing for a more favourable treatment of the workers' health protection as compared to the EU minimum protection standards. A separate legislation specifically ruling the occupational health and safety aspects related to the working time of aircrews is nevertheless missing.

# • Minimum safety and health requirements for all workers regarding the organisation of their working time (non-aviation specific)

- The Labour Code of Georgia appears to cover some of the provisions included in the Directive with exceptions regarding the health assessments to be provided by employers and the provisions for appropriate protection for night and shift workers.
- In Armenia, some of the provisions of the EU directive are transposed in the Labour Code. The important issues of providing free health assessments to workers and adapting their tasks according to their specific working time such as night and shift work appear to be missing. The provisions for the maximum weekly working time, the minimum daily rest and the annual leave are generally compatible with the EU directive requirements.

# • Consumer protection regarding package travel, package holidays and tours at an inclusive price (non-aviation specific)

- In Georgia, no specific legislation appears to be in force for enacting the requirements of the EU Directive, although some of the Directive elements might be covered partly in the Law on Tourism and Health resorts.
- In Armenia, the requirements of the EU directive seem to be addressed under different laws such as the Law on Tourism and touristic activities, the law on the Protection of Consumer Rights and a law on insolvency. Although the main



principles of the EU directive may have been covered by these laws subject to a further analysis of their exact contents, the absence of a single legal instrument placing clear obligations on travel organizers and retailers would hardly achieve the level of consumer protection sought by the EU directive.

# • Privacy and protection of all personal data collected for or about citizens (non-aviation specific)

- In Georgia, a law on the protection of privacy in respect of all personal data collected for or about citizens was adopted on December 28, 2011 and will enter into force in May 1, 2012. The provisions of the EU directive are also covered in part under other legislations such as the Constitution, the General Administrative Code and other laws.
- A Law on Freedom of Information and a Law on Personal Data are in force in Armenia. The 2002 Law on Personal Data is a comprehensive legislation also available in English that addresses the key principles of the EU directive. This law would require in due course an in-depth assessment with the view of analyzing its full compliance to the EU requirements and possibly adjusting it to the most recent EU provisions on the protection of personal data.

# • Obligations of air carriers as regards the nature and limits of their liability (aviation specific)

- The 1999 Montreal Convention entered into force in Georgia only recently (February 2011).
- The 1999 Montreal Convention is in force in Armenia since June 2010. The requirements of the EU regulation are also mostly transposed in a national regulation which entered into force in December 2010.

# • Compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights (aviation specific)

- A draft regulation including the various requirements of the EU regulation has been finalized and is currently under review in the legal department of the civil aviation authority of Georgia.
- In Armenia, similar rules as the EU requirements appear to have been enforced since December 2010 as part of the regulations of passenger, luggage and cargo check-in and handling incorporating the EU rules on air carrier liability.

#### • Disabled passengers and passengers with reduced mobility (aviation specific)

- In Georgia, the transposition of Regulation (EC) No 1107/2006 into national law is currently under preparation by the GCAA and a draft compatible with the requirements of the EU regulation should be available soon.
- In Armenia, provisions similar to the EU requirements are included in the regulations of passenger, luggage and cargo check-in and handling. They would equally need to be further assessed on the basis of their exact contents.



- Code of conduct regarding the use of computerised reservation systems (non-aviation specific)
  - No legislation has yet been enacted in Georgia transposing the EU requirements aimed at establishing a code of conduct regarding the use of computerised reservation systems in so far as they contain transport products.
  - In Armenia, there is no legislation in force or in preparation in Armenia on a code of conduct regarding the use of computerised reservation systems in so far as they contain transport products.



# 4.1.6 STATUS OF IMPLEMENTATION OF EU ACQUIS IN ENPI COUNTRIES

· F	AREA/Topic	EU legal ref.	AM	ΑZ	GE	MD	UF
_	MARKET ACCESS						
С	Operation of air services (licensing)	Reg.1008/2008					
Α	Airport slot allocation	Reg.95/93 (as amended)					
G	Ground handling market access	Dir.67/96					
lr	nsurance requirements for air carriers	Reg.785/2004					
Α	Airport charges	Dir.12/2009					
Α	AIR TRAFFIC MANAGEMENT						
S	ES creation framework	Reg.549/2004					
Р	Provisions of ANS in SES	Reg.550/2004					
Α	Airspace organisation and use in SES	Reg.551/2004					
lr	nteroperability	Reg.552/2004					
Р	Provisions of ANS (safety oversight/software/methods)	Reg.2096/2005 (as amended	?				
F	lexible use of airspace	Reg.2150/2005					
Α	Airspace classification	Reg.730/2006					
С	Charging scheme for ANS	Reg.1794/2006					
	light plans in the pre-flight phase for SES	Reg.1033/2006					
	Automatic systems for the exchange of flight data	Reg.1032/2006					
	oint undertaking European ATM system (SESAR)	Reg.219/2007					
	light message transfer protocol	Reg.633/2007					
	Air ground voice channel spacing for SES	Reg.1265/2007					
	afety oversight in ATM & amend Reg. 2096/2005	Reg.1315/2007					
		Reg.482/2008					
	Amend Reg.2096/2005	Reg.668/2008					
	Amend Reg.219/2007	Reg.1361/2008					
	Data link services for SES	Reg.29/2009					
	Amend Reg.1032/2006	Reg.30/2009					
		Reg.262/2009					
	Amend Reg.549-550-551-552/2004	Reg.1070/2009					
	Amend Reg 216/2008 for aerodromes/ATM/ANS	Reg.1108/2009					
	Quality of aeronautical data/information for SES	Reg.73/2010					
	Air traffic flow management	Reg.255/2010					
	Performance scheme for ANS & Amend Reg. 2096/2005	Reg.691/2010					
	Amend Reg.1033/2006	Reg.929/2010					
	Amend Reg.1794/2006	Reg.1191/2010					
	nformation to be provided re FAB	Reg.176/2011					
	Amend Reg.633/2007	Reg.283/2011					
		Reg.677/2011					
	Detailed rules for ATCO licences/certificates	Reg.805/2011					
	AVIATION SECURITY	neg.803/2011					
	Common rules in the field of civil aviation security	Reg.300/2008					
_	cuppl. Common rules of civil aviation security	Reg.272/2009 (as amended)					
	Derogation of standards and alternative measures						
	Amend Reg. 300/2008 (National Quality Control Progr.)	Reg.1254/2009 Reg.18/2010					
	Conducting inspections	Reg.72/2010					
	Detailed measures of implementation	Reg.185/2010 (as amended)					
		Dir 02/2006					
	Operation of aeroplanes - Chapter 3	Dir.93/2006					
	Noise-related operating restrictions	Dir.30/2002 (as amended)					
	Assessment and management of environmental noise	Dir.49/2002					
	OTHER REGULATIONS (SOCIAL - CONSUMER PROTECTION						
	Vorking time of mobile workers in civil aviation	Dir.79/2000					
	Vorking time	Dir.88/2003				<u> </u>	
- I D	Package travel/holiday/tour	Dir.314/90					
	Processing of personal data	Dir.46/95	5				
P			?			1	İ
P A	Air carrier liability in the event of accidents	Reg.2027/97 (as amended)					
P A	Nir carrier liability in the event of accidents Denied boarding, cancellation or long delay of flights Rights of disabled/reduced mobility persons	Reg.261/2004 Reg.1107/2006					



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KEYS:					
	According to the heardining country on the events				
	According to the beneficiary country or the expert:				
	There is no legislation at all and it is not under process of preparation; or				
	There is a legislation but its approach strongly diverges from EU legal reference (	many provis	ions are diffe	erent)	
	According to the beneficiary country or the expert:				
	There is no legislation at all but it is under process of preparation in line with EU	legal refere	nce; or		
	here is a legislation but its approach slightly diverges from EU legal reference (a few provisions are different)				
	According to the the expert:				
	There is a legislation prepared and/or even implemented in line with EU legal re	ference, w			
?	According to the beneficiary country:				
There is a legislation prepared and/or even implemented in line with EU legal reference, w					
	No information available				



# 4.2 BENEFICIARIES' NEEDS IDENTIFIED

# 4.2.1 ARMENIA

Technical Area	Needs Identified
Market Access	• Acquire knowledge by licensing staff of the authority on financial analysis in order to supervise the financial situation and business plans of airlines with granting and follow-up of the licenses
	• Understanding of the way European authorities have achieved adherence to the EU acquis related to insurance requirements
Air Traffic Management	• Understand the general implications of SES regulations with focus on the ANSP certification process
	Acquire knowledge on ATM safety assessment approvals
	Acquire knowledge on ATM Training schools certification
	Understand the general implications of Interoperability
	• Acquire knowledge on ATM safety occurrence analysis & management of data
	Acquire knowledge on ATCO Licensing
	Acquire knowledge on ATM Licensing Documentation
	• Support CAA in its efforts for developing PBN implementation plan that inter alia envisages the establishment of the national PBN collaborative implementation teams to progress PBN identify training needs and address safety issues.
Security	• Pre audit assessment with on the job training of current auditors
	• Review of cargo security procedures to ensure compliance with forthcoming EU regulations and the introduction and approval of Regulated/Known consignor scheme
	• Train the trainer courses to assist in the opening of the new security training school
	• Technical assistance to develop corrective action plan subject to any findings from ECAC audit in July 2012
Environment	• Requirement for training on noise mapping and management (including a noise compliant log) and help introducing a system.



	Help to draft and introduce policy and regulation that meets with the requirements of the acquis.
Other Regulations	<ul> <li>Clarification concerning the various EU legislations in force to protect workers in respect of their working time arrangements.</li> <li>Review of the legislation with the objective of clear obligations for the provision of travel packages whilst providing straightforward and transparent rules for the protection of holidaymakers, all to be made available into a single legislation.</li> <li>Support to draft legislation for computerised reservation systems in line with EU acquis.</li> </ul>

# 4.2.2 AZERBAIJAN

Technical Area	Needs Identified
Market Access	• Acquire knowledge by licensing staff of the authority on financial analysis in order to supervise the financial situation and business plans of airlines with granting and follow-up of the licenses
Air Traffic Management	•Understand the general implications of SES regulations with focus on the ANSP certification process
	Audit technique refresher
	Acquire knowledge on ATM safety assessment approvals
	Acquire knowledge on ATM Training schools certification and approvals
	• Understand the general implications of Interoperability
	• Acquire knowledge on ATM safety occurrence analysis & management of data
	• Understand the general implications of Airspace Management and FABs
	ATSEP competence / ESARR5
	Understand the general implications of performance monitoring of ANSP (SES II)
	ATM Licensing Documentation
	• Support CAA in its efforts for developing PBN implementation plan that inter alia envisages the establishment of the national PBN collaborative implementation teams to progress PBN identify training needs and address safety issues.
Security	• Review of cargo security procedures to ensure compliance with



	forthcoming EU regulations and the introduction and approval of Regulated/Known consignor scheme		
	• Development of a National Security training programme to include a quality control element		
	• Introduction and approval of computer based training for certification of security screening staff		
	• Initial and refresher training for security Auditor/Inspectors to include pre audit on job training		
Environment	• Requirement for training on noise mapping and management (including a noise compliant log) and help introducing a system.		
	• Help to draft and introduce policy and regulation that meets with the requirements of the acquis.		
Other Regulations No information provided yet to complete this part			

# 4.2.3 GEORGIA

Technical Area	Needs Identified
Market Access	• Acquire knowledge by licensing staff of the authority on financial analysis in order to supervise the financial situation and business plans of airlines with granting and follow-up of the licenses
	• Support to draft a regulation for the licensing of air carriers together with insurance requirements
	• Support to draft a regulation on the ground handling market access
	• Understanding of the way European authorities have achieved adherence to the EU acquis related to airport charges
Air Traffic Management	•Understand the general implications of SES regulations with focus on the ANSP certification process
	•Audit technique refresher
	Acquire knowledge on ATM safety assessment approvals
	Acquire knowledge on ATM Training schools certification and approvals
	Understand the general implications of Interoperability
	Acquire knowledge on ATM Training schools certification and approvals
	Acquire knowledge on ATM safety occurrence analysis & management of data



	• Understand the general implications of Airspace Management and FABs
	• Understand the general implications of performance monitoring of ANSP (SES II)
	• Support CAA in its efforts for developing PBN implementation plan that inter alia envisages the establishment of the national PBN collaborative implementation teams to progress PBN identify training needs and address safety issues.
Security	• Review of cargo security procedures to ensure compliance with forthcoming EU regulations and the introduction and approval of Regulated/Known consignor scheme
	Implementation of a National Contingency plan
	• Plan and develop a crisis exercise plan in accordance with the requirements of ICAO Annex17
	Development of National security legislation and quality control programme
Environment	• Requirement for training on noise mapping and management (including a noise compliant log) and help introducing a system.
	• Help to draft and introduce policy and regulation that meets with the requirements of the relevant EU acquis.
	• Gain an understanding of the way European authorities have achieved adherence to the EU acquis related to noise issues.
Other Regulations	• Get full understanding and implementation in practice by the stakeholders of all the requirements of the provisions related to denied boarding, cancellation or long delay flights (Regulation (EC) No 261/2004).
	• Get full understanding and implementation in practice by the stakeholders of all the requirements of the provisions related to rights of disabled/reduced mobility persons (Regulation (EC) No 1107/2006).
	• Clarification concerning the various EU legislations in force to protect workers – including in civil aviation – in respect of their working time arrangements.
	• Support to implement the EU requirements on package tours, CRS and consumer protection and in enacting national rules that are compliant to both EU legislations.
	• Support to implement legislation in line with the 1999 Montreal Convention and the supplementary provisions of the EU regulations on air carrier liability.
	• Support to draft legislation for computerised reservation systems in line with EU acquis.



# 4.2.4 MOLDOVA

Technical Area	Needs Identified
Market Access	• Acquire knowledge by licensing staff of the authority on financial analysis in order to supervise the financial situation and business plans of airlines with granting and follow-up of the licenses
	• Understanding of the way European authorities have achieved adherence to the EU acquis related to airport charges
	• Support to draft/amend the current regulation on insurance requirements (based on Montreal Convention)
Air Traffic Management	Audit technique refresher
	Acquire knowledge on ATM safety assessment approvals
	Acquire knowledge on ATM Training schools certification and approvals
	Understand the general implications of Interoperability
	Acquire knowledge on ATM safety occurrence analysis & management of data
	• Understand the general implications of Airspace Management and FABs
	• Understand the general implications of performance monitoring of ANSP (SES II)
	ATM Licensing Documentation
	• Support CAA in its efforts for developing PBN implementation plan that inter alia envisages the establishment of the national PBN collaborative implementation teams to progress PBN identify training needs and address safety issues.
Security	• Review of cargo security procedures to ensure compliance with forthcoming EU regulations and the introduction and approval of Regulated/Known consignor scheme
	• Development of a specific security area in the Crisis Management Plan
	• Introduction of a quality control system in security
	• Training for staff engaged in updating the National Civil Aviation Security Programme
Environment	• Requirement for training on noise mapping and management (including a noise compliant log) and help introducing a system.
	• Help to draft and introduce policy and regulation that meets with the requirements of the relevant EU acquis.



	• Gain an understanding of the way European authorities have achieved adherence to the EU acquis related to noise issues.
Other Regulations	No information provided yet to complete this part

# 4.2.5 UKRAINE

Technical Area	Needs Identified
Market Access	• Acquire knowledge by airlines on financial analysis in order to prepare and follow up their licensing
	• Support in turning out the status of the slot coordinator as independent
	Support to draft a regulation on airport charges
Air Traffic Management	Understand the general implications of Interoperability
	• Acquire knowledge on ATM Training schools certification and approvals
	• Understand the general implications of Airspace Management and FABs
	Acquisition of ATSEP competence / ESARR5
	• Understand the general implications of performance monitoring of ANSP (SES II)
	• Understand the general implications of Route Network Management
	• Support CAA in its efforts for developing PBN implementation plan that inter alia envisages the establishment of the national PBN collaborative implementation teams to progress PBN identify training needs and address safety issues.
Security	• Review of cargo security procedures to ensure compliance with forthcoming EU regulations and the introduction and approval of Regulated/Known consignor scheme
	• Air Traffic Management security to identify key points and introduce relevant measures
	• Cyber Threat input to include current situation and preventative measures
Environment	• Get the 'buy in' required from senior politicians to allow adoption of legislation and policies that will ensure the adherence to the EU acquis relating to noise issues.
Other Regulations	No information provided yet to complete this part



## 4.2.6 CENTRAL ASIA COUNTRIES

# KAZAKHSTAN

Technical Area	Needs Identified
Air Traffic Management	• Thorough review of the ICAO USOAP corrective action plan in ATM and actions undertaken in response to the audit, as well as identification of all issues where the action plan needed to be improved and expanded.
	Producing an updated corrective action plan with revised responsibilities and implementation timeframe.
	• Strengthening the overall oversight and surveillance system through delivery of OJT to validate and complement the existing work procedures to ensure that the licensing and surveillance activities are adequately detailed allowing for thorough verification of compliance with all regulatory requirements and to ensure proficiency of the national ATM inspectorate in the use of those updated procedures.
	• Support CAA in its efforts for developing PBN implementation plan that inter alia envisages the establishment of the national PBN collaborative implementation teams to progress PBN identify training needs and address safety issues.
Security	• Review of cargo security procedures to ensure compliance with forthcoming EU regulations and the introduction and approval of Regulated/Known consignor scheme
	Security auditor training
	•Introduction of a quality control programme in the area of security

# **KYRGYZSTAN**

Technical Area	Needs Identified
Air Traffic Management	<ul> <li>Thorough review of the ICAO USOAP corrective action plan in ATM and actions undertaken in response to the audit, as well as identification of all issues where the action plan needed to be improved and expanded.</li> <li>Producing an updated corrective action plan with revised</li> </ul>



	responsibilities and implementation timeframe.		
	• Strengthening the overall oversight and surveillance system trough delivery of OJT to validate and complement the existing work procedures to ensure that the licensing and surveillance activities are adequately detailed a;;owing for thorough verification of compliance with all regulatory requirements and to ensure proficiency of the national ATM inspectorate in the use of those updated procedures.		
	• Support CAA in its efforts for developing PBN implementation plan that inter alia envisages the establishment of the national PBN collaborative implementation teams to progress PBN identify training needs and address safety issues.		
Security	• Review of cargo security procedures to ensure compliance with forthcoming EU regulations and the introduction and approval of Regulated/Known consignor scheme		
	• Development of The National Aviation Security Programme		
	• Introduction of security quality control measures incorporating threat image projection on X ray systems		
	• Introduction of screener certification programme using computer based training		
	•Introduction to risk management and threat assessment procedures		

# UZBEKISTAN

Technical Area	Needs Identified
Air Traffic Management	• Thorough review of the ICAO USOAP corrective action plan in ATM and actions undertaken in response to the audit, as well as identification of all issues where the action plan needed to be improved and expanded.
	Producing an updated corrective action plan with revised responsibilities and implementation timeframe.
	• Strengthening the overall oversight and surveillance system through delivery of OJT to validate and complement the

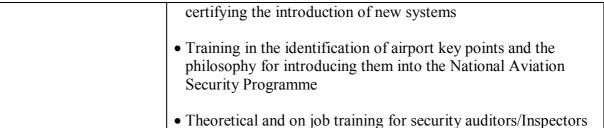


	existing work procedures to ensure that the licensing and surveillance activities are adequately detailed a;;owing for thorough verification of compliance with all regulatory requirements and to ensure proficiency of the national ATM inspectorate in the use of those updated procedures.  • Support CAA in its efforts for developing PBN implementation plan that inter alia envisages the establishment of the national PBN collaborative implementation teams to progress PBN identify training needs and address safety issues.	
Security	<ul> <li>Review of cargo security procedures to ensure compliance with forthcoming EU regulations and the introduction and approval of Regulated/Known consignor scheme</li> <li>No further needs have been identified at this stage</li> </ul>	

# TAJIKISTAN

Technical Area	Needs Identified
Air Traffic Management	• Thorough review of the ICAO USOAP corrective action plan in ATM and actions undertaken in response to the audit, as well as identification of all issues where the action plan needed to be improved and expanded.
	Producing an updated corrective action plan with revised responsibilities and implementation timeframe.
	• Strengthening the overall oversight and surveillance system trough delivery of OJT to validate and complement the existing work procedures to ensure that the licensing and surveillance activities are adequately detailed allowing for thorough verification of compliance with all regulatory requirements and to ensure proficiency of the national ATM inspectorate in the use of those updated procedures.
	• Support CAA in its efforts for developing PBN implementation plan that inter alia envisages the establishment of the national PBN collaborative implementation teams to progress PBN identify training needs and address safety issues.
Security	Review of cargo security procedures to ensure compliance with forthcoming EU regulations and the introduction and approval of Regulated/Known consignor scheme
	Understanding of latest security technology and procedures for







# 5 DRAFT ACTION PLAN

# **5.1 STRATEGY ADOPTED**

The action plan describes how the findings relating to the current situation and the needs identified are being turned into implementing actions along the lifespan of the Project. The purpose is thus to define, structure and schedule them according to the Work Packages (WP) reflected in the Project synopsis (see 2.1).

Therefore, the definition of these actions and their respective deliverables are displayed per WP taking into account that each WP has its own schedule. Although sticking to WP approach, it has to be understood that the present action plan may be adjusted later on to fine-tune the planning of implementing activities depending on further inputs such as new requests that could come along the Project lifespan and modify either the nature of the implementing activities and/or their workload and schedule.

Say otherwise, this is a first draft. It has to be completed once the split of activities with EASA will be clarified and approved. In the meantime, the actions implying possible interference with safety-related topics of the EASA – led project (WP2bis and WP3-ATMS/ANS) are not developed. Nevertheless, the following assumptions underlying the building of this first draft have been made as follows.

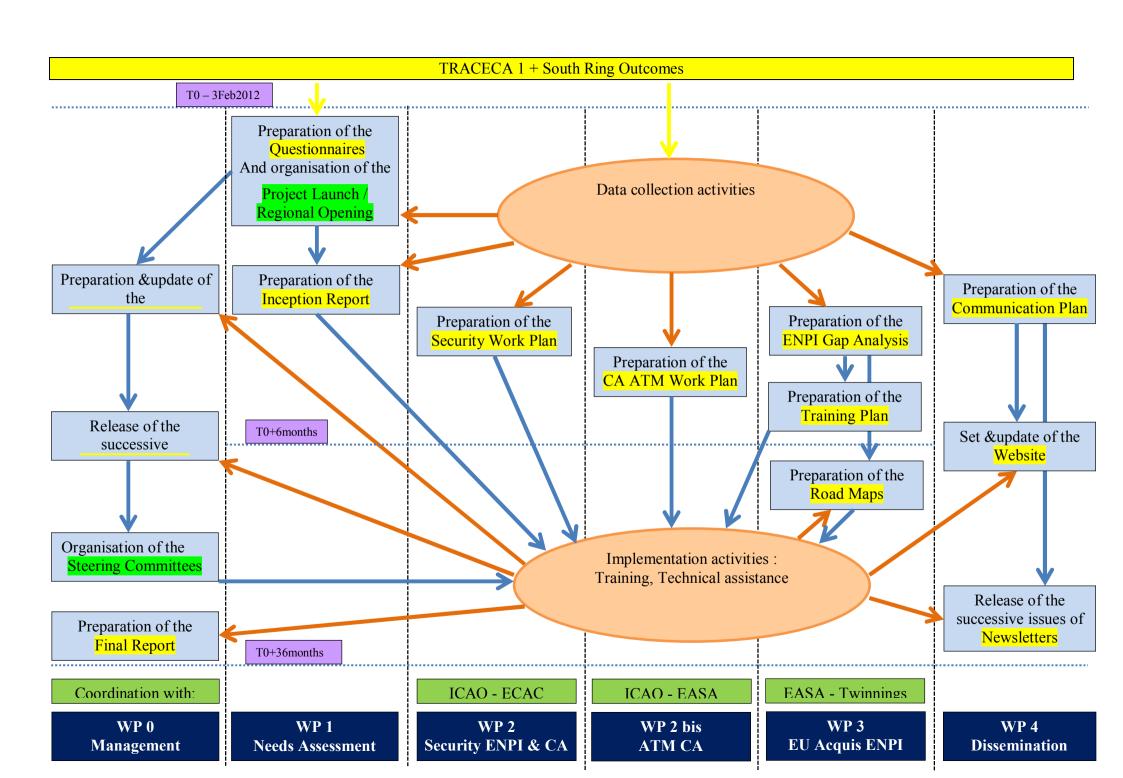
- 1. The share of tasks between EASA-led project and the Project would be split according to the proposal (see 3.2.3).
- 2. The Project does not develop technical assistance in Ukraine in Georgia and in Moldova in the topics covered by their respective twinning and technical assistance projects in order to avoid overlaps.
- 3. As it has not yet been possible to determine the tasks that could be taken over by ECAC regarding security (WP2) and environment (WP3), it is proposed that as long as the situation persists, the Project acts as if ECAC were not being involved.

EU TRACECA Civil Aviation II project can deal with national PBN plans in ICAO framework under following assumptions:

- 1. EASA-led Project agrees on proposed splitting and shares ATM non safety regulation with the EU TRACECA Aviation II project, keeping in mind EC 552/2004 is Interoperability regulation of the European ATM Network (amended by EC 1070/2009); (PBN)
- 2. EC Task Manager mandates the EU TRACECA Aviation II Project to support ENPI East States in its efforts on PBN planning activities in accordance with ICAO PBN concept laid down in Doc 9613;
- 3. External assistance of the project to support ENPI East and CA States in its efforts on PBN planning will be requested and welcomed by States.
- 4. To ensure a successful outcome in this area an agreement will be reached in the area of coordination between TRACECA and the ICAO EUR/NAT office.



The scheme on the next page shows the general approach adopted with the actions per WP reflected in blue boxes (with deliverables in yellow and events/meetings in green) and framed according to the different columns representing the WPs. The common activities encompassing various WPs are shown in orange ovals. Arrows illustrate the interdependency between all these actions.





#### **5.2 WORK PACKAGES**

Note: This chapter displays the implementation activities to be performed per work package. WP 0 Management is not directly dealing with implementation activities and therefore is not part of the action plan. Information about management is detailed in chapter 3.

#### 5.2.1 NEEDS ASSESSMENT (WP 1)

This WP has started at T0 and is about to end at T+2months with the delivery of the present inception report. The following steps can be distinguished.

- Preparation and dissemination of the questionnaires related to each technical area to the Beneficiary countries. This was done at the very beginning of the Project (3 February 2012). Besides, the outcomes of TRACECA 1 have been reviewed to capitalise on existing available documents and information.
- Organisation of a Regional Opening Seminar in Kiev from 14 to 16 February 2012. Stakeholders and representatives from the Beneficiary countries have been invited to attend this event. The objectives were the following:
  - Present TRACECA II Project
  - Explain to representatives from the Beneficiary countries the EU regulations to be part of the ECAA
  - Understand the Beneficiaries' situation and identify their needs through round tables sessions led by STEs using their prepared questionnaires. The outcomes of these exchanges are reflected respectively in 4.1 and in 4.2.
- Drafting of the present inception report.

Besides, during this two-month inception period, coordination with EASA, Georgian twinning project and Ukrainian twinning project have been launched in order to harmonise the scope of activities.

#### 5.2.2 AVIATION SECURITY (WP 2)

The security technical training workshops and intended technical assistance reflect the needs analysis carried out at the opening seminar and are designed to respond to areas where improvement is desirable.

It can be seen that some of the training that is proposed is intended for both ENPI and Central Asian countries and where appropriate this training will be delivered separately to reflect the different regulatory requirements of ICAO Annex 17 which applies to the Central Asian countries and ECAC Doc 30 which applies to the ENPI countries.

This proposed programme reflects the requirement that Central Asian airline operators also have to comply with certain EU regulations when operating to EU countries.



Technical area: Aviation Security		
Type of action	Topic	Countries targeted
	Management of Cyber threat in aviation security	Ukraine and Central Asian countries
	Aviation security quality control programme	All beneficiary countries
Training	Certification for National Auditors/Inspectors	Central Asian countries and Azerbaijan
	National screener certification programme	CA countries, Azerbaijan and Armenia
	ATM and key points	Ukraine and Central Asian countries
Workshop	Cargo security procedures and proposed regulatory changes due in 2014 by which time all operators to the EU must be compliant  The introduction and approval of Regulated/Known consignor procedures which currently are not in place in any of the beneficiary countries  Alternative approved screening systems such as	To be delivered separately to ENPI and Central Asian countries
	Presentation of current trends in security equipment including input from approved suppliers  Regulatory impact, and training and operational implications, of introducing technology not previously used.	Central Asian countries, Azerbaijan and Armenia
	Development of a compliant National Aviation crisis management programme	Central Asian countries and Moldova
	Threat and risk assessment procedures and how to incorporate them into The National Aviation Security Programme	Central Asian countries, Moldova and Azerbaijan
	Production of one specific component of the National Aviation Crisis	Moldova
Technical	National security training programme and	Armenia



assistance	introduction of CBT screener certification in new aviation training school	
	Production of a security thematic corrective action plan	Armenia
	Physical airport survey procedures including lighting and fencing requirements. To be carried out on site with participants being assessed	CA countries
	Preparation process and pre audit procedures for ICAO thematic audit and development of subsequent corrective action plan	I
Study Tour	There will be one security study tour to an EU major airport using the newest approved technology to incorporate an input from The National CAA of the host country.  To be arranged to dovetail into workshop covering security technology and equipment	TBD

#### 5.2.3 ATM/ANS IN CENTRAL ASIA COUNTRIES (WP 2bis)

The actions of WP 2bis are subject to EASA approval. Description of the detailed actions under this WP will be provided after receiving EASA's formal approval (See chapter 3.2.3).

#### 5.2.4 IMPLEMENTATION OF EU ACQUIS IN ENPI COUNTRIES (WP 3)

The outcomes from the exchanges with the representatives of the ENPI countries during the Regional Opening Seminar have allowed to assess the current situation and to identify beneficiaries' needs prior to draft the first proposals of what could be the implementation activities of EU acquis per technical area. The needs identified that are under the scope of a twinning or EASA are not turned into implementing activities.

These tentative proposals are displayed below per technical area, except for security which is developed under WP 2, and ATM/ANS to be developed once the share of tasks with EASA – led project is approved. They will be completed and/or fine-tuned once the outcomes of the detailed ENPI Gap analysis have been made ready.

Technical area: Market access		
Type of action	Торіс	Countries targeted
Training	EU regulations on licensing & insurance of air	All ENPI countries



	carriers	
Workshop	Airport charges and ground handling regulation	
Technical assistance	Prepare/draft new regulations on air carriers licensing and insurance, significantly similar to Chapter II of EC Regulation 1008/2008 and to EC Regulation 785/2004 (articles 1 to 8, and 10)	Georgia*, Moldova
	Prepare/draft necessary provisions within the airport slot allocation regulation to set and guarantee the independent status of the coordinator	Ukraine**

<sup>\*</sup> This technical assistance in Georgia has to be first coordinated with the respective twinning project.

<sup>\*\*</sup> This technical assistance in Ukraine has to be first coordinated with the respective twinning project.

Technical area: Environment		
Type of action	Торіс	Countries targeted
Training	Noise mapping/modelling and management	All ENPI countries
Study tour	1) Noise mapping/modelling and management	
	2) Management and withdrawn of register of non- compliant Aircraft with Chapter 3	
	This study tour should take place in one of EU indirect beneficiary countries (Bulgaria or Romania) which have faced and overcome the noise-related issues actually faced by ENPI countries.	
Technical assistance	Prepare and implement a delivery plan to set operational noise abatement procedures, noise mapping/modelling and management	

Technical area: Other Regulations		
Type of action	Topic	Countries targeted
Workshop	Passenger rights related to denied boarding, long-delays and flight cancellation (Reg.261/2004) and Rights of disabled persons (Reg.1107/2006)	All ENPI countries

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Workshop	Airport charges and ground handling regulation	
Technical assistance	Working time arrangements for air crews: support providing guidance to understand the reasons for enacting separate legislations to protect the health and safety of air crews	Georgia, Armenia
	Working time arrangements for all workers: Provide guidance in identifying and understanding the standards and rules that have not been implemented in the national legal order for worker protection	
	Package travel, package holidays and package tours: Provide guidance in identifying and apprehending all the rules that need to be enacted in the national legal order for consumer protection	
	Code of Conduct for computerised reservation systems: Provide guidance and technical expertise to the Ministry in order to facilitate the understanding of the EU requirements for enacting legislation setting rules of conduct	
	Air carrier liability in the event of accidents: Provide technical expertise to the GCAA in order to facilitate the understanding and the specific requirements of the EU regulations complementing the uniform rules on air carrier liability as adopted by Georgia following its ratification of the 1999 Montreal Convention.	Georgia

These proposals for the different technical areas have to be completed and fine-tuned. The shortage of time as well as sometimes the absence of representatives specialised in the questions addressed during the round-tables have only allowed getting partial and/or to-be-confirmed information. There is therefore a need to first better understand where the ENPI countries stand against EU acquis in order to then develop these proposals. The upcoming steps will be the following.

#### **ENPI Gap Analysis**

The ENPI Gap Analysis will be based on the questionnaire already prepared during the inception period and focusing on the provisions of the EU acquis. In order to get answers, two complementary options are foreseen: on the one hand, perform onsite missions either by the core team or STEs to collect information through interviews and documentation review at the Civil Aviation Authorities premises or, if the case arises, in the relevant ministries; on the other hand, send the questionnaire with answers partly already provided during the round-tables to the focal point of the Civil Aviation Authority or to the person in charge if known,



and ask him/her to answer and/or confirm the answers. This process has to be completed in four months from now onwards so as to deliver this gap analysis by the beginning of August 2012 (T0+6months).

## **Training Plan**

The collection of data to perform the ENPI Gap Analysis will support in parallel the preparation of a Training Plan by identifying in which areas - where gaps are significant and common to various countries –the training activities should focus. The Training Plan will indicate the different courses with a syllabus and when they are planned to be provided between end of 2012 and end of 2014. It will be completed in four months from now onwards, by the beginning of August 2012 (T0+6months). Training activities will then start once it has been approved.

#### **Road Maps**

The preparation of the Road Map will also stem from the outputs of the ENPI Gap Analysis as it aims at partially or fully bridges the gaps. The Road Map, specific to each ENPI country, defines the technical assistance actions to perform in order to reach scheduled objectives also identified and agreed with the beneficiary. These objectives and the stemming actions encompass the WP3 technical areas as well as security, but not none safety-related topic that are kept under EASA responsibility also for the Road Map. Besides, we have in mind to set two types of Road Map, depending if the country has signed or not the ECAA. In the first case (for Moldova and Georgia), the objectives will purely relate to EU acquis regulations to be implemented in the legal framework. In the second case, the objectives will be a mix of EU acquis regulations to be implemented, but also awareness-raising meetings with decisionmakers in institutional bodies to contribute to the understanding and approximation towards the ECAA. The Road Map for Georgia will be released at around T0+6m in order to start as soon as possible and thus implement more ECAA regulations through technical assistance. The Road Maps for the remaining ENPI countries are planned to be released at T0+18m. Therefore, the technical assistance in these countries will not start before this deadline in the middle of the Project's lifespan.



#### 5.2.5 DISSEMINATION (WP 4)

This part constitutes the **dissemination plan** which constitutes the programme to enhance **awareness**-raising, to frame and monitor **communication** flows, and to define the **visibility** of the Project.

#### Objectives and goals

The TRACECA Civil Aviation II Project dissemination activities envisage the following objectives with the respective goals – or ways – to reach them.

- To create and/or raise awareness of the scope, purpose and achievements of the Project:
  - By communicating, reminding and updating periodically through different channels how the Project is unfolding.
- To inform beneficiaries and stakeholders of the upcoming activities of the Project:
  - By providing timely notices with the appropriate level of details.
- To encourage a dialogue and mutual understanding between key players with regard to a harmonised development of civil aviation in the TRACECA region:
  - By stressing on the advantages in terms of productivity, efficiency and sustainability stemming from regulatory compliance, approximation and/or convergence with ICAO and/or EU standards.

### Targeted audiences

The dissemination activities will target such stakeholders' representatives as:

- Ministries of Transport from the beneficiary countries.
- Civil Aviation Administration from the beneficiary countries.
- Industry from the beneficiary countries:
  - airlines, ANSPs, airports, ground handlers.
- TRACECA and European Commission representatives.
- International Organisations:
  - ICAO, EASA, ECAC, Eurocontrol.
- Related programmes in the geographical scope:
  - technical cooperation, twinnings.
- Media.

#### **Tools**

- Website of the Project:
  - The website <a href="http://www.traceca-org.org">http://www.traceca-org.org</a> is to be the main tool to disseminate information. As its flexibility and accessibility will save time and money, dissemination shall indeed be achieved through the website to the largest extent.
  - The websites will be continuously updated with:
    - o Last updates of the progress of the Project
    - Events & Trainings (organised and to be organised)
    - o Publication & Reports (minutes of meeting, presentations, ...)
    - o Results achieved in the frame of the Project
  - The two languages English and Russian will be available.



- The contents of the Project's own website will be linked with ENPI East Info website <a href="http://www.enpi-info.eu/index.php?lang">http://www.enpi-info.eu/index.php?lang</a> id=450

#### • Emailing:

- All official electronic mails will be sent from the Project e-mail: <u>traceca-aviation@ukr.net</u>
- Emails will be used in the largest possible extent for non-official written communication/notification.

#### • Letters:

- The Project Letters will include the TRACECA Logo, the EU logo and the quote the "This Project is funded by the European Union".
- Letters will be used for official communication/notification.
- Letters will be signed by the Team Leader.

#### • Newsletters:

- Newsletters will be regularly published every six months on a twice-yearly basis.
- Their main purpose will be to inform on the progress of the different activities of the Project.
- They will include general information (purpose, objectives) as well as factual information (achieved and upcoming activities, statistics), articles on subjects related to the Project, interviews of key-players somehow involved in the Project or belonging to the aviation world.
- Newsletters are issued both in electronic and paper versions. It will be also posted on the website and sent to beneficiaries, TRACECA and European Commission representatives.
- Each issue is released in both English and Russian languages.

#### • Press releases:

- Press releases are to be issued at the occasion of the main achievements or milestones of the Project.
- They will contain a heading, a strong leading paragraph summarising the essential facts, the main body of the story, quotes, some background information, and contact details for further information.
- Their drafting and issuance will be coordinated with the Information Officer at the EU Delegation and subject to his/her approval.

#### • Other tools:

- Other ways to disseminate information or specifically to promote the Project could be considered on a case-by-case basis, if the situation makes it relevant or if the Project Manager asks for it.
- Such tools could be:
  - o Promotional items with the Traceca logo, for instance banners or USB keys
  - Audiovisual productions
  - o Press conferences



#### Visual identity

The format and communication procedures associated to the TRACECA Civil Aviation II Project will define a unique image of the Project. The logo of the Project is:



A unique image associated to the TRACECA Civil Aviation II Project has been also defined with a specific logo associated with the European flag, thus highlighting the support of the EU and its relation with other TRACECA Projects.

EU logo with the following disclaimer notice will be prominently displayed in every material produced by the Project, as displayed below:



This project is funded by The European Union

The templates will be based on the latest guidelines issued by the "Communication and Visibility Manual for EU External Actions"

 $(\underline{http://ec.europa.eu/europeaid/work/visibility/documents/communication\_and\_visibility\_man\_ual\_en.pdf})$ 

#### **Dissemination timetable**

The following tables reflect the expected main lines of dissemination activities planned to be conducted during the first year of the Project. Following years should keep this pattern with nevertheless specific adjustments when events are organised or important milestones are reached.

Time (T0)	Dissemination action
$+3m\rightarrow+6m$	Activation and update of the website: adjustment of the contents (based yet
	on Traceca 1) according to the Traceca II requirements
$+5m\rightarrow+6m$	Identification of a key person to be interviewed in the upcoming newsletter
	and preparation of the questions
+6m→+7m	Preparation and issuance of a press release related to the Steering Committee
+6m→+8m	Issuance of the Newsletter #1
+6m→+12m	Constant update of the website
$+11m\rightarrow+12m$	Identification of a key person to be interviewed in the upcoming newsletter
	and preparation of the questions



#### **Dissemination procedures**

#### • Approval

- The person in charge of communications with external parties is the Team Leader. Thus, any communication will have to be either signed, or approved by the Team Leader before being released to the public.
- Official release of information in the shape of newsletters, press releases, press conference has also to be approved by the EU Delegation.

#### • Evaluation and monitoring

- Any comment or feed-back raised by the targeted audience and regarding the contents or the formalisation of the dissemination tools will be logged and assessed, with a decision or no to undertake a follow-up action.
- Statistics, including the ones stemming from the website (number of clicks, pages visited, per country, per period) will be periodically evaluated to identify trends and understand underlying grounds.
- Periodic briefings will be held within the Core Team to review the dissemination activities and adjust them if necessary.
- Actions, statistics and findings regarding dissemination regarding each 6-month period will be reflected in the corresponding interim report.



# 5.3 TENTATIVE TIME FRAMEWORK

то .+m.	Management WP 0	Needs Assessment WP 1	Security ENPI & CA WP 2	ATM CA WP 2 bis	EU Acquis ENPI WP 3	Dissemination WP 4	
.+ 1		Project Launch /Regional Opening					
.+ 2	PMD	Inception preparation Inception report		All the activities	ATM safety-related	Communication Plan	
	TIVID	песрионтероге		mentioned below are	activities mentioned	Communication Figure	STER
.+ 3			Work Plan for Security	subject to EASA approval	below are subject to EASA approval		1st SEMESTER
.+ 4	Coordination		in ENPI &CA countries	арргота	2. O. Cappiora.	Activation of the	1st S
						website	
.+ 5				Work Plan for ATM in	ENPI Gap Analysis		
.+ 6	Progress Report n°1			CA countries	ENPI Training Plan		
.+ 7	Steering Committee				Road Map Georgia	Newsletter n°1	
.+ 8			Implementation of	Implementation of			TER
.+ 9	Coordination,		training & technical	training & technical	Implementation of training for all ENPI	Update of the website	MES
.+ 10	reporting & monitoring		assistance for all CA & ENPI countries	assistance for all CA countries	countries & technical	and promotion of the Project's activities	2nd SEIVIES
.+ 10	momtoring		LIVITCOUNTIES	countries	<b>assistance</b> for Georgia	Project's activities	2n
.+ 11							
.+ 12	Progress Report n°2						
						Newsletter n°2	
.+ 13	Steering Committee						
.+ 14					Implementation of		ж.
.+ 15	Coordination,		Implementation of training & technical	Implementation of training & technical	training for all ENPI	Update of the website	SEMESTER
.+ 13	reporting &		assistance for all CA &	assistance for all CA	countries & technical	and promotion of the	
.+ 16	monitoring		ENPI countries	countries	assistance for Georgia	Project's activities	3rd
.+ 17							
.+ 18	Progress Report n°3				Road Map ENPI	Newsletter n°3	
.+ 19	Steering Committee						
.+ 20							
			Implementation of	Implementation of	Implementation of		STER
.+ 21	Coordination, reporting &		training & technical assistance for all CA &	training & technical assistance for all CA	training & technical assistance for all ENPI	Update of the website and promotion of the	SEIVIEST
.+ 22	monitoring		ENPI countries	countries	countries	Project's activities	4th S
. 22							7
.+ 23							
.+ 24	Progress Report n°4						
.+ 25	Steering Committee						
	Steering Committee					Newsletter n°4	
	Steering Committee					Newsiettei II 4	
.+ 26	Steering Committee		Implementation of	Implementation of	Implementation of	Newsiettei II 4	TER
.+ 26	Coordination,		Implementation of training & technical	Implementation of training & technical	Implementation of training & technical	Update of the website	MESTER
.+ 27	Coordination, reporting &		training & technical assistance for all CA &	training & technical assistance for all CA	training & technical assistance for all ENPI	Update of the website and promotion of the	h SENVESTER
	Coordination,		training & technical	training & technical	training & technical	Update of the website	5th SEMESTER
.+ 27	Coordination, reporting &		training & technical assistance for all CA &	training & technical assistance for all CA	training & technical assistance for all ENPI	Update of the website and promotion of the	5th SEMESTER
.+ 27	Coordination, reporting &		training & technical assistance for all CA &	training & technical assistance for all CA	training & technical assistance for all ENPI	Update of the website and promotion of the	5th SEMESTER
.+ 27 .+ 28 .+ 29	Coordination, reporting & monitoring  Progress Report n°5		training & technical assistance for all CA &	training & technical assistance for all CA	training & technical assistance for all ENPI	Update of the website and promotion of the	5th SEMESTER
.+ 27	Coordination, reporting & monitoring		training & technical assistance for all CA &	training & technical assistance for all CA	training & technical assistance for all ENPI	Update of the website and promotion of the Project's activities	5th SEMESTER
.+ 27 .+ 28 .+ 29	Coordination, reporting & monitoring  Progress Report n°5  Steering Committee		training & technical assistance for all CA & ENPI countries	training & technical assistance for all CA countries	training & technical assistance for all ENPI countries	Update of the website and promotion of the Project's activities	5th SEMESTER
.+ 27 .+ 28 .+ 29 .+ 30 .+ 31	Coordination, reporting & monitoring  Progress Report n°5  Steering Committee  Coordination,		training & technical assistance for all CA & ENPI countries  Implementation of training & technical	training & technical assistance for all CA countries  Implementation of training & technical	training & technical assistance for all ENPI countries  Implementation of training & technical	Update of the website and promotion of the Project's activities Newsletter n°5	12th
.+ 27 .+ 28 .+ 29 .+ 30 .+ 31	Coordination, reporting & monitoring  Progress Report n°5  Steering Committee		training & technical assistance for all CA & ENPI countries  Implementation of training & technical assistance for all CA &	training & technical assistance for all CA countries  Implementation of training & technical assistance for all CA	training & technical assistance for all ENPI countries  Implementation of training & technical assistance for all ENPI	Update of the website and promotion of the Project's activities Newsletter n°5 Update of the website and promotion of the	12th
.+ 27 .+ 28 .+ 29 .+ 30 .+ 31	Coordination, reporting & monitoring  Progress Report n°5  Steering Committee  Coordination, reporting &		training & technical assistance for all CA & ENPI countries  Implementation of training & technical	training & technical assistance for all CA countries  Implementation of training & technical	training & technical assistance for all ENPI countries  Implementation of training & technical	Update of the website and promotion of the Project's activities Newsletter n°5	SEIVESTER 5th
.+ 27 .+ 28 .+ 29 .+ 30 .+ 31 .+ 32 .+ 33	Coordination, reporting & monitoring  Progress Report n°5  Steering Committee  Coordination, reporting &		training & technical assistance for all CA & ENPI countries  Implementation of training & technical assistance for all CA &	training & technical assistance for all CA countries  Implementation of training & technical assistance for all CA	training & technical assistance for all ENPI countries  Implementation of training & technical assistance for all ENPI	Update of the website and promotion of the Project's activities Newsletter n°5 Update of the website and promotion of the	12th
.+ 27 .+ 28 .+ 29 .+ 30 .+ 31 .+ 32 .+ 33	Coordination, reporting & monitoring  Progress Report n°5  Steering Committee  Coordination, reporting & monitoring		training & technical assistance for all CA & ENPI countries  Implementation of training & technical assistance for all CA &	training & technical assistance for all CA countries  Implementation of training & technical assistance for all CA	training & technical assistance for all ENPI countries  Implementation of training & technical assistance for all ENPI	Update of the website and promotion of the Project's activities Newsletter n°5 Update of the website and promotion of the	SEIVESTER 5th



# **6 LOG OF THE PROJECT'S ACTIVITIES**

#### 6.1 ACTIVITIES CONDUCTED DURING THE INCEPTION PERIOD

The activities displayed in the table below relate to the inception period, i.e. from 03 Feb.2012 to 02 Apr.2012 (T0-T0+2m).

Date	Object	Outcomes
03 Feb.	Preparation and dissemination of the questionnaires related to each technical area to the Beneficiary countries	
10 Feb.	1nformal meeting with EU Task Manager at EU Delegation premises	
13 Feb.	The EU TRACECA II project officially registered in the ministry of economy on Ukraine	Project registration cards issued by the relevant ministry
14-16 Feb.	The Regional Opening Seminar was held in Kiev	Minutes issued and distributed (on 22 Feb.)
24 Feb.	In the frame of WP 1, "Memo on the analysis of TRACECA 1 achievements / lessons learnt" drafted	D1.1 delivered (on 2 March)
27 Feb.	KE1 presented EU TRACECA Civil Aviation II project at the Meeting of the PS IGS TRACECA on in Brussels	
28 Feb.	Coordinating meeting with ECAC and ICAO EUR/NAT organized at the regional office in Paris	
8-11 Mar.	Delivery of Technical Assistance mission to Azerbaijan in Security area	Report to be issued in April
9 Mar.	Meeting with National Secretary of IGC TRACECA of the Republic of Azerbaijan in Baku	
12-30 Mar.	Drafting of the inception report	D1.3 (which includes D1.2) delivered (on 2 April)
23 Mar.	1nformal meeting with EU Task Manager at EU Delegation premises	
26 Mar.	Coordination meeting with the Ukrainian aviation twinning project	
2 Apr.	Delivery of the inception report	Final version of the inception report D1.3 including questionnaire (D1.2) and the communication plan



## 6.2 ACTIVITIES PLANNED FOR THE NEXT PERIOD

The activities displayed in the table below relate to the next period which end will match the issuing of the first interim progress report, i.e. from 03 Apr.2012 to 02 Aug.2012 (T0+2m-T0+6m).

Date	Object	Outcomes
May.	High-level meeting with the MoT, CAA, TRACECA NS & EU Delegation in Uzbekistan	Minutes to be issued
Mid May	Onsite visit to Georgia by KE1/KE3 to assess current situation of ECAA implementation + coordination with Georgian twinning project (WP3)	Mission report
May	Preparation and sending of the detailed questionnaires per technical area as a basis for the ENPI gap analysis (WP3)	Filled-in questionnaire with confirmed answers by the beneficiaries
May or Jun.	Onsite visit to Uzbekistan for security assessment (WP2)°	Assessment report in security
End May	Preparation and delivery of the Security Work Plan for CA & ENPI countries (WP2)	Security Work Plan (D2.1)
May- Jul	Activation and update of the website (WP4)	Website activated (D4.1)
July	Preparation and delivery of the ATM Work Plan for CA countries (WP2bis)	ATM Work Plan (D2bis.1)
July	Draft and delivery of the ENPI gap analysis (WP3)	ENPI gap analysis (D3.1)
July	Draft and delivery of the ENPI training plan (WP3)	ENPI training plan (D3.2)
2 <sup>nd</sup> Aug	Draft and delivery of the Interim Progress Report n°1	Interim progress report n°1 (D0.1)



# 7 ANNEXES

# 7.1 QUESTIONNAIRES





## 7.1.1 MARKET ACCESS

## Council Directive 96/67/EC of 15 October 1996 On access to the ground handling market at Community airports

#	Ref.	Topic	Question	Answer	Evidence
1	Art.1§ 1(a)	Scope	Is there in force or in preparation a regulation applying to the modalities of access to the GH market in the airports open to commercial traffic?		
2	Art.1§ 1(a)	Scope	If the answer to the previous question is "YES", is such regulation similar to the Council Directive 96/67/EC?		
3	Art.1§ 1(a)	Scope	If the answer to the previous question is "NO", what are the main discrepancies?		
4	Art.2	Definitions	Is it a agreed understanding of the definitions displayed in the Council Directive 96/67/EC?		
5	Art.2	Definitions	If the answer to the previous question is "NO", what are the main discrepancies?		
6	Art.3§ 1/2	Managing body of the airport	Is there a single managing body per commercial airport for its management and operation?		
7	Art.3§ 1/2	Managing body of the airport	If the answer to the previous question is "NO", how are managed commercial airports?		





8	Art.3	Managing body of the airport	Are the managing bodies of the airport also running GH activities?	
9	Art.4§ 1	Separation of accounts	Is it a systematic separation of accounts of the GH activities from the account of other activities run by either the managing body of the airport, or the airport user or the supplier of GH services?	
10	Art.4§ 2	Separation of accounts	Is it financial flows between the activity of the managing body as airport authority and its GH activity?	
11	Art.4§ 2	Separation of accounts	Is there an independent examiner appointed by the State to check this effective separation of accounts and absence of financial flows?	
12	Art.5§ 1	Airport Users' Committee	Is it in place or is it planned to set in commercial airports a committee of representatives 1 of airport users?	
13	Art.5§ 2	Airport Users' Committee	If the answer to the previous question is "YES", is such committee open to any airport user?	
14	Art.6§ 1	Ground handling for third parties	Are there provisions to ensure free access by suppliers of GH services under defined conditions?	
15	Art.6§ 1	Ground handling for third parties	If the answer to the previous question is "YES", what are these conditions?	





16	Art.6§ 2	Ground handling for third parties	Are there limitations of the number of suppliers of GH services authorized?	
17	Art.6§ 2	Ground handling for third parties	If the answer to the previous question is "YES", on which grounds - i.e. categories of GH services - are based these limitations?	
18	Art.6§ 3	Ground handling for third parties	Is it at least one GH services supplier not directly or indirectly controlled by either the managing body of the airport or an airport user carrying more than 25% of the passenger or freight recorded at the airport?	
19	Art.6§ 4	Ground handling for third parties	Does an airport user have the choice between at least two suppliers for any category of GH services?	
20	Art.7§ 1/2	Self-handling	Are there provisions to ensure the freedom to self-handle under defined conditions?	
21	Art.7§ 1/2	Self-handling	If the answer to the previous question is "YES", what are these conditions?	
22	Art.7§ 2	Self-handling	If the right to self-handle is restricted, are the criteria of choice of selected airport users relevant, transparent and non-discriminatory?	
23	Art.8§ 2	Centralized infrastructure	Is it ensured that the management of centralized infrastructures is transparent, objective and non-discriminatory?	





24	Art.9§ 1	Exemptions	Are there specific constraints of available space or capacity preventing the open-up of the market?	
25	Art.9§ 2(b)	Exemptions	If the answer to the previous question is "YES", is it a plan of appropriate measures to overcome the constraints?	
26	Art.10	Advisory Committee	Is it in place an advisory committee to orientate and monitor the open-up of the market?	
27	Art.11 §1(c)	Selection of suppliers	Is the selection procedure managed in an independent manner to avoid conflict of interests?	
28	Art.11 §1(c)/ 3	Selection of suppliers	Is the airport users' committee consulted in this selection procedure?	
29	Art.11 §1(d)	Selection of suppliers	Is it a maximum period for which suppliers of GH services are selected?	
30	Art.13	Consultations	Is it in place a consultation procedure at least once a year between the managing body of the airport, the airport users' committee and the GH suppliers?	
31	Art.13	Consultations	If the answer to the previous question is "YES", does it cover the prices and organisation of GH services subject to exemptions?	
32	Art.14	Approval	Is the GH activity of a supplier or a self-	





	§1		handling user subject to the approval of an independent public authority?	
33	Art.14 §1	Approval	If the answer to the previous question is "YES", are the criteria for such approval relating to a sound financial situation and sufficient insurance cover, to the security and safety of installations, as well as to environmental protection and compliance with the relevant social legislation?	
34	Art.14 §1(a)/( b)	Approval	If the answer to the previous question is "YES", are these criteria applying in a non-discriminatory manner and relating to the intended objective?	
35	Art.15	Rules of conduct	Are there provisions to prohibit a supplier of GH services or an airport user to supply its GH services or self-handling if it fails to comply with rules imposed?	
36	Art.15 (a)/(b)	Rules of conduct	If the answer to the previous question is "YES", are these provisions applying in a non-discriminatory manner and relating to the intended objective?	
37	Art.15	Rules of conduct	Are there provisions requiring suppliers of GH services to participate in a fair and non-discriminatory manner in carrying out the public service obligation, including the obligation to ensure continuous service?	





38	Art.16 §1	Access to installations	Are there provisions to ensure that suppliers of GH services and airport users wishing to self-handle have access to airport installations to the necessary extent?	
39	Art.16 §2	Access to installations	If the answer to the previous question is "YES", is the space available for GH at the airport divided among the various suppliers of GH services and self-handling airport users, including new entrants, to the necessary extent?	
40	Art.16 §3	Access to installations	Does the access to airport installations gives rise to the collection of a fee?	
41	Art.16 §3	Access to installations	If the answer to the previous question is "YES", is this fee determined according to relevant, objective, transparent and non-discriminatory criteria?	
42	Art.21	Right of appeal	Are there provisions to ensure that any party with legitimate interest has the right to appeal against the decisions or individual measures related to self-handling, selection of suppliers, consultations, approval, rules of conduct and access to installations?	
43	Art.23 §1	Implementation	Is there - or is it planned to insert - a reference to the Council Directive 96/67/EC in the legal measures adopted - or to be adopted - or in their official publication?	





44	Art.23 §2	Implementation	Are the main provisions of national law communicated - or planned to be communicated - to the European Commission?	
45	Annex	List of ground handling services	Are the GH services categorized according to the Council Directive 96/67/EC?	
46	Annex	List of ground handling services	If the answer to the previous question is "NO", what are the main discrepancies?	

# Directive 2009/12/EC of 11 March 2009 on airports charges

#	Ref.	Topic	Question	Answer	Evidence
1	Art.1	Subject matter	Is there in force or in preparation a regulation applying to the modalities for the levying of airport charges?		
2	Art.1	Subject matter	If the answer to the previous question is "YES", is such regulation similar to the Directive 2009/12/EC?		
3	Art.1	Subject matter	If the answer to the previous question is "NO", what are the main discrepancies?		
4	Art.1§2	Subject matter	If there is in force or in preparation a regulation applying to the modalities for the levying of airport charges, to which airports is it applicable?		





5	Art.1§3	Subject matter	Is it a list published of the airports mentioned in the previous question?	
6	Art.2	Definitions	Is it a agreed understanding of the definitions displayed in the Directive 2009/12/EC?	
7	Art.2	Definitions	If the answer to the previous question is "NO", what are the main discrepancies?	
8	Art.3	Non- discrimination	Are the airport charges applying among airport users non-discriminatory?	
9	Art.3	Non- discrimination	Is there in place a modulation of airport charges for issues of public and general interest, including environmental issues?	
10	Art.3	Non- discrimination	If the answer to the previous question is "YES", are the criteria used for such modulation relevant, objective and transparent?	
11	Art.4	Airport network	If one or various airport network(s) are in place, do they use a common airport charging system in their respective airports?	
12	Art.6§1	Consultation and remedy	Is it in place a consultation procedure at least once a year between the managing body of the airport and the airport users' representatives to address the operation of the system of airport charges, the level of airport charges and, as appropriate, the quality of service provided?	





13	Art.6§2	Consultation and remedy	In case of changes of airport charges, has the airport managing body the obligation to submit a proposal with the reasons of the proposed changes?	
14	Art.6§2	Consultation and remedy	If the answer to the previous question is "YES», has the airport managing body to hold consultations with the airport users and take their view into consideration before a decision is taken?	
15	Art.6§2	Consultation and remedy	Are there deadlines to submit any proposal of change and to publish it before its entry into force?	
16	Art.6§2	Consultation and remedy	If the answer to the previous question is "YES", what are these deadlines?	
17	Art.6§3	Consultation and remedy	In case of disagreement over a decision on airport charges, is it in place an independent supervisory authority which, at request of any party involved, can intervene and examine the justifications of the decision?	
18	Art.6§4	Consultation and remedy	If the answer to the previous question is "YES", is the disagreed decision not taking effect until the independent authority has examined the matter?	
19	Art.6§5(a)	Consultation and remedy	Is it a mandatory procedure under national law whereby airport charges or their maximum	





			level are directly determined or approved by the independent supervisory authority?	
20	Art.7§1(a)	Transparency	When consultations are held, does the airport managing body provide information to each airport user or its representative including a list of the various services and infrastructure provided in return of the airport charge levied?	
21	Art.7§1(b)	Transparency	When consultations are held, does the airport managing body provide information to each airport user or its representative including the methodology used for setting airport charges?	
22	Art.7§1(c)	Transparency	When consultations are held, does the airport managing body provide information to each airport user or its representative including the overall cost structure with regard to the facilities and services which airport charges relate to?	
23	Art.7§1(d)	Transparency	When consultations are held, does the airport managing body provide information to each airport user or its representative including the revenue of the different charges and the total cost of the services covered by them?	
24	Art.7§1(e)	Transparency	When consultations are held, does the airport managing body provide information to each airport user or its representative including any financing from public authorities of the	





			facilities and services which airport charges relate to?	
25	Art.7§1(f)	Transparency	When consultations are held, does the airport managing body provide information to each airport user or its representative including forecasts of the situation at the airport as regards the charges, traffic growth and proposed investments?	
26	Art.7§1(g)	Transparency	When consultations are held, does the airport managing body provide information to each airport user or its representative including the actual use of airport infrastructure and equipment over a given period?	
27	Art.7§1(h)	Transparency	When consultations are held, does the airport managing body provide information to each airport user or its representative including the predicted outcome of any major proposed investments in terms of their effects on airport capacity?	
28	Art.7§2(a)	Transparency	When consultations are held, do the airport users provide beforehand information to the airport managing body concerning in particular forecasts as regards traffic?	
29	Art.7§2(b)	Transparency	When consultations are held, do the airport users provide beforehand information to the airport managing body concerning in particular	





			forecasts as to the composition and envisaged use of their fleet?	
30	Art.7§2(c	Transparency	When consultations are held, do the airport users provide beforehand information to the airport managing body concerning in particular their development projects at the airport concerned?	
31	Art.7§2(d)	Transparency	When consultations are held, do the airport users provide beforehand information to the airport managing body concerning in particular their requirements at the airport concerned?	
32	Art.8	New infrastructure	Do the airport managing body consults with airport users before plans for new infrastructure projects are finalised?	
33	Art.9§1	Quality standards	Is the airport managing body and the airport users or its representatives allowed entering into negotiations with a view to conclude a service level agreement with regard to the quality of service provided at the airport?	
34	Art.9§2	Quality standards	If the answer to the previous question is "YES", do these service level agreements determine the level of service to be provided by the airport managing body taking into account the actual system or the level of airport charges and the level of service to which airport users are entitled in return for airport charges?	





35	Art.10§1	Differentiation of services	Is the airport managing body allowed to vary the quality and scope of particular airport services, terminal or part of a terminal, with the aim of providing tailored services or a dedicated terminal or part of a terminal?	
36	Art.10§1	Differentiation of services	If the answer to the previous question is "YES", are the level of airport charges differentiated according to the quality and scope of such services and their costs?	
37	Art.10§2	Differentiation of services	When such tailored services exist, is any airport user wishing to use them given the right to have access to them and terminal or part of a terminal?	
38	Art.10§2	Differentiation of services	In case capacity constraints prevent airport users to have access to tailored services and/or dedicated terminal or part of a terminal, are there relevant, objective, transparent and non-discriminatory criteria to determine access?	
39	Art.11§1	Independent supervisory authority	If an independent supervisory authority is in place, what is its scope of tasks and responsibilities related to airport charges?	
40	Art.11§3	Independent supervisory authority	If an independent supervisory authority is in place, is it functionally independent of any airport managing body and air carrier?	
41	Art.11§5	Independent	If an independent supervisory authority is in	





		supervisory authority	place, is it funded levying a charge on airport users and airport managing bodies?
42	Art.11§6	Independent supervisory authority	Are there in place measures to frame the process of dealing with a disagreement on airport charges?
43	Art.11§7	Independent supervisory authority	If an independent supervisory authority is in place, is it granted access to all necessary information to carry out its tasks?
44	Art.11§8	Independent supervisory authority	If an independent supervisory authority is in place, does it publish an annual report concerning its activities?

## Regulation (EC) No 785/2004 of 21 April on insurance requirements for air carriers and aircraft operators

#	Ref.	Topic	Question	Answer	Evidence
1	Art.1	Objective	Is there in force or in preparation a regulation on insurance requirements for air carriers and aircraft operators?		
2	Art.1	Objective	If the answer to the previous question is "YES", is such regulation similar to the Regulation (EC) No 785/2004?		
3	Art.1	Objective	If the answer to the previous question is "NO", what are the main discrepancies?		





4	Art.2	Scope	Is the regulation applicable to all air carriers and to all aircraft operators flying within, into, out of, over the territory, except for State aircraft, model aircraft, foot-launched flying machines, captive balloons, kites, parachutes, non commercial purposed aircraft or glider which MTOM is less than 500kg?	
5	Art.2	Scope	If the answer to the previous question is "NO", what is the scope of the regulation applicable?	
6	Art.3	Definitions	Is it a agreed understanding of the definitions displayed in the Regulation (EC) No 785/2004?	
7	Art.3	Definitions	If the answer to the previous question is "NO", what are the main discrepancies?	
8	Art.4§1	Principles of insurance	Are air carriers and aircraft operators insured as regards their aviation-specific liability in respect of passengers, baggage, cargo and third parties?	
9	Art.4§1	Principles of insurance	If the answer to the previous question is "YES", do the insured risks include acts of war, terrorism, hijacking, acts of sabotage, unlawful seizure of aircraft and civil commotion?	
10	Art.4§2	Principles of insurance	Are air carriers and aircraft operators insured for each and every flight, regardless of whether the aircraft operated is at their disposal through ownership or any form of lease agreement, or through joint or franchise operations, code-	





			sharing or any other agreement of same nature?	
11	Art.5§1	Compliance	Do air carriers and aircraft operators demonstrate compliance by providing the competent authorities with a deposit of an insurance certificate or other evidence of valid insurance?	
12	Art.6§1	Insurance in respect of liability for passengers, baggage and cargo	What is the minimum insurance cover applicable for liability in respect of passengers in terms of SDRs per passenger?	
13	Art.6§2	Insurance in respect of liability for passengers, baggage and cargo	What is the minimum insurance cover applicable for liability in commercial operations in respect of baggage in terms of SDRs per passenger?	
14	Art.6§3	Insurance in respect of liability for passengers, baggage and cargo	What is the minimum insurance cover applicable for liability in commercial operations in respect of cargo in terms of SDRs per kilogram?	
15	Art.7§1	Insurance in respect of liability for third parties	What is the minimum insurance cover applicable for liability for third parties, for each and every aircraft, in terms of SDRs per accident?	
16	Art.8§1/2/3	Enforcement and sanctions	How is it ensured that air carriers and aircraft operators comply with the applicable regulation	





			on insurance requirements?	
17	Art.8§4	Enforcement and sanctions	Are there sanctions for infringement of the applicable regulation on insurance requirements?	
18	Art.8§5/6/7	Enforcement and sanctions	If the answer to the previous question is "YES", what are these sanctions?	
19	Art.8§4	Enforcement and sanctions	Have the sanctions mentioned in the previous question proved to be effective, proportional and dissuasive?	

# Council Regulation (EEC) No 95/93 of 18 January 1993 on common rules for the allocation of slots at Communitary airports – as amended by Regulation (EC) No 793/2004 of 21 April 2004

#	Ref.	Topic	Question Answer	Evidence
1	Art.1	Scope	Is there in force or in preparation a regulation applying to the allocation of slots at airports?	
2	Art.1	Scope	If the answer to the previous question is "YES", is such regulation similar to the Council Regulation (EEC) 95/93 as amended by Regulation (EC) 793/2004?	
3	Art.1	Scope	If the answer to the previous question is "NO", what are the main discrepancies?	
4	Art.2	Definitions	Is it a agreed understanding of the definitions displayed in the Council Regulation (EEC) 95/93 as amended by Regulation (EC) 793/2004?	





5	Art.2	Definitions	If the answer to the previous question is "NO", what are the main discrepancies?	
6	Art.3§1	Conditions for airport coordination	Are there coordinated airports and/or schedules facilitated airports designated?	
7	Art.3§3	Conditions for airport coordination	Are there thorough capacity analysis conducted in non- designated airports or schedules facilitated airports when capacity is deemed insufficient?	
8	Art.3§3	Conditions for airport coordination	If the answer to the previous question is "YES", what are the methods used, the objectives and the modalities of communication of such analysis?	
9	Art.3§5/6	Conditions for airport coordination	Under which circumstances an airport with capacity problems has to be designated as coordinated?	
10	Art.4§1	The schedules facilitator and the coordinator	Are air carriers or their representatives, managing body of the airport and coordination committee consulted before the appointment of a schedules facilitator or a coordinator?	
11	Art.4§2(b)	The schedules facilitator and the coordinator	Is the independence of the coordinator ensured?	
12	Art.4§2(b)	The schedules facilitator and the coordinator	If the answer to the previous question is "YES", how is ensured the independence of the coordinator?	





13	Art.4§3	The schedules facilitator and the coordinator	Are schedules facilitators and coordinators participating in international scheduling conferences of air carriers?	
14	Art.4§5	The schedules facilitator and the coordinator	Is the coordinator the sole person responsible for the allocation of slots?	
15	Art.4§6	The schedules facilitator and the coordinator	Are the monitoring of conformity of schedules and slots carried out in cooperation with the managing body of the airport and with ATC?	
16	Art.4§8	The schedules facilitator and the coordinator	Does the coordinator on request and within a reasonable time make available free of charge for review to interested parties the information about historical, requested, allocated, remaining available slots as well as full details on the criteria being used in the allocation?	
17	Art.5§1	Coordination committee	Is there in place a coordination committee at coordinated airports open to the key players involved (air carriers or their representatives, managing body of the airport concerned, ATC and GA)?	
18	Art.5§1(a)/(b)	Coordination committee	If the answer to the previous question is "YES", what are the tasks of such committee?	
19	Art.5§1(a)/(b)	Airport Users' Committee	Is it in place or is it planned to set in commercial airports a committee of representatives of airport users?	
20	Art.6§1	Coordination parameters	Are the parameters at coordinated airports determined twice yearly taking into account all relevant technical,	





			operational and environmental constraints?	
21	Art.6§3	Coordination parameters	If the answer to the previous question is "YES", are the determination of these parameters discussed within the coordination committee with a view to increase capacity and number of slots available?	
22	Art.7§1	Information for schedules facilitators and coordinators	Do the coordinators and/or schedules facilitators receive from air carriers all relevant information in appropriate format?	
23	Art.7§1	Information for schedules facilitators and coordinators	Does the information provided include the eventual status of new entrant in respect of requested slots?	
24	Art.8§2	Process of slot allocation	What are the conditions for an air carrier to keep for the next equivalent scheduling period its assigned series of slots?	
25	Art.8§3	Process of slot allocation	When all slots requested cannot be accommodated to the air carriers concerned, is the preference of commercial air services (scheduled and programmed non-scheduled) applicable?	
26	Art.8§4	Process of slot allocation	Under which conditions re-timing of series of slots before the allocation of the remaining slots from the pool are allowed?	
27	Art.8a§1/2/3	Slot mobility	Under which circumstances are slots allowed to be	





			transferred?	
28	Art.8a§1/2/3	Slot mobility	Under which circumstances are slots allowed to be exchanged?	
29	Art.9§1	Public service obligations	Are slots reserved for operation of routes imposed as public service obligations?	
30	Art.10§1	Slot pool	Does the coordinator set a pool of slots?	
31	Art.10§2/4	Slot pool	If the answer to the previous question is "YES", how this pool is filled?	
32	Art.10§6/7	Slot pool	Is it a rule applicable to assign slots from the pool to new entrants?	
33	Art.10§9	Slot pool	What are the provisions if problems to get appropriate slots continue to exist for new entrants?	
34	Art.11§1	Complaints and right of appeal	What are the provisions to deal with complaints?	
35	Art.11§2	Complaints and right of appeal	What are the measures taken to protect coordinators with regard to claims for damages relating to their functions, save in cases of gross negligence or wilful misconduct?	
36	Art.12	Relations with third countries	What measures are taken with respect to the allocation and use of slots if a third country does not grant comparable treatment and/or favour its own or other countries' air carriers?	





## 7.1.2 ATM

# Ref.	EU Regulation Reference number	Known regulation	Adoption	Implementation
Nº	EU Regulation Reference number	Known regulation	Adoption	Implementation
	General framework			
1.	No 549/2004  Regulation (EC) No 549/2004 of the European Parliament and of the Council of 10 March 2004 laying down the framework for the creation of the single European sky (the framework Regulation)	□Yes □ No		
	Charging Scheme			
2.	<b>No 1794/2006</b> of 6 December 2006 laying down a common charging scheme for air navigation services	□Yes □ No		
3.	No 1191/2010 of 16 December 2010 amending Regulation (EC) No 1794/2006 laying down a common charging scheme for air navigation services	□Yes □ No		
	Performance monitoring			





Nº	EU Regulation Reference number	Known regulation	Adoption	Implementation
4.	N° 1070/2009 of the European Parliament and of the Council of 21 October 2009 amending Regulations (EC) N° 549/2004, (EC) N° 550/2004, (EC) N° 551/2004 and (EC) N° 552/2004 in order to improve the performance and sustainability of the European aviation system.	□Yes □ No		
5.	N° 691/2010 of 29 July 2010 laying down a performance scheme for air navigation services and network functions and amending Regulation (EC) No 2096/2005 laying down common requirements for the provision of air navigation services	□Yes □ No		
	Oversight and Certification			
6.	No 550/2004 of the European Parliament and of the Council of 10 March 2004 on the provision of air navigation services in the single European sky (the service provision Regulation)	□Yes □ No		
7.	No 1315/2007 Repealed and replaced by N° 1034- 2011	□Yes □ No		
	No 1315/2007 of 8 November 2007 on safety oversight in air traffic management and amending Regulation (EC) No 2096/2005			





Nº	EU Regulation Reference number	Known regulation	Adoption	Implementation
8.	No 2096/2005 Repealed and replaced by N° 1035- 2011	□Yes □ No		
	No 2096/2005 of 20 December 2005 laying down common requirements for the provision of air navigation services			
	as amended by:			
	- Commission Regulation (EC) No 1315/2007 of 8 November 2007 on safety oversight in air traffic management and amending Regulation (EC) 2096/2005			
	- Commission Regulation (EC) No 482/2008 of 30 May 2008 establishing a software safety assurance system to be implemented by air navigation service providers and amending Annex II to Regulation (EC) No 2096/2005			
	- Commission Regulation (EC) No 668/2008 of 15 July 2008 amending Annexes II to V of Regulation (EC) No 2096/2005 laying down common requirements for the provision of air navigation services, as regards working methods and operating procedures			





Nº	EU Regulation Reference number	Known regulation	Adoption	Implementation
	ATCO Licensing			
9.	No 805/2011 of 10 August 2011 laying down detailed rules for air traffic controllers' licences and certain certificates pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council	□Yes □ No		
	Airspace Management			
10.	No 551/2004 of the European Parliament and of the Council of 10 March 2004 on the organisation and use of the airspace in the single European sky (the airspace Regulation)	□Yes □ No		
11.	No 2150/2005 of 23 December 2005 laying down common rules for the flexible use of airspace	□Yes □ No		
12.	No 730/2006 of 11 May 2006 on airspace classification and access of flights operated under visual flight rules above flight level 195	□Yes □ No		





Nº	EU Regulation Reference number	Known regulation	Adoption	Implementation
13.	<b>N° 176/2011</b> of 24 February 2011	□Yes □ No		
	on the information to be provided before the establishment and modification of a functional airspace block			
	Interoperability Regulation			
14.	<b>No 552/2004</b> of the European Parliament and of the Council of 10 March 2004 on the interoperability of the European Air Traffic Management network (the interoperability Regulation)	□Yes □ No		
	Interoperability specifications			
15.	<b>No 1033/2006</b> of 4 July 2006 laying down the requirements on procedures for flight plans in the preflight phase for the single European sky	□Yes □ No		
16.	<b>No 633/2007</b> of 7 June 2007 laying down requirements for the application of a flight message transfer protocol used for the purpose of notification, coordination and transfer of flights between air traffic control units	□Yes □ No		





Nº	EU Regulation Reference number	Known regulation	Adoption	Implementation
17.	No 1265/2007 of 26 October 2007 laying down requirements on air-ground voice channel spacing for the single European sky	□Yes □ No		
18.	No 1032/2006 of 6 July 2006 laying down requirements for automatic systems for the exchange of flight data for the purpose of notification, coordination and transfer of flights between air traffic control units	□Yes □ No		
19.	N° 29/2009 of 16 January 2009 laying down requirements on data link services for the single European sky.	□Yes □ No		
20.	N° 30/2009 of 16 January 2009 amending Regulation (EC) N° 1032/2006 as far as the requirements for automatic systems for the exchange of flight data supporting data link services are concerned.	□Yes □ No		
21.	N° 262/2009 of 30 March 2009 laying down requirements for the coordinated allocation and use of Mode S interrogator codes for the single European sky.	□Yes □ No		
	SESAR			





Nº	EU Regulation Reference number	Known regulation	Adoption	Implementation
22.	<b>No 219/2007</b> of 27 February 2007 on the establishment of a Joint Undertaking to develop the new generation European air traffic management system (SESAR)	□Yes □ No		
23.	N° 1361/2008 of 16 December 2008 amending Regulation (EC) N° 219/2007 on the establishment of a joint undertaking to develop the new generation European air traffic management system (SESAR).	□Yes □ No		

# Doc 9734-AN/959 SAFETY OVERSIGHT MANUAL Part A The Establishment and Management of a State's Safety Oversight System

#	Ref.	Topic	Question	Answer	Evidence
1	P. 3.2	Primary aviation legislation	Name ICAO and your country national regulations supporting ICAO Doc. 7300 Annexes.		
2	P. 3.2	Primary aviation legislation	Which regulation establishes the CAA?		
3	P. 3.2	Primary aviation legislation	Which regulation defines the qualifications and competency of aviation personnel, by using a personnel licensing system (e.g. issuance/validation, renewal, suspension		





			or revocation/cancellation of licenses and certificates of competency as appropriate)?	and certificates of competency as	
4	P. 3.2	Primary aviation legislation	Which regulation defines the operation of air traffic services and related activities/functions such as provision of charts, telecommunications and navigational facilities?	of air traffic services and related activities/functions such as provision of charts, telecommunications and	
5	P. 3.2	Primary aviation legislation	Which regulation defines the investigation of aircraft accidents and incidents, which may be vested in an independent or separate body?	investigation of aircraft accidents and incidents, which may be vested in an	
	P. 3.2	Primary aviation legislation	Which regulation separates service provision functions from the flight safety oversight?	provision functions from the flight	
6	P. 3.3	Specific operating regulations	Are The State laws and regulations in conformity with the Annexes to the Chicago Convention?	conformity with the Annexes to the	
7	P. 3.3	Specific operating regulations	If the answer to the previous question is "NO", what are the main discrepancies?		
8	P. 3.3	Specific operating regulations	Does the State fulfilled the obligation to collaborate in securing the highest practicable degree of uniformity in regulations, Standards, procedures and	collaborate in securing the highest practicable degree of uniformity in	





			practices, as required by Article 37 of the Convention?	
9	P. 3.3	Specific operating regulations	If the answer to the previous question is "NO", what are the main discrepancies?	
10	P. 3.3	Specific operating regulations	Do you have adapted or adopted regulations from other states?	
11	P. 3.3	Specific operating regulations	Do you have differences between national regulations and following ICAO Annex 1, 2, 3,4,10,11,12,15?	
	P. 3.3	Specific operating regulations	If the answer to the previous question is "YES", do you have a laid down procedure for informing about any differences between national regulations and ICAO Annex Standards?	
12	P. 3.4	State civil aviation system and safety oversight functions	Which regulation defines State civil aviation system?	





13	P. 3.4	State civil aviation system and safety oversight functions	Which regulation defines safety oversight functions?	
14	P. 3.4	State civil aviation system and safety oversight functions	Who is responsible for safety oversight in the ATM area?	
15	P. 3.4	State civil aviation system and safety oversight functions	Which regulation defines staffing requirements?	
16	P. 3.4	State civil aviation system and safety oversight functions	Are the staffing requirements fulfilled?	
17	P. 3.4	State civil aviation system and safety oversight functions	Which regulation defines Establishment of Service Providers?	
18	P. 3.4	State civil aviation system and safety oversight functions	Which regulation defines Establishment of Aircraft Accident Investigation Authority?	





19	P. 3.5	Technical personnel qualification and training	Which regulation defines Qualification of CAA Technical Personnel?
20	P. 3.5	Technical personnel qualification and training	Does your CAA really have Qualified Technical Personnel?
21	P. 3.5	Technical personnel qualification and training	If the answer to the previous question is "NO", what are the main reasons?
22	P. 3.5	Technical personnel qualification and training	Which regulation defines Training of CAA Technical Personnel?
23	P. 3.5	Technical personnel qualification and training	Does your CAA Technical Personnel really have a quality Training?
24	P. 3.5	Technical personnel qualification and training	If the answer to the previous question is "NO", what are the main reasons?
25	P. 3.6	Technical guidance, tools	Which regulation defines Technical





		and the provision of safety critical information	guidance, tools and the provision of safety critical information?	
26	P. 3.6	Technical guidance, tools and the provision of safety critical information	Which regulation defines dissemination of safety critical information, such as Notices to Airmen (NOTAMs) and airworthiness Directives?	
27	P. 3.7	Licensing, certification, authorization and approval obligations	Which regulation defines licensingand certificating of ANSPs?	
28	P. 3.7	Licensing, certification, authorization and approval obligations	Which regulation defines licensing and certificating of ATCOs?	
29	P. 3.7	Licensing, certification, authorization and approval obligations	Are there any discrepancies between national regulations and Annex 1?	
29	P. 3.7	Licensing, certification, authorization and approval obligations	If the answer to the previous question is "YES", specify.	





30	P. 3.8	Surveillance obligations	Which regulation defines establishing a system of ensuring continuing organizational, as well as individual, professional competency of license/rating/certificate/approval holders; continuing validity of licenses/ratings/certificates/approvals?	
31	P. 3.8	Surveillance obligations	Who is responsible for this process?	
32	P. 3.8	Surveillance obligations	Specify the details of the process.	
33	P. 3.9	Resolution of safety concerns	Which regulation defines safety concerns?	
34	P. 3.9	Resolution of safety concerns	What is the procedure of a license withdrawal or restriction?	
35	P. 3.8	Surveillance obligations	Specify the details of the process of a license withdrawal or restriction.	





#### 7.1.3 SECURITY

Regulation (EC) No 300/2008 of the European Parliament on common rules in the field of civil aviation security and repealing Regulation (EC) No 2320/2002 Text with EEA relevance.

This directive lays down the common rules to be applied in the area of aviation security.

#	Ref.	Topic	Question	Answer	Evidence
2	Reg 300/2008	Legal Basis	Other International agreements		
3	Article 9	Legal Basis	Who is the competent authority designated to ICAO for aviation security		
4	Article 9	Legal Basis	What are (if there are) the other ministries involved in aviation security		
5	Article 9	Legal Basis	What is the role and field of competence for each ministry involved		
6		Legal Basis	Is there a national coordinating body in place for aviation security decisions		
7		Legal Basis	If yes, what are the members of this body and who is in charge of the presidency of this body		
8		Legal Basis	Status of separation CAA / ANSP		





9	Article 22	Legal Basis	Status of CAA financial autonomy
10	Article 9	NASP	How is adopted security legislation? Is it a specific and separated domain for the legislator or is it included in general laws of the State (penal laws or others)?
11	Article 12	NASP	Who is responsible for conducting screening of:  - Passengers?  - Baggage?  - Cargo?  - Vehicles?  - Staff?  - Others goods used inside the airport or on board aircraft?
12	Article 4	NASP	What kinds of security measures are applied to Liquids, Gels and Aerosols? (departing and transit/transferring)
13	Article 4	NASP	What kinds of security measures are applied to Liquids, Gels and Aerosols? (departing and transit/transferring)





14	Article 4	What are the different areas designated in airports (airside, security restricted area etc.)? Could you briefly describe for each the required measures to access?	
	Article 4	What is (are) the system(s) in place (positioning) for screening hold baggage?  - Off airport screening?  - Screening in areas away from	
15		terminal?  - Screening in sterile terminal building?  - Screening in sterile security area before check in counters?	
		<ul> <li>Screening in front of check in counters?</li> <li>Screening at or behind check in counters?</li> </ul>	
16	Article 4	What is (are) the system(s) in place (positioning) for screening of passengers and cabin baggage?	





		- Decentralized?	
		- Semi Centralized?	
		- Centralized?	
17	Article 4	What kind of equipment is used at international airports?	
18	Article 4	Is the TIP (Threat Image Projection) used and employed at international airports?	
19	Reg 18/2010 Article 11	Is there a National Civil Aviation Quality Control Programme?	
20	Article 10	Is there a National Civil Aviation Security Programme in place?	
21	Article 4 Annex	Is there a National Aviation security Training Programme?	
22	Article 4 Annex	Is there a system in place for the initial and continuous training and certification of security? If yes, please could you detail this part?	
23	Article 4 Annex	Is there a specific and dedicated training (initial and continuous) for security screeners, based on image analysis and use of security equipment?	





		If yes, how long is it and what are the main pedagogical contents	
24		Is there a specific training in place for crisis management and crisis exercises?	

## Annex 17 to the Chicago Convention on International Civil Aviation Organisation

#	Ref.	Topic	Question	Answer	Evidence
1		Intro	Does the NASP follow the guidance of Annex17		
2		Scope	Does the procedural element of the NASP follow recommendations in ICAO DOC 8973 (restricted)		
3		Scope	If the answer to the previous question is "NO", what are the main discrepancies?		
4		Scope	Are any discrepancies fields as differences with ICAO?		
5	Art.3	Definitions	If the answer to the previous question is "NO", what are the main discrepancies?		





#### 7.1.4 ENVIRONMENT

Council Directive NO. 2006/93/EC of the 12 December 2006 'on the regulation of the operation of aeroplanes covered by Part II, Chapter 3, Volume 1 of Annex 16 to the Convention on International Civil Aviation, second edition.

Applicable provisions: Articles 1 to 6 and Annexes I and II'.

#_	Ref.	Topic	Question	Answer	Evidence
1	Art.1	Scope	Is there in force or in preparation a regulation applying to the Directive?		
2	Art.1	Scope	If the answer to the previous question is "YES", is such regulation similar to the Council Regulation 2006/93?		
3	Art.1	Scope	If the answer to the previous question is "NO", what are the main discrepancies?		

Council Directive 2002/30/EC of the 26 March 2002 'on the establishment of rules and procedures with regard to the introduction of noise-related operating restrictions at Community airports.

As amended or adapted by the 2003 Act of Accession and the 2005 Act of Accession Applicable provisions: Articles 1 to 15, Annexes I and II'.

#	Ref.	Topic	Question	Answer	Evidence
1	Art.1	Scope	Is there in force or in preparation a regulation applying to the Directive?		





2	Art.1	Scope	If the answer to the previous question is "YES", is such regulation similar to the Council Regulation 2002/30?	
3	Art.1	Scope	If the answer to the previous question is "NO", what are the main discrepancies?	

Council Directive 2002/49/EC of the 25 June 2002 'relating to the assessment and management of environmental noise.

Applicable provisions: Articles 1 to 16, Annexes I to VI'

#	Ref.	Topic	Question	Answer	Evidence
1	Art.1	Scope	Is there in force or in preparation a regulation applying to the Directive?		
2	Art.1	Scope	If the answer to the previous question is "YES", is such regulation similar to the Council Regulation 2002/49?		
3	Art.1	Scope	If the answer to the previous question is "NO", what are the main discrepancies?		





#### 7.1.5 OTHER REGULATIONS

Specific aviation releted

Council Directive 2000/79/EC of 27 November 2000 concerning the European Agreement on the Organisation of Working Time of Mobile Workers in Civil Aviation concluded by the Association of European Airlines (AEA), the European Transport Workers' Federation (ETF), the European Cockpit Association (ECA), the European Regions Airline Association (ERA) and the International Air Carrier Association (IACA)

This Directive has enforced by law an agreement concluded by the social partners at European Union level on the Organisation of Working Time of Mobile Staff in Civil Aviation which sets minimum standards for each EU country in order to protect the occupational health and safety of travelling or flying personnel.

#	Ref.	Topic	Question	Answer	Evidence
1	General	Agreement	Has there been any consultation made and/or agreement concluded at national level between representatives of airlines' management and their flying personnel for the organization of the working time?		
2	General	Agreement	If the answer is "YES", what provisions of the EU directive are covered by this agreement and is this agreement applied and/or enforced by law?		
3	General	Legislation	If the answer is "NO", is there any legislation in force protecting specifically the health and safety of flying personnel in relation to the work and the duties they carry out?		





4	General	Legislation	Are the minimum standards of the EU directive covered in part or wholly by a single or several legislation(s) and what is/are this/these legislation(s)?	
5	Annex Clause 2	Definitions	Are there definitions by law of "working time", "crew members" and "block flying time"? If the answer is "YES", are the definitions similar to those of the EU directive or what are the differences?	
6	Annex Clause 3	Annual leave	Is there a minimum period of paid annual leave set by law? If the answer is "YES", what is it?	
7	Annex Clause 4	Health assessment	Is there any entitlement by law for a free health assessment before employees are assigned, and then at regular intervals and if yes what are the conditions thereof compared to those of the EU directive?	
8	Annex Clause 5 & 6	Appropriate protection	Are there by law any provisions in order to ensure health and safety protection appropriate to the nature of the work and an obligation on the employer to adapt the pace of the work to the worker? If the answer is "YES", what are they?	
9	Annex Clause 8	Maximum working time	Is there a maximum annual working time including for flight time set by law? If the answer is "YES", what are the limitations and the conditions of	





			application?	
10	Annex Clause 9	Days free of all duty	Are there by law any prescriptions for a certain number of days free of all service to be granted and notified in advance? If the answer is "YES", how many free days are to be given and under which arrangements compared to those of the EU directive?	
11	General	Other enforced rules	Are there any other applicable more stringent or more favourable rules adopted by law in order to protect the health and safety of flying personnel in the context of their work? If the answer is "YES", what are they and under which legislation(s) as is the case?	

Council Regulation (EC) No 2027/97 of 9 October 1997 on air carrier liability in the event of accidents as amended by Regulation (EC) No 889/2002 of the European Parliament and of the Council of 13 May 2002

The Regulation 2027/97 defines and harmonizes the obligations of air carriers as regards the nature and limits of their liability in the event of death, wounding or any other bodily injury to a passenger, in line with the Montreal Convention. Regulation 889/2002 further harmonizes liability limits and legal defences in respect of air carriers, irrespective of the route (internal, intra-Community (EU), international) on which the accident occurs.

#	Ref.	Topic	Question	Answer	Evidence
1	General	Legislation	Has the Montreal Convention of 1999 governing air carrier liability in the event of damage caused to passengers, baggage or goods during international		





			journeys been ratified and/or is it effectively applied?
2	General	Legislation	If the answer is "YES", when the Convention did enter into force in the national legal order? If the answer is "NO", what are the expectations for its ratification/application?
3	General	Legislation	Is the liability of an air carrier for damage subject to any financial limit defined by law, convention or contract?  If the answer is "YES", what are the limitations currently in force or applied?
4	General	Legislation	Is there any legislation in force or in preparation to further align the rules of the Montreal Convention to those of the EU regulations and if "YES", what rules are covered or when can it be expected?
5	Art.1	Scope	Are the provisions of the Montreal Convention in respect of the carriage of passengers and their baggage by air extended for application irrespective of the route on which the accident occurs (therefore including domestic carriage by air)?
6	Art.3	Insurance	Are there any rules requiring air carriers to be insured up to a level that is adequate to ensure that the full





			amount of compensation can be paid to persons entitled to receive it?	
7	Art.5	Advance payment	Is there any obligation for the air carrier to make an advance payment (which in the event of death must not be less than 16 000 SDRs) to cover immediate economic needs, with 15 days from the identification of the person entitled to compensation?	
8	Art.6	Notice on liability	Is there any obligation for the air carrier to ensure that a written summary of the main provisions governing liability for passengers and their baggage or notice – as provided in the regulations Annex – including the applicable liability limits for flights is made available to passengers at all points of sale?	
9	Art.6	Non –EU carrier obligation	Is there any obligation for national air carriers to provide specific information on liability when flying to, from or within the European Community?	
10	General	Other applicable liability rules	Are there any other national rules providing for more passenger protection and/or increased air carrier liability limits in the field of passenger, baggage or cargo performed by aircraft? If the answer is "YES", what are they?	





# Regulation (EC) No 261/2004 of the European Parliament and of the Council of 11 February 2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights

This regulation establishes common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights. It applies to passengers departing from an EU airport and to passengers departing from an airport located in a third country to an airport situated in the territory of an EU State, to which the EC Treaty applies.

#	Ref.	Topic	Question	Answer	Evidence
1	General	Legislation	Is there any legislation in force or in preparation for consumer protection as regards compensation and assistance to passengers in the event of denied boarding, flight cancellation or long delay?		
2	General	Legislation	Are the minimum rights of the EU regulation covered in part or wholly by a single or several legislation(s)? What is/are this/these legislation(s) and the rights covered?		
3	Art.2	Definitions	Are definitions included in the relevant legislation(s) for the concepts included in the EU regulation? If the answer is "YES", what are they and how they have been defined, as compared to the EU regulation?		
4	Art.3	Scope	For passenger travelling between which destinations and under which conditions does the relevant legislation(s) apply?		





5	Art.4	Denied boarding	Are there any rules for the procedure to follow in case an air carrier expects to deny boarding passenger(s)? If "YES", what are they and do they require the air carrier to provide both compensation and assistance?	
6	Art.5	Flight cancellation	Are there any rules for information, compensation and assistance to passengers in case of cancellation? If "YES", what are they and what are the possible exceptions?	
7	Art.6	Flight delay	Are there any rules setting delay time limits/distance bracket for corresponding specific carrier assistance? If "YES", how are they formulated as compared to the requirements of the EU regulation?	
8	Art.7	Compensation	Are there any rules in force for passenger compensation? Are the amounts determined by law and according to which criteria? Are these amounts set according to the distance of the flight or any other limits? Are there any rules on how the compensation should be paid? If "YES", what are they?	
9	Art.8	Reimbursement or re-routing	Are there any rules and conditions in force for passenger reimbursement or re-routing as compared to the requirements of the EU regulation? Are any rights foreseen for passengers	





			whose flights form part of a package? If "YES", what are they?	
10	Art.9 & 11	Right to care	Are there any rules and conditions in force for passengers' assistance free of charge as well as for priority in meeting the particular needs of persons with reduced mobility and of unaccompanied children? What are they?	
11	Art.10	Upgrading and downgrading	Are there any rules and conditions in force for passengers' upgrading or downgrading and what are they?	
12	Art.14	Passenger information	Is there any obligation to inform passengers of their rights by a written notice visible at check-in and a written notice given to them in case of application of the EU regulation? What does it include?	
13	Art.16	Enforcement body	Is there a national body set up to enforce passenger rights? If "NO", would this be foreseen? Are penalties to be set for infringements as in the EU regulation?	

Regulation (EC) No 1107/2006 of the European Parliament and of the Council of 5 July 2006 concerning the rights of disabled persons and persons with reduced mobility when travelling by air

This Regulation enacts rules for the protection of, and provision of adequate assistance to, disabled passengers and passengers with reduced mobility (PRM) using or intending to use commercial passenger air services.





#	Ref.	Topic	Question	Answer	Evidence
1	General	Legislation	Is there any legislation in force or in preparation that prohibits operators from refusing reservation or boarding to persons because of their reduced mobility or disability?		
2	General	Legislation	Are there any rules prescribing the assistance that should be provided at the airport and on board aircraft without any additional charge in order to meet the particular needs of PRM?		
3	Art.1	Scope	For passenger travelling between which destinations and under which conditions does the existing legislation apply, as compared to the EU regulation?		
4	Art.2	Definitions	Are definitions included in the relevant legislation for the concepts included in the EU regulation? If the answer is "YES", what are they and how they have been defined as compared to the EU regulation?		
5	Art.4	Derogations	Are there any derogations, special conditions available by law to carriers in order to refuse carriage of PRM? If the answer is "YES", what are they as compared to the EU regulation?		
6	Art.6	Notification for assistance	Are there any rules placing obligations on air carriers to promptly transmit information on the need of assistance		





			received by PRM to airports and the	
			actual operating carrier(s)? If the answer is "YES", what are they as	
			compared to the EU regulation?	
			Are there any rules placing obligations	
			on the management body of an airport	
			to designate points at departure/arrival	
_		Assistance at	where PRM can request assistance?	
7	Art.5 & 7	airports	Are there any similar rules for	
			assistance as provided in Annex 1 of	
			the EU regulation? If the answer is	
			"YES", what are they?	
			Are there any similar rules for carriers'	
	Art.10	Assistance by carriers	compulsory assistance free of charge to	
8			PRM as provided in Annex 2 of the EU	
			regulation? If the answer is "YES",	
			what are they?	
			Are there specific rules to organize the	
			responsibility of an airport for ensuring	
		Responsibility	assistance and for the cost allocation to	
9	Art.8	at airports	airport users in order to fund the	
		1	assistance? If the answer is "YES",	
			what are they as compared to the EU	
			regulation and Annex 1?	
			Are there any obligation placed on	
			airports to set and publish quality	
10	Art.9	Airport quality	standards for the assistance specified in Annex 1 of the EU regulation? Must	
10	AII.9	standards	the ECAC Code of Good Conduct in	
			Ground Handling for Persons with	
			Reduced Mobility be taken into full	
			Reduced Modificy of taken into Iun	





			account?	
11	Art.12	Loss of PRM equipment	Are there any rules placing obligations to compensate PRM for lost or damaged wheelchairs and other mobility devices? If the answer is "YES", what are they?	
12	Art.14 to 16	Enforcement body and penalties	Is there a national body set up to enforce the required rules for protection and assistance of PRM and receive their complaints? If "NO", would this be foreseen? Would rules on penalties be laid down for infringements of the required rules as prescribed in the EU regulation?	



Non specific aviation regulations

# Directive 2003/88 /EC of the European Parliament and of the Council of 4 November 2003 concerning certain aspects of the organisation of working time

This Directive lays down minimum safety and health requirements for all workers regarding the organization of their working time in the field of minimum periods of daily rest, weekly rest and annual leave, breaks and maximum weekly working time and of certain aspects of night work, shift work and patterns of work. It applies to all sectors of activity, both public and private.

#	Ref.	Topic	Question	Answer	Evidence
1	General	Legislation	Is there any legislation in force or in preparation setting minimum rules in order to protect the health and safety of every worker whether working in the public or in the private sector?		
2	General	Legislation	Are the minimum rules of the EU directive covered in part or wholly by a single or by several legislation(s) and what is/are this/these legislation(s)?		
3	Art.2	Definitions	Are there definitions by law such as in the EU directive for the exact meaning of "working time", "rest period and adequate rest", "night time and worker", "shift work and worker"? If the answer is "YES", are the definitions covering all those of the EU directive and are they similar or what are the differences/ non-defined terms?		





4	Art.3 & 5	Rest periods	Are there minimum daily and weekly rest periods laid down by law? If the answer is "YES", what are they and on what time basis?	
5	Art.4	Breaks	In case of a worker on duty for longer than six hours, are there rest break arrangements foreseen during working time, either by agreement between the two sides of the industry or by national legislation?	
6	Art.6	Maximum working time	Are there measures limiting the weekly working time by law or industry agreement, in particular so as to ensure that on average working time on a 7-day period does not exceed 48 hours? If "YES", what are they?	
7	Art.7	Annual leave	Is there a minimum period of paid annual leave mandatory by law? If the answer is "YES", what is it?	
8	Art.8 & 9	Night work	Are there measures to ensure that work at night does not exceed a certain number of hours in any 24- hour period? Are there existing rules for the protection of workers exposed to special hazards and for those suffering from night work? If the answer is "YES", what are they?	





9	Art.9	Health assessment	Has a night worker any entitlement by law for a free health assessment before the assignment and thereafter at regular intervals and if yes what are the conditions thereof compared to those of the EU directive?	
10	Art.12	Appropriate protection	Are there by law any provisions in order to ensure for night and shift workers a health and safety protection appropriate to the nature of their work? Are there protection and prevention services equivalent to those applicable to other workers? If the answer is "YES", what are they?	
11	Art.13	Pattern of work	Are there measures to ensure that for work organized according to a certain pattern, the employer must adapt the work to the worker? If the answer is "YES", what are they?	
12	Art.17, 18 & 22	Derogations	Are there any derogation(s) provided by law or by collective agreements to the minimum requirements of the EU directive, as allowed in Art. 17, 18 and 22, in particular as they apply to ground staff in civil aviation? If the answer is "YES", what are they specifically?	





## Council Directive 90/314/EEC of 13 June 1990 on package travel, package holidays and package tours

This Directive protects consumers who contract package travel, package holidays and tours at an inclusive price by requiring the organizer to provide in writing specific information before travel and accept responsibility for the performance of the service offered. It also includes provisions specifying the consumers' rights.

#	Ref.	Topic	Question	Answer	Evidence
1	General	Legislation	Is there any legislation in force or in preparation for consumer protection as regards packages sold by travel organizers and retailers?		
2	General	Legislation	If the answer is "YES", are the rules protecting consumers, as regards packages, laid down in a specific legislation or in several legal acts and what is/are this/these legislation(s)?		
3	Art.2	Definitions	Are there definitions by law such as in the EU directive for what is meant by "package", "organizer and retailer", "consumer" and "contract"? If the answer is "YES", are the definitions covering all those of the EU directive and are they similar or what are the differences/non-defined terms?		
4	Art.3 &4	Information	As provided in the EU directive, are there rules for adequate information and price to be included in a brochure? Is there any mandatory		





			information to be provided before signing the contract and starting the journey? If "YES" what are they as compared to the directive (similar/	
5	Art.4	Contract	different)?  Are there binding rules on what the contract should include - as in the directive Annex – and for a price guarantee? What are they?	
6	Art.4	Consumer rights	Are there rules allowing the consumer to transfer the booking and withdraw from the contract when it is changed and/or the package is cancelled; rules for compensation including for contract non-performance?	
7	Art.4	Consumer rights	If the answer is "YES", what are these rules and their scope of application as compared to all obligations and circumstances referred to in Art.4 of the EU directive?	
8	Art.5 & 6	Organizer/retailer responsibility	Are there liability rules for organizers and retailers in case of improper performance of the contract or failure to perform it? Are there rules in respect of consumer compensation/ assistance for damages in such cases? Are there limits set for compensation?	





9	Art.5 & 6	Organizer/retailer responsibility	If the answer is "YES", what are the rules and possible compensation limitations, as compared to all obligations and guidelines referred to in Art.5 of the EU directive?	
10	Art.7	Insolvency	Are there rules requiring organizers and retailers to provide evidence of security for price refund and consumer repatriation in case of insolvency? If "YES", what are they?	
11	Art.8	Consumer protection	Are there more stringent rules adopted by law to protect the consumer in the field covered by the EU directive?	

Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data

This directive is designed to protect the privacy and protection of all personal data collected for or about citizens of the EU, especially as it relates to processing, using, or exchanging such data by automated means or not. Each EU country has to set up an independent national body responsible for the protection of these data.

#	Ref.	Topic	Question	Answer	Evidence
1	General	Legislation	Is there any legislation in force or in preparation for the protection of privacy in respect of all personal data collected for or about citizens?		





2	General	Legislation	If the answer is "YES", are the rules protecting privacy and personal data laid down in a specific legislation or in several legal acts and what is/are this/these legislation(s)?	
3	General	Legislation	Do the rules apply to data processed by automated means (e.g. a computer database of customers) and data contained in or intended to be part of non automated filing systems (traditional paper files)?. If the answer is "NO", what is their scope of application?	
4	Art.2	Definitions	Are definitions included in the relevant legislation(s) for the concepts included in the EU directive? If the answer is "YES", what are they and how they have been defined? Are they similar or what are the differences/non-defined terms, as compared to the EU directive?	
5	Art.6 & 7	Lawfulness	Are there guidelines to determine when the processing is lawful? Do the guidelines address the quality of the data content and the criteria for making their processing legitimate?	
6	Art.8	Special categories	Are there rules for prohibiting the processing of some special categories of data with possible exceptions, as foreseen in the EU directive?	





7	Art.10 &	Information	Are there any obligations to inform the person whom data have been collected on the purposes of the processing, in the cases foreseen in the EU directive?
8	Art.12	Access to data	Is there any right of access to data including the right to obtain rectification/blocking from a responsible authority/controller by the person concerned?
9	Art.13	Exemptions	Are there any specified exemptions and/or restrictions provided by law regarding the obligations set under 10.5, 10.7 and 10.8 in order to safeguard certain aspects, as defined in the EU directive?
10	Art.14	Right to object	Is there any right to object to the processing of data by the person concerned for certain purposes, e.g. for direct marketing. Is such guarantee foreseen and specified by law?
11	Art.16 & 17	Confidentiality and security	Are there any rules to guarantee confidentiality at the level of those processing data as well as the protection of data such as against loss, alteration or unlawful disclosure or access?
12	Art. 18 to 21	Notification	Is there any obligation for notification of the data processing to a supervisory authority, as foreseen and detailed in the EU directive?





13	Art. 18 to 21	Judicial remedy	Are there any rules for a judicial remedy and compensation in case of the breach of the rights guaranteed by legislation?	
14	Art. 27 & 28	Application	Is there any Code of Conduct available for the proper implementation of the legislation? Is there a supervisory authority responsible for monitoring the application of the legislation?	

## Regulation (EC) No 80/2009 of the European Parliament and of the Council of 14 January 2009 on a Code of Conduct for computerised reservation systems

This Regulation aims to establish a code of conduct regarding the use of computerized reservation systems in so far as they contain airtransport products and rail-transport products incorporated alongside in order to ensure fair competition and to protect consumers' rights.

#	Ref.	Topic	Question	Answer	Evidence
1	General	Legislation	Is there any legislation in force or in preparation setting rules of conduct for the the use of computerized reservation systems (CRS)?		
2	General	Legislation	If the answer is "YES", are such rules aimed at CRS used for air transport products as well as for rail transport products incorporated alongside air transport products?		
3	Art.2	Definitions	Are definitions included in the relevant legislation for the concepts included in the EU regulation? If the answer is		





			"YES", what are they and how they have been defined as compared to the EU regulation?
4	Art.3	System vendors	Are there any rules in force specifying the rules of conduct for system vendors in their relationship with transport providers? If the answer is "YES", what are they as compared to the EU regulation?
5	Art.4	Distribution	Are there compulsory rules for system vendors to apply the same treatment to all participating carriers with regard to distributing their transport products, as well as not to prevent a participating carrier from using other reservation systems?
6	Art.5	Displays	Are there compulsory rules applicable to CRS principal displays so that the presentation of data related to the transport products shall not mislead the consumer? If "YES", what are they as compared to the EU regulation and its Annex 1?
7	Art.6	Subscribers	Are there any rules in force specifying the rules of conduct for system vendors in their relationship with subscribers? If the answer is "YES", what are they as compared to the EU regulation?





8	Art.8	Equivalent treatment	Are there any rules in force to ensure that system vendors from non-EU countries treat Community carriers in a manner equivalent to their treatment of national carriers?	
9	Art.9	Transport providers	Are there any rules in force specifying the rules of conduct for transport providers in handling data to a CRS? Are there specific rules of conduct prescribed for parent carriers? If "YES", what are these rules as compared to those of the EU regulation?	
10	Art.11	Personal data	Are there any rules in force providing that personal data shall only be processed by system vendors for the purpose of making reservations or issuing tickets for transport products? If "YES", what are these rules?	
11	Art.12	Audit	Is there any obligation placed on system vendors to submit timely independently audited report detailing their ownership structure and governance model?	
12	Art.13	Infringements	Are there procedures instated for investigation of an infringement of the rules of conduct for CRS? Are there penalties set by law? If "YES", what are they?	