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## **TRACECA Maritime Safety and Security II**

Beneficiary Countries: TRACECA Region



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**List of Abbreviations**

ACCOBAMS	Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area
AIS	Automatic Identification System
BSC	Commission on the Protection of the Black Sea against Pollution
BSEC	Organisation of the Black Sea Economic Cooperation
BSIS	Black Sea MoU Information System (BSIS)
COLREG	Convention on the International Regulations for Preventing Collisions at Sea
EEA	European Environment Agency
EEDI	Energy Efficiency Design Index
EEZ	Exclusive Economic Zone
EMSA	European Maritime Safety Agency
ENPI	the European Neighbourhood Policy
GEF	Global Environmental Facility
GISIS	Global Integrated Shipping Information System
ICPDR	International Commission for the Protection of the Danube River
ILO	International Labour Organisation
IMO	International Maritime Organisation
INMARSAT	Operating Agreement on the International Maritime Satellite Organisation
ISPS	International Ship and Port Facility Security
LOGMOS	Logistics Centres and Motorways of the Sea project
LRIT	Long Range Identification and Tracking (of vessels)
MARPOL	International Convention for the Prevention of Pollution from Ships
MEPC	Marine Environment Protection Committee
MLC	Maritime Labour Convention
MONINFO	Environmental Monitoring of the Black Sea Basin: Monitoring and Information Systems for Reducing Oil Pollution
MoS	Motorways of the Sea
MoU	Memorandum of Understanding
MS	Member State
NWG	National Working Group
PSC	Port State Control
PSCO	Port State Control Officer
RoRo	Roll-on, Roll-off
RWG	Regional Working Group
SASEPOL	Maritime Safety and Security project
SEEMP	Ship Energy Efficiency Management Plan
SOLAS	International Convention for the Safety of Life at Sea
TA	Technical assistance
ToR	Terms of reference
TDW	Ton deadweight
TRACECA	Transport Corridor Europe-Caucasus-Asia



UNCLOS	United Nations Convention on the Law of the Seas
UNCTAD	United Nations Conference on Trade and Development
UNEP	United Nations Environment Programme
VIMSAS	Voluntary IMO Member State Audit Scheme
VTS	Vessel Traffic Services
VTMIS	Vessel Traffic Monitoring & Information System



## 0 Executive Summary

The TRACECA Maritime Safety & Security II Project began on the 16th of January 2013 followed by the kick-off meeting and mobilisation of the Key Experts on the 25th of January 2013. The project is scheduled to finish in January 2016. The present report documents the activity of the project during the two initial months of its implementation.

The report provides short information on the contract's terms of reference, and elaborates on its starting situation. Following the development of the inception phase, the directions of key tasks and deviations are identified for inclusion into the mandate of the TA. The document provides an outline of planning activities till the end of the TA and for the next reporting period.

The NTU consortium, hereinafter referred to as "the Contractor", proposes an approach with clearly defined components, tasks and phases within which they are implemented:

- Component 1: Regional coordination
- Component 2: Flag State implementation
- Component 3: Safety of navigation
- Component 4: Protection of the marine environment
- Component 5: The Human Element
- Component 6: Security of ships and ports
- Component 7: Visibility and communication
- PM: Project Management

Each component includes a number of related activities (corresponding to the ToR item 4.2), outputs and deliverables.

The report details how the Contractor intends to implement the contract in an interactive, transparent and communicative manner, conferring ownership to the project partners and stakeholders over the identified initiatives.

## 1 Prerequisites and background

### 1.1 Background

The TRACECA Maritime Safety & Security II Project has been conceived as a follow-up of the previous EU-funded TRACECA project "Development of common security management, maritime safety and ship pollution prevention for the Black Sea and Caspian Sea, EuropeAid 127221/C/SER/Multi (SASEPOL). The SASEPOL Project ended in December 2011. TRACECA Maritime Safety & Security II is linked to the topics and themes addressed in platform 2 of the Eastern Partnership on Economic Integration and Convergence of the EU Policies addressing the main transport challenges faced by the European Neighbourhood Partnership Instrument (ENPI) countries.



## 1.2 Contracting Authority

The Contracting Authority is the Directorate General for Development and Cooperation of the European Commission.

## 1.3 The SASEPOL Project and its achievements

The project “Development of common security management, maritime safety and ship pollution prevention for the Black Sea and Caspian Sea”, informally referred to as SASEPOL, started on 31 July 2009 and ran for 29 months until 31 December 2011, including a five months extension period. Beneficiaries were Azerbaijan, Georgia, Kazakhstan, Turkmenistan and Ukraine.

### 1.3.1 SASEPOL objectives

The overall objective was to facilitate international maritime transport of passengers and goods, and to support maritime safety, security and environmental protection in both the Black Sea and Caspian Sea regions. The specific objective of the SASEPOL project was to support the efficient implementation of international legislative framework and international conventions for maritime safety, security and environmental protection in the Black Sea and Caspian Sea countries. These objectives were achieved by assessing the state of transposition and implementation of the international conventions, assessing the level of implementation of the Black Sea MoU on port State Control procedures in those countries that were BS MoU MS, drafting action plans and best practices for flag State, port State and maritime security issues, and delivering training and preparing course plans on those same topics.

### 1.3.2 SASEPOL achievements

The SASEPOL met its objectives and delivered planned outputs. During the project, the TRACECA Regional Action Strategy was adopted (Bucharest, 24 November 2011), the Regional Working Groups were set up and the project supported the National Working Groups. The SASEPOL programme contained a variety of seminars, workshops and training sessions. In total 478 persons of various authorities of partner states were trained in 33 sessions during 2010 and 2011.

### 1.3.3 Guidance for TRACECA Maritime Safety & Security II resulting from an assessment of the achievements of SASEPOL

The SASEPOL programme forms a solid base for the TRACECA Maritime Safety & Security II project in view of assessing partner states needs and the formulation of human capacity building in the form of workshops, seminars and training courses.





The perimeter of the SASEPOL Project covered countries with a maritime coastline in the Black Sea and the Caspian Sea: Azerbaijan, Georgia, Kazakhstan, Turkmenistan and Ukraine. The TRACECA Maritime Safety II Project covers the above-listed countries plus landlocked countries and also the Central Asia. With the addition of Armenia, Moldova, Kyrgyzstan, Tajikistan and Uzbekistan, the number of beneficiaries has now doubled, and the range of maritime interests is more diverse. This will result in accrued efforts in TRACECA Maritime Safety II to adapt to the situation of each partner and to ensure that all partners get results from the project.

Another lesson to be learned from SASEPOL is that political changes in the countries may impact the assistance process. This comes from possible shifting of priorities and changes in personnel that imply the need to raise awareness on the project's purposes. In order to mitigate this problem, the project's team will react promptly when it learns of such changes and perform missions in the field to ensure that new officials are aware of the project, its state of achievement and way forward.

In terms of flag State performance, SASEPOL assessed the level of implementation of international maritime conventions in the partner countries. TRACECA Maritime Safety II will build up on these results, whilst taking into account the time gap between the end of SASEPOL and the beginning of TRACECA Maritime. TRACECA Maritime will also integrate approximation with EU legislation in the corresponding activities' terms of reference. In view of the extensive program of activities carried out by SASEPOL for the promotion of VIMSAS - inclusion in the agenda of National Working Groups of all beneficiaries, definition of an operational framework together with specific action plans, dedicated national trainings and mock-audits - it will not be necessary for TRACECA Maritime to draft a new training programme.

SASEPOL assessed the partners' situation as regards Vessel Traffic Monitoring Systems. Based on this assessment, and following a necessary update in the field that may be changing rapidly, the TRACECA Maritime project will build upon these results to promote regional cooperation in order to improve safety and reduce pollution.

SASEPOL delivered training to Port State Control Officers, mostly to Ukraine and Georgia, following an assessment of PSC practices in the Black Sea. These training activities will be pursued, however close coordination with the Black Sea MoU on PSC and, where applicable, cooperation with EMSA will be emphasized.

In protection of the marine environment and implementation of the MARPOL Convention, a model Port Waste Management Plan was developed for Odessa. TRACECA Maritime will of course take interest in the developments occurred since the delivery of this model but will focus on expanding the scope of training to all involved beneficiaries.

The adoption of the TRACECA Regional Action Strategy (TRAS) by the States participating in the TRACECA IGC was a major milestone during the SASEPOL Project. The TRAS operates by setting priority actions and deadlines (up to 2021) in maritime safety, protection of the marine environment and maritime security. The pursuance of its implementation will be one



of the core objectives of TRACECA Maritime Safety & Security II. Support for the Regional Working Group, now under Turkish presidency, will be instrumental in this respect.

One of the elements of success of SASEPOL was the targeted approach to the needs of each beneficiary, and this approach will be pursued. Bulgaria, Romania and Turkey, which are indirect beneficiaries, will be invited to all regional activities of the project. The cost of participation of the delegates will have to be covered by the countries themselves. In view of Bulgaria and Romania being EU Member States, their experience will be sought, in particular regarding the approximation of EU legislation in the national legislative order.

The TRACECA Maritime Safety & Security II project includes matching of human capacity building needs by partner state and regional authorities against the activities concluded by SASEPOL. Upon this matching, TRACECA Maritime Safety & Security II will build a new programme but will avoid overlap.

One of the constraints faced by SASEPOL was the time required to complete procedures for mission arrangements and the TRACECA Maritime Safety II project team has already experienced similar obstacles. These can be partially mitigated by ensuring support from the TRACECA IGC National Secretaries.

#### **1.4 Relevant policy developments to be taken into account in TRACECA Maritime Safety & Security II**

The maritime regulatory framework evolves constantly. This is due to the evolution of standards, e.g. for the protection of the marine environment, or as a reaction to accidents. There is also the realisation that a holistic approach, covering processes and organisation, is needed to improve the quality of shipping, in addition to the production of new technical regulations. Last but not least, the entry into force of major conventions also impacts the work of the maritime authorities of the partner countries and therefore needs to be taken into account to achieve a successful assistance program.

##### **1.4.1 At international level**

The relevant body for the adoption of new measures at global level is the International Maritime Organisation (IMO). Another specialised United Nations (U.N.) Agency of relevance is the International Labour Organisation (ILO).

#### **Institutionalisation of the Voluntary IMO Member State Audit Scheme (VIMSAS)**

The VIMSAS is intended to provide an audited Member State (MS) with a comprehensive and objective assessment of how effectively it administers and implements those mandatory IMO instruments which are covered by the Scheme. By 2015, following the implementation of the timeframe set in A 26 / Res. 1018 preparatory work for the development of an institutionalised Audit Scheme will have commenced, and this new development will impact all IMO MS.



## **Port State control procedures**

During the 27<sup>th</sup> session of its General Assembly held in London from 21 to 30 November 2011, the IMO adopted A 27 / Res. 1052 revising the applicable port State control procedures. These are intended to provide basic guidance on the conduct of port State control inspections and ensure the consistency in the conduct of these inspections, the recognition of deficiencies of a ship, its equipment, or its crew, and the application of control procedures. The updated procedures result from evolutions of maritime safety regulations which impact port State control officers (PSCOs).

## **Air pollution**

Following the entry into force of MARPOL Annex VI on 19 May 2005, the Marine Environment Protection Committee (MEPC), at its 53rd session (July 2005), agreed to revise MARPOL Annex VI with the aim of significantly strengthening the emission limits. MEPC 58 (October 2008) adopted the revised MARPOL Annex VI and the associated NOx Technical Code 2008, which entered into force on 1 July 2010. The main changes to MARPOL Annex VI are a progressive reduction globally in emissions of SOx, NOx and particulate matter and the introduction of emission control areas (ECAs) to reduce emissions of those air pollutants further in designated sea areas.

Under the revised MARPOL Annex VI, the global sulphur cap is reduced initially to 3.50%, progressively to 0.50%, effective from 1 January 2020. Revision of the regulations for ozone-depleting substances, volatile organic compounds, shipboard incineration, reception facilities, and fuel oil quality has been made, and regulations on fuel oil availability have been added.

## **Reduction of Green House Gases from ships**

IMO's Marine Environment Protection Committee (MEPC) has given extensive consideration to control of GHG emissions from ships and finalised in July 2009 a package of specific technical and operational reduction measures. In March 2010 MEPC started the consideration of making the technical and operational measures mandatory for all ships irrespective of flag and ownership. This work was completed in July 2011 with the breakthrough adoption of technical measures for new ships and operational reduction measures for all ships, which are, consequently, the first ever mandatory global GHG reduction regime for an entire industry sector. The adopted measures add to MARPOL Annex VI a new Chapter 4 entitled "Regulations on energy efficiency for ships", making mandatory the Energy Efficiency Design Index (EEDI) for new ships and the Ship Energy Efficiency Management Plan (SEEMP) for all ships. The regulations apply to all ships of 400 gross tonnage and above and entered into force through the tacit acceptance procedure on 1 January 2013.



## The Energy Efficiency Design Index

The Energy Efficiency Design Index (EEDI) was made mandatory for new ships and the Ship Energy Efficiency Management Plan (SEEMP) for all ships at MEPC 62 (July 2011) with the adoption of amendments to MARPOL Annex VI (resolution MEPC.203(62)).

This was the first legally binding climate change treaty to be adopted since the Kyoto Protocol. Since this breakthrough, MEPC 63 (March 2012) adopted four important guidelines (resolutions MEPC.212(63), MEPC.213(63), MEPC.214(63), and MEPC.215(63)) aimed at assisting the implementation of the mandatory regulations on Energy Efficiency for Ships in MARPOL Annex VI. Finalisation and adoption of the supporting guidelines was a significant achievement which provides sufficient lead time for Administrations and industry to prepare. The guidelines will support Member States in their uniform implementation of the new chapter 4 of MARPOL Annex VI Regulations for the prevention of air pollution from ships.

## The Maritime Labour Convention

The International Labour Organization's Maritime Labour Convention (MLC, 2006) comes into force on 20 August 2013. The Convention brings together, in one place, international minimum standards aimed at ensuring decent work for seafarers, while helping to provide a level playing field for quality shipowners operating under the flag of countries that have ratified the MLC 2006 by promoting competitiveness through ensuring reliable and efficient shipping. The goal is to promote decent working conditions within a fair competition environment. Following the Council Decision 2007/431/EC of 7 June 2007 authorising Member States to ratify, in the interests of the European Community, the MLC 2006, the European Union has adopted the Council Directive 2009/13/EC of 16 February 2009 implementing the Agreement concluded by the European Community Shipowners' Associations (ECSA) and the European Transport Workers' Federation (ETF) on the MLC 2006, and amending Directive 1999/63/EC to give effect to the Convention, and Directive 2009/16/EC of the European Parliament and of the Council of 23 April 2009 on port State control, while the Paris MOU and the Tokyo MOU, which are port State control regional organizations have adopted MLC 2006 compliant guidelines to strengthen port State control inspections.

### 1.4.2 At regional level

#### The TRACECA Regional Action Strategy on Maritime Safety and Security and Environmental Protection (TRAS)

Armenia, Azerbaijan, Bulgaria, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Romania, Tajikistan, Turkey, Ukraine, and Uzbekistan, have agreed to set common objectives on the matters of maritime safety, security, and environmental pollution. The TRACECA Regional Action Strategy constitutes the blueprint for this initiative and it associates the objectives with a list of priority actions and measures to be implemented by 2021 by all parties, through bilateral or regional investment programmes. The Strategy states that "Sustainable



operation of maritime transport, safe and reliable transport of passengers, qualitative delivery of goods are the prerequisites of proper social activity being achieved owing to the efforts of transport specialists” and affirms the role of maritime transport as a “guarantor of economic stability”. The text of the Strategy has been developed by a team of experts working for the SASEPOL project, with contributions from the TRACECA PS.

The Strategy lists a number of international Conventions and regulations, Memorandums of Understanding and initiatives that apply to the Strategy. This list covers the main IMO Conventions for maritime safety, security and protection of the marine environment and those ILO Conventions that apply to the seafarer. Relevant regional Conventions are the Bucharest and Tehran Conventions, covering the Black and Caspian Seas and aiming at the protection of the marine environment in those areas.

The implementation of the TRAS is coordinated by the Permanent Secretariat of TRACECA through the Regional Working Group with the financial support of EU-funded TRACECA projects dealing with maritime safety and security and environmental protection.

### **The Black Sea Commission**

The Commission on the Protection of the Black Sea Against Pollution (the Black Sea Commission, or BSC) via its Permanent Secretariat is the intergovernmental body established for implementation of the Convention on the Protection of the Black Sea Against Pollution (Bucharest Convention), its Protocols and the Strategic Action Plan for the Environmental Protection and Rehabilitation of the Black Sea (latest version adopted in 2009). BSC possesses cooperation links and options for consultative conversation with other intergovernmental organisations involved in marine pollution affairs at the global and regional level, including the United Nations Environment Programme (UNEP), International Maritime Organisation (IMO), Global Environmental Facility (GEF), International Commission for the Protection of the Danube River (ICPDR), Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area (ACCOBAMS), Organisation of the Black Sea Economic Cooperation (BSEC), European Environment Agency (EEA), and different institutions of the European Union (EU). The Black Sea Commission is a TRACECA Maritime Safety and Security II partner for the implementation of this project, in particular regarding implementation of Component 4 “Protection of the Marine Environment”. Implementation of the Strategic Action Plan is supported by advisory groups whose purpose is to provide advice on key topics. This project will in particular coordinate with the Advisory Group on the Environmental Safety Aspects of Shipping, which is tasked with the coordination of emergency response, regional implementation of MARPOL, and coordination of port State control procedures defined in the Strategy. Preliminary contacts have been taken with the BS Commission Permanent Secretariat, and a meeting with the Commission’s Executive Director is planned.



### **The Black Sea (BS) Memorandum of Understanding (MoU) on Port State Control (PSC)**

The Black Sea MOU on Port State control is a system of harmonised inspection procedures designed to target sub-standard ships with the main objective being their eventual elimination. In 2000 the Black Sea Memorandum of Understanding on Port State Control was signed by six Black Sea countries (Bulgaria, Georgia, Romania, Russian Federation, Turkey, and Ukraine) with the common understanding of main principles for PSC. The BS MoU member Authorities conducted a total of 4,657 initial inspections, representing 5.5% decrease as compared 4,929 initial inspections in 2010. The regional inspection rate is 69.88%. A total of 249 detentions were warranted to ships found with serious deficiencies. This represents a detention percentage of 5.35% which is 0.45% decrease as compared with 286 detentions in 2010. During 2011 a total of 19,255 deficiencies were recorded. The average number of deficiencies per inspection was 4.13; resulting in a 0.22 deficiency point improvement.

#### **1.4.3 The European Neighbourhood policy (ENP)**

The ENP supports political and economic reforms in Europe's neighbouring countries as a means of promoting peace, stability and economic prosperity in the whole region. It aims to promote good governance and social development in Europe's neighbours, through closer political links, partial economic integration, support to meet EU standards, and assistance with economic and social reforms. For maritime transport, the Communication of 7 July 2011 from the Commission to the Council and the European Parliament – The EU and its neighbouring regions: A renewed approach to transport cooperation [**COM (2011) 415** final], affirms that a quality competitive maritime transport with good environmental, safety and security performance is in the common interest of both the EU and its neighbouring countries, which have regional seas in common.

#### **1.4.4 At European Union level**

##### **The third maritime safety package**

In recent years, the European Union and its Member States have been at the forefront of improving maritime safety legislation and promoting high-quality standards. The aim is to eliminate substandard shipping, increase the protection of passengers and crews, reduce the risk of environmental pollution, and ensure that operators who follow good practices are not put at a commercial disadvantage compared to those who are prepared to take short cuts with vessel safety. The EU approach is that international standards must be rigorously upheld, but a number of flag States are failing to implement and enforce international safety standards. The obstacles met by some flag States to effectively implement the obligations they have been assigned made the EU to reinforce its port State control regime. EU efforts through the Paris MoU have proven that Port State control can be an effective tool to fight sub-standard shipping. The Paris Memorandum of Understanding on Port State



Control (Paris MoU) provides since 1982 the framework to carry out inspection duties of foreign ships in its member ports.

With a series of Directives and Regulations, known as the third maritime safety package, an important step has been achieved both on the improvement of the effectiveness of existing measures to prevent accidents and on the management of their consequences. The list of this EU legislation is in Annex 1.

### **The role of the European Union Maritime Safety Agency**

The Commission proposed to set up a European Maritime Safety Agency (EMSA) in the aftermath of the “Erika” accident. Regulation 1406/2002 establishing this Agency was adopted by the European Parliament and the Council on 27 June 2002 and entered into force in August of the same year. EMSA provides technical and scientific assistance to the Commission in the fields of maritime safety, maritime security, prevention of pollution, and response to pollution caused by ships. Following an initiative in the International Maritime Organisation regarding the long range identification and tracking of vessels (LRIT), the EU Member States decided in 2007 to set up an EU LRIT data centre managed by the Commission, in cooperation with Member States.

On 28 October 2010, the Commission proposed to update the EMSA Regulation to adapt its tasks following the entry into force of the third maritime safety package and to reinforce cooperation with neighbouring countries. On its plenary session on 11 December 2012, the European Parliament voted in favour of the new regulation. EMSA's competence is extended, in particular to enable the agency also to intervene, at the request of the member states concerned, in the event of pollution from oil and gas installations. EMSA is also asked to contribute to other EU policies and projects related to its field of expertise. In addition, the agency provides assistance for technical work in international and regional organisations, and cooperation with neighbouring countries is enhanced.

#### **1.4.5 Guidance for TRACECA Maritime Safety & Security II resulting from an assessment of the relevant policy developments**

At international level, the IMO Audit Scheme is now maturing into a comprehensive tool for assessing the level of compliance of the Member States with their international obligations. Institutionalisation of the IMO Member State Audit Scheme calls for assistance provided by TRACECA Maritime Safety & Security II to those partner countries that are IMO Member States. Preparation for the Audit requires thorough internal work from the national authorities and it is important to raise awareness of the Audit process. The IMO Audit Scheme applies to the TRAS. The global fight against greenhouse gases and the necessity for maritime transport to operate in a sustainable and responsible way lead to increased standards in terms of reduction of air pollution, and the project is in a position to assist the



TRACECA partners to comply with the new standards and procedures, within the framework of the MARPOL Convention.

At regional level, one of the main objectives of the TRACECA Maritime Safety & Security II project is to continue to provide assistance to the partner countries for the implementation of the TRACECA Regional Action Strategy. The TRACECA Permanent Secretariat has been visited during the inception phase with, inter alia, this objective in mind. The TRACECA PS will be kept informed of the project's initiatives and how they contribute to the successful implementation of the strategy. Cooperation in the form of exchange of information on activities and participation to regional meetings, where relevant, with other regional bodies, such as the Black Sea Commission and the Black Sea Memorandum of Understanding on Port State Control, will also help avoid duplication of efforts and ensure efficient delivery of the project activities.

At European Union level, considering the wider economic objectives of the TRACECA initiative and Eastern Partnership, the project will assist in strengthening the legislative framework of the TRACECA partners in view of the objective of approximating national regulations with the EU regime. In this respect, the project will raise awareness of the impact of the Third Maritime Safety Package. Considering the potential for future adhesion of the project partner countries to SafeSeaNet and CleanSeaNet, and in view of the enlarged mandate of the European Maritime Safety Agency, close cooperation with EMSA will be given high priority during the implementation of the project. Insight into how this cooperation will take place is detailed in applicable project's activities.

The project will follow up, in liaison with the EU delegations in the beneficiary countries, on the state of play of other projects covering similar topics in the beneficiaries, in order to avoid duplication of efforts. This approach has been performed informally during the inception phase through contacts made by email or telephone or during the missions carried out by the experts and will now be systematized.

## **1.5 Related assistance activities to be taken into account**

### **1.5.1 The LOGMOS Project**

This project has been conceived as the follow-up of three previous TRACECA EU Funded Projects, namely:

- Motorways of the Sea (MoS) for Black Sea and Caspian Sea
- International Logistical Centres for Western NIS and Caucasus
- International Logistical Centres for Central Asia.

The overall objective of the current project is to contribute to the long-term sustainable development of the logistics infrastructure and multimodal transport along the TRACECA corridor. The assignment will enhance the development and implementation of coherent





strategies for establishment of intermodal integrated transport and logistics chains underpinned by MoS.

In relation to maritime transport, the LOGMOS and TRACECA Maritime Safety projects are complementary, with LOGMOS scope being related to ports infrastructures and TRACECA Maritime to maritime authorities and administrations. For the TRACECA partners, this complementarity will allow to get assistance from a global perspective. Specific gateways between projects are also present, for instance the study realized by LOGMOS for setting up a ship register at the request of one of the TRACECA ICG States.

### **1.5.2 The Transport Dialogue and Networks Operability II Project**

The overall objective of the TRACECA transport dialogue and networks interoperability II project is to provide technical support to the partner countries to improve the connection between the trans-European transport network and EU's eastern neighbours and Central Asian countries. This project will contribute to the achievement of the policy objectives defined in the Commission communication on transport relations with the ENPI countries. Particular emphasis is to be put on improving coordination with IFIs and participation of the private sector in transport projects. To achieve this objective, a Regional Transport Action Plan including maritime transport will be developed and implemented. TRACECA Maritime will participate, within its remit, to the drafting of the Regional Transport Action Plan. The Project's team has taken part in the Transport Dialogue and networks operability II conference that was held in Kiev on 16 and 17 April 2013.

### **1.5.3 The MONINFO Project**

The MONINFO Project was a two-year project implemented by the Commission on the Protection of the Black Sea against Pollution (BSC) and partner countries were all riparian Black Sea countries. The project revealed that a regional mechanism for exchange and dissemination of data and information related to shipping traffic, movement of oil & oil products, on-going and future activities related to oil production, storage and transportation combined with up-to-date information on preparedness and response to oil spills would greatly reduce the risk of oil spills and its impact in the Black Sea region. The MONINFO project has now been completed and TRACECA Maritime will build on its results in its activities related to traffic monitoring.

## **1.6 Basic Maritime Country Profiles**

### **1.6.1 Merchant fleet of beneficiary countries in the Black and Caspian Seas**

From the list of partner countries of the project, 6 countries maintain a fleet flying their flag: In the Caspian Sea Azerbaijan, Kazakhstan and Turkmenistan and in the Black Sea Georgia



and Ukraine. Furthermore the Republic of Moldova, as a country only with sea access through the Danube River, is maintaining an international ship register.

#### **1.6.1.1 Azerbaijan**

The fleet of Azerbaijan comprises 272 ships with an aggregated gross tonnage of 729505 GT. Amongst these ships are

- 37 Passenger and RoRo passenger ships,
- 45 Product and crude oil tankers,
- 26 General cargo ships,
- 51 Tugs including anchor handling and offshore tugs,
- 16 Crew boats and
- 13 Pollution control and fire-fighting vessels.

#### **1.6.1.2 Georgia**

Following a quality initiative, the fleet of Georgia was significantly reduced and comprises now 24 vessels with an aggregated gross tonnage of 20084 GT. 10 of these ships are fishing vessels.

#### **1.6.1.3 Kazakhstan**

The majority of the 109 ships with an aggregated gross tonnage of 120867 GT of the fleet of Kazakhstan can be related to offshore activities. Beyond these ships Kazakhstan's fleet comprises 11 tankers and product tankers, 10 fishing vessels and small numbers of different other ship types. The ships registered in Kazakhstan primarily operate in the Caspian Sea.

#### **1.6.1.4 Republic of Moldova**

The fleet of the Republic of Moldova consists of 174 ships with an aggregated gross tonnage of 524031 GT. The major ship types flying the flag of the Republic of Moldova are

- 120 General cargo ships,
- 11 RoRo cargo ships,
- 11 Tugs,
- 10 Tankers of different kinds and
- 9 Passenger and RoRo passenger ships.



#### **1.6.1.5 Turkmenistan**

74 ships with an aggregated gross tonnage of 90566 GT are flying the flag of Turkmenistan. Besides 36 ships servicing the offshore industry, the fleet consists mainly of a number of tugs, general cargo ships and fishing vessels. No activities of ships flying the flag of Turkmenistan outside the Caspian Sea are documented in the records available.

#### **1.6.1.6 Ukraine**

With 503 ships of an aggregated gross tonnage of 626659 GT, Ukraine registers the largest fleet of the partner countries. In this fleet the largest groups of ship types are

119 Tugs,

91 General cargo ships,

89 Fishing vessels,

55 Passenger and RoRo passenger ships,

28 Pollution control vessels

#### **1.6.2 Fleet development**

Analysing the development of the fleets registered by the partner countries since 1995, the situation amongst the countries at the Caspian Sea shows a continuous growth of the fleets of Azerbaijan, Kazakhstan and Turkmenistan. In case of Kazakhstan the fleet's capacity in terms of deadweight increased by the factor 24 since 2002, which can be attributed to the increasing importance of oil and gas exploration. The size of the fleet of Turkmenistan increased by more than the factor two and the fleet of Azerbaijan increased by 32% in the last 10 years. Like in Kazakhstan this can be attributed to the offshore activities in the EEZ of the countries.

In the Black Sea the picture is different; here significant movements within the fleet size of the partner countries had taken place. While the fleet of the Ukraine continuously shrank from more than 6 million TDW 1995 to 680 thousand TDW in 2012, the fleet size of Georgia was moving up and down. Having been a popular flag for low quality vessels with increasing fleet figures, after a quality initiative started in 2011, Georgia forced the majority of the ships to leave the register and has now the smallest fleet of all partner countries. Since the Republic of Moldova opened a register in 2007 the fleet is rapidly growing. A number of ships formerly registered with Georgia changed flag to the Republic of Moldova.

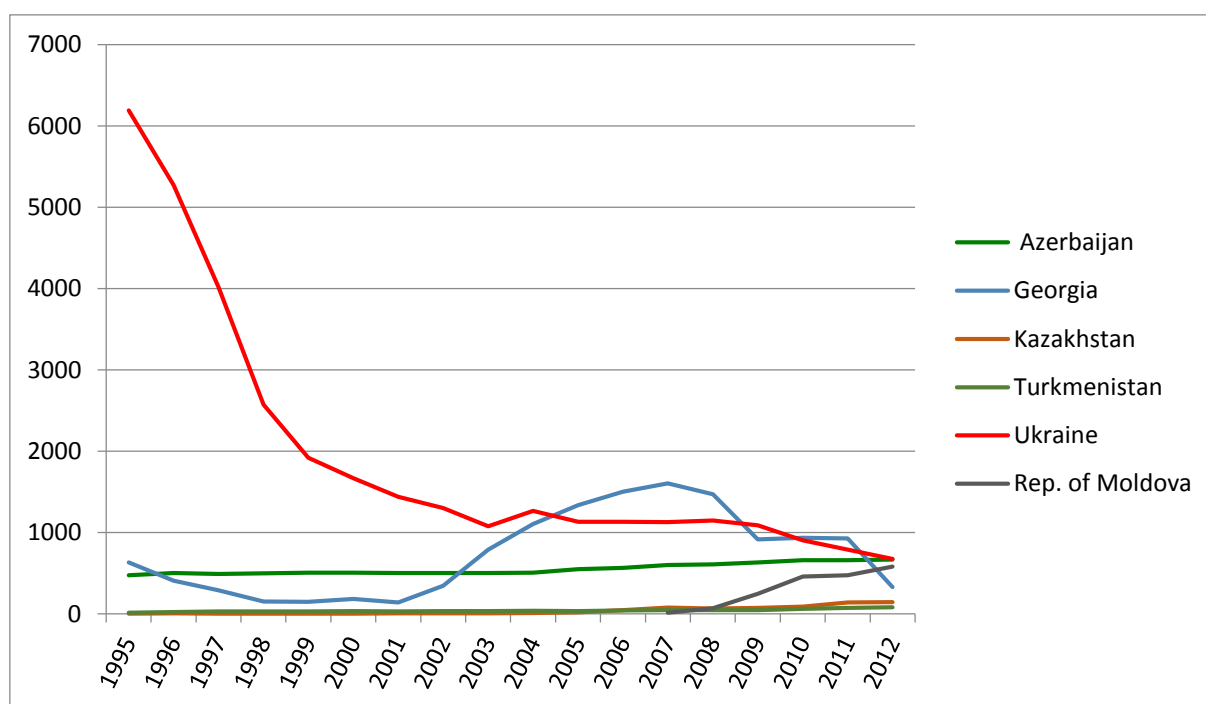


Figure 1: Development of the merchant fleet in the partner countries from 1995 until 2012 (TDW in thousands, source UNCTAD)

### 1.6.3 Ratification of the relevant conventions

When looking at the international Conventions the partner countries are party of, a distinction should be made between coastal states and landlocked countries and in particular countries showing no maritime activities at all. For this review the latest information on ratifications at the IMO have been analysed, and so was the status related to the ratification of the Maritime Labour Convention 2006 (MLC 2006) of the International Labour Organisation (ILO) and the United Nations Convention on the Law of the Seas (UNCLOS).

#### 1.6.3.1 Coastal States

##### 1.6.3.1.1 Azerbaijan

Azerbaijan is a Member of the International Maritime Organisation and is participating at IMO meetings focusing on committee Meetings.

The following Conventions have been ratified by Azerbaijan:

- IMO Convention,
- SOLAS Convention including Protocols,
- International Load Line Convention including Protocols,
- International Tonnage Convention,

- Convention on the International Regulations for Preventing Collisions at Sea (COLREG),
- Seafarer’s Training, Certification and Watchkeeping Convention 78,
- MARPOL Annex I through Annex VI,
- Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972 (London Convention),
- Convention on Limitation of Liability for Maritime Claims, 1976
- Protocol 92 to the International Convention on Civil Liability for Oil Pollution Damage,
- International Convention on Salvage, 1989 (SALVAGE 1989)
- Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation including Protocols
- International Convention on Oil Pollution Preparedness, Response and Co-operation, 1990 (OPRC 1990)

With regard to marine conventions not governed by the IMO, Azerbaijan is not signatory to UNCLOS and not signatory to ILO’s MLC 2006.

#### **1.6.3.1.2 Georgia**

Georgia is a Member of the International Maritime Organisation and is often participating at the meetings of IMO bodies.

The following Conventions have been ratified by Georgia:

- IMO Convention,
- SOLAS Convention including Protocols,
- International Load Line Convention including Protocols,
- International Tonnage Convention,
- Convention on the International Regulations for Preventing Collisions at Sea,
- Convention for Safe Containers 72,
- Seafarer’s Training, Certification and Watchkeeping Convention 78,
- International Convention on Maritime Search and Rescue, 1979,
- Convention on Facilitation of International Maritime Traffic,
- MARPOL Annex I through Annex V,
- 96 Protocol to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter (London Convention),
- International Convention on Civil Liability for Oil Pollution Damage and its Protocol
- Protocol of 1992 to amend the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1971 (FUND PROT 1992)
- Athens Convention relating to the Carriage of Passengers and their Luggage by Sea, 1974 (PAL 1974) and the 76 Protocol
- Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation including Protocols



- International Convention on Salvage, 1989 (SALVAGE 1989)
- International Convention on Oil Pollution Preparedness, Response and Co-operation, 1990 (OPRC 1990)

With regard to marine conventions not governed by the IMO, Georgia is signatory to UNCLOS and not signatory to ILO's MLC 2006.

#### **1.6.3.1.3 Kazakhstan**

Kazakhstan is a Member of the International Maritime Organisation and is occasional participating in meetings of IMO bodies.

The following Conventions have been ratified by Kazakhstan:

- IMO Convention,
- SOLAS Convention including Protocols,
- International Load Line Convention including Protocols,
- Convention for Safe Containers 72,
- Seafarer's Training, Certification and Watchkeeping Convention 78
- MARPOL Annex I through Annex V,
- International Convention on Civil Liability for Oil Pollution Damage 69,
- Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation including Protocols

With regard to marine conventions not governed by the IMO, Kazakhstan is not a signatory of UNCLOS and of ILO's MLC 2006.

#### **1.6.3.1.4 Turkmenistan**

Turkmenistan is a Member of the International Maritime Organisation and is participating at meetings of the Assembly of the IMO.

The following Conventions have been ratified by Turkmenistan:

- IMO Convention,
- SOLAS 74 Convention,
- International Load Line Convention 66,
- International Tonnage Convention,
- Convention on the International Regulations for Preventing Collisions at Sea
- Seafarer's Training, Certification and Watchkeeping Convention 78
- MARPOL Annex I through Annex V,
- International Convention on Civil Liability for Oil Pollution Damage 69,
- Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation including Protocols



With regard to marine conventions not governed by the IMO, Turkmenistan is not a signatory of UNCLOS and of ILO's MLC 2006.

#### **1.6.3.1.5 Ukraine**

Ukraine is a Member of the International Maritime Organisation and is participating regularly at the meetings of IMO bodies.

The following Conventions have been ratified by Ukraine:

- IMO Convention,
- SOLAS Convention including Protocols,
- International Load Line Convention including Protocols,
- International Tonnage Convention,
- Convention on the International Regulations for Preventing Collisions at Sea,
- Convention for Safe Containers 72,
- Seafarer's Training, Certification and Watchkeeping Convention 78,
- International Convention on Maritime Search and Rescue, 1979,
- Operating Agreement on the International Maritime Satellite Organisation (INMARSAT)
- Convention on the International Mobile Satellite Organisation,
- Convention on Facilitation of International Maritime Traffic,
- MARPOL Annex I through Annex VI,
- Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972 (London Convention),
- International Convention Relating to Intervention on the High Seas in Cases of Oil Pollution Casualties, 1969 (INTERVENTION 1969)
- Protocol 92 to the International Convention on Civil Liability for Oil Pollution Damage,
- Athens Convention relating to the Carriage of Passengers and their Luggage by Sea, 1974 (PAL 1974) and the 76 Protocol
- Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation including Protocols

With regard to marine conventions not governed by the IMO, Ukraine is signatory to UNCLOS and not signatory to ILO's MLC 2006.

#### **1.6.3.2 Landlocked Countries**

##### **1.6.3.2.1 Armenia**

Armenia is not a Member of the IMO but has nevertheless signed the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation including Protocols.

Armenia is neither signatory to UNCLOS nor to the MLC 2006.



#### **1.6.3.2.2 Republic of Moldova**

The Republic of Moldova is a Member of the International Maritime Organisation and is often participating at the meetings of IMO bodies.

The following Conventions have been ratified by the Republic of Moldova:

- IMO Convention,
- SOLAS Convention including Protocols,
- International Load Line Convention including Protocols,
- International Tonnage Convention,
- Seafarer's Training, Certification and Watchkeeping Convention 78,
- Convention on the International Regulations for Preventing Collisions at Sea,
- MARPOL Annex I through Annex V,
- 92 Protocol to the International Convention on Civil Liability for Oil Pollution Damage
- Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation including Protocols

With regard to marine conventions not governed by the IMO, the Republic of Moldova is signatory to UNCLOS and not signatory to ILO's MLC 2006.

#### **1.6.3.2.3 Kyrgyzstan**

Kyrgyzstan is not a Member of the IMO and is not a signatory to any maritime conventions.

#### **1.6.3.2.4 Tajikistan**

Tajikistan is not a Member of the IMO but nevertheless has signed the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation including Protocols.

Tajikistan is neither signatory to UNCLOS nor to the MLC 2006

#### **1.6.3.2.5 Uzbekistan**

Uzbekistan is not a Member of the IMO but nevertheless has signed the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation including Protocols.

Uzbekistan is neither signatory to UNCLOS nor to the MLC 2006.

### **1.6.4 Flag State performance of the partner countries under the Paris, Tokyo, Black Sea and Mediterranean Memoranda of Understanding regimes**





According to the applicable IMO Conventions, Port States have the right to inspect ships entering their territorial waters against compliance with such Conventions. Within the European Union this is further regulated in directive 2009/16/EC. Several port states adjacent to common waters have created MOUs ensuring among others common standards and providing a platform for publication of results of their inspections. The two largest MoUs are Paris MOU, covering the European Coast lines and the North Atlantic coast of Canada and Tokyo MoU, covering the Asia Pacific Region. In addition there are a number of other regional MoUs. For the purpose of this report results published by the Black Sea MoU and the Mediterranean MOU have been considered in addition to the publications of Paris and Tokyo MoU.

Paris and Tokyo MoU maintain and publish lists ranking flag states against their performance, the so-called black, grey and white lists. Such lists are based on the results from three years period and contain flag states whose ships have been at least subject to 60 inspections. While this provides for a statistically more stable system, sudden improvements in particular by removing large numbers of substandard ships will appear with a certain delay. For example in the case of Georgia, which has reduced its fleet significantly, the effect will be not be visible in the 2012 figures as the inspection results achieved in 2010 and 2011 will statistically be prevailing.

On the Performance list of Tokyo MoU from the partner countries only Georgia appeared and was listed in the regimes low performance list, the so-called black list, since 2005. In the performance list of Paris MOU Azerbaijan, Georgia, Moldova and Ukraine are listed. All four appear in the black list of Paris MOU, Georgia and the Ukraine are recorded since more the 10 years in the black flag category (in 2006 Ukraine was in the grey list for 1 year), Azerbaijan was listed in the grey list until 2009 and is listed as a black flag since 2010, the Republic of Moldova appeared first in the performance list in 2008, since the Republic of Moldova is recorded on a black flag position.

The diagram below shows the development of percentage of detained ships versus the number of inspections. As used for the flag performance calculation by the PSC MoUs a three years rolling period is used. In order to make trends more visible, the more complex statistical calculation applied by the MOUs is here replaced by a simple ratio.



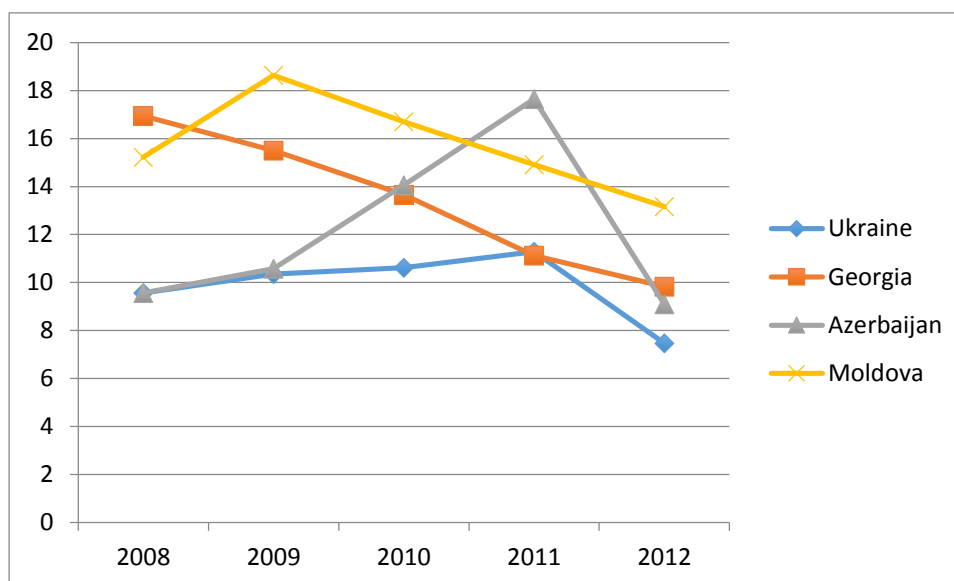


Figure 2: Percentage of detained ships based on a 3 years rolling period numbers (Source: Paris MoU annual reports)

### 1.6.5 Indication of Port State Control activities of the partner countries

Systematic information about PSC activities is only available for the Black Sea region. In the Black Sea the coastal and port states Bulgaria, Georgia, Romania, the Russian Federation, Turkey, and Ukraine established, in April 2000, the Black Sea MoU (BS MoU) agreeing on harmonised standards in the Black Sea including data exchange, qualification of inspectors and required commitment. BS MoU publishes annual reports and provides a database which is accessible online.

For the Caspian Sea region no details on Port State Control are published by the partner countries. However, it is known that Azerbaijan exercises its port State control rights. Azerbaijan has an observer status with the Black Sea MoU. The Russian Federation reports Ports State Control Inspections in Russian ports to Paris MoU, even though the Caspian Sea is not formally part of the Paris MoU region.

### 1.6.6 Guidance for TRACECA Maritime Safety & Security II resulting from an assessment of the basic maritime country profiles

The project partner countries can be distinguished between those operating a national flag and exercising port and coastal State activities, landlocked countries with a national flag or that have expressed an interest in creating a national flag, and countries with apparent limited maritime activity. For the flag State countries, it should be noted that the fleet figures may be outdated. Establishment of country profiles, based on the EU model, will be useful in that regard. Because of the diversity of the partner countries' situations, it will be important to ensure that each of them can derive benefit from the project. The list of activities has been designed with this objective in mind, but some flexibility may be necessary, in particular regarding the expression of needs by landlocked countries. Overall,

the flag performance, as measured by the Paris and Tokyo MoUs, ranks rather low, fully justifying the objectives of improvement of flag State performance of the TRACECA Maritime Safety II Project.

## 2 Contract objectives and expected results

### 2.1 Overall objectives

The overall objectives of the present contract are to approximate the partners' legislations with the EU regulatory framework, support the further ratification and implementation of international maritime safety and security conventions as well as improving the level of quality and coordination of maritime administrations in the Black Sea and Caspian Sea partner countries with the overall objective of making shipping safer, more secure and environment friendly.

### 2.2 Specific objectives

- Strengthening the regional coordination between the EU and partner countries, and the countries themselves, in the framework of maritime safety and security.
- Monitoring of the flag performance and provision of dedicated assistance to maritime administrations to overcome the impediments identified by the Voluntary IMO Member State Audit Scheme (VIMSAS); reinforcement of port State control capacity both in terms of procedures and training of port State control officers.
- Enhancing the regional cooperation in the field of vessel traffic monitoring and reporting in order to improve maritime safety and to reduce maritime pollution.
- Reduction of illegal waste disposal, pollution and emissions related to maritime transport.
- Increasing the qualifications of maritime personnel.
- Maintaining a secure shipping environment by proper implementation of the International Ship and Port Facility Security (ISPS) Regulations.
- Proper dissemination of the project results.

### 2.3 Expected results

- Improved level and coordination of maritime administrations
- Improved performance of the partner countries on the Paris Memorandum Black and Grey lists
- Reduced maritime pollution caused by ships
- Better information available regarding vessel movements and increased sharing of data between neighbouring countries
- Better secured ship and port facilities and enforcement of related measures.

### 2.4 Performance monitoring indicators

The following table defines the results to be achieved and the corresponding deliverables:



**Table 1: Performance Monitoring Indicators**

Component / Activity	Description	Deliverables	Performance indicators
<b>Component 1: Regional coordination</b>			
Activity 1.1	Support to Regional Working Groups	Organisation of two RWG per year (may vary according to needs)	Partners participation
Activity 1.2	Support to National Working Groups	Organisation of one NWG per partner country (may vary according to needs)	Implementation of National Action Plans
Activity 1.3	Contribution to the implementation of the TRAS	Continuous task to be declined in all relevant activities	Level of implementation of the TRAS
<b>Component 2 Flag State implementation</b>			
Activity 2.1	Flag State administration model strengthening	<ul style="list-style-type: none"> <li>- Review of existing structures and recommendations</li> <li>- Introduction to Quality Management Systems seminar</li> </ul>	Cf Annex 4
Activity 2.2	Flag and R.O. Monitoring	<ul style="list-style-type: none"> <li>- International Conventions effective implementation workshop</li> <li>- R.O. monitoring workshop</li> </ul>	Cf Annex 4
Activity 2.3	Accident investigation body set up	<ul style="list-style-type: none"> <li>- Accident investigation seminar</li> <li>- Organisational structure setup support</li> </ul>	Cf Annex 4
Activity 2.4	PSCO tutoring	<ul style="list-style-type: none"> <li>- National tutoring for Ukraine, Georgia and Azerbaijan</li> </ul>	Number of PSCOs trained Training evaluation results
Activity 2.5	BS MoU information system data exchange support	Needs assessment and recommendations	Implementation of exchange agreements
Activity 2.6	VIMSAS Auditors training	VIMSAS Auditors training workshop	Number of trainees, States officially nominating trainees as auditors to IMO Training evaluation results
<b>Component 3 Safety of navigation</b>			
Activity 3.1	Needs assessment	<ul style="list-style-type: none"> <li>- VTMS review and evaluation</li> <li>- New VTMS needs assessment</li> <li>- Identification of equipment</li> <li>- Provision of advice</li> </ul>	Traffic monitoring systems implementation
Activity 3.2	Development of training plans	<ul style="list-style-type: none"> <li>- Delivery of training plans</li> </ul>	Acceptance of the training plans



Activity 3.3	Training delivery	<ul style="list-style-type: none"> <li>- VTS/VTMIS operators training</li> <li>- Workshop on VTMIS best practices</li> <li>- LRIT workshop</li> </ul>	Number of trainees Training evaluation results Acceptance of establishment of a regional server
<b>Component 4 Protection of the marine environment</b>			
Activity 4.1	Port reception facilities training	<ul style="list-style-type: none"> <li>- Assessment of national legislation</li> <li>- PRF Workshop</li> </ul>	Evolutions in national legislations. Number of trainees Training evaluation results
Activity 4.2	Marine Pollution prevention	MARPOL Convention workshop	MARPOL national implementation Number of trainees Training evaluation results
Activity 4.3	Marine fuels sulphur content	MARPOL Annex VI sulphur content fuel provisions seminar	Ratification of MARPOL Annex VI
Activity 4.4	Places of refuge, Anti-Fouling, Ballast Water, Dangerous goods	<ul style="list-style-type: none"> <li>- PoR workshop</li> <li>- AFS workshop</li> <li>- IMDG Code implementation assessment and risk analysis</li> <li>- BWM training course</li> </ul>	Number of trainees Training evaluation results AFS ratification IMDG recommendations implementation BWM ratifications
Activity 4.5 (optional)	CleanSeaNet support	<ul style="list-style-type: none"> <li>- Awareness-raising workshop on CleanSeaNet</li> <li>- CleanSeaNet access assistance</li> </ul>	Expressions of interest for CleanSeaNet
Activity 4.6 (optional)	Oil pollution response training	Oil pollution response regional course	Number of trainees Training evaluation results National legislation on oil pollution response
Activity 4.7	Offshore units regulations	Offshore units regulations training	Offshore unit national legislation
<b>Component 5 The Human element</b>			
Activity 5.1	ISM Code	ISM auditors training	Training evaluation results ISM Code compliance
Activity 5.2	STCW Convention	Specialised STCW course	Training evaluation results STCW Convention compliance
Activity 5.3	ILO MLC 2006 Convention	ILO MLC 2006 surveyors training or regional seminar	Training evaluation results ILO MLC 2006 ratification
<b>Component 6 Ports &amp; ships security</b>			
Activity 6.1	ISPS training	<ul style="list-style-type: none"> <li>- ISPS implementation level assessment</li> <li>- Training programme drafting</li> </ul>	ISPS Code enforcement
Activity 6.2	ISPS best practices	Yearly ISPS workshops	ISPS Code enforcement



			Training evaluation results
<b>Component 7 Visibility and communication</b>			
Activity 7.1	Strategy, guidelines and procedures	Development of strategy guidelines procedures for project communication	Increased project visibility
Activity 7.2	Dissemination activities	Project's results dissemination	Increased project visibility



### 3 Assumptions and risks

#### 3.1 Assumptions underlying the project intervention

The main assumption is closely linked to a continued stable political and economic environment during the contract time and beyond, and an unchanged policy orientation of the TRACECA countries towards closer integration inside the region and with the EU. Trustful cooperation between the Contractor and Maritime Security and Safety Authorities will be as important as close cooperation between all levels of national authorities involved in the coordination and regulatory process. Trustful cooperation with the TRACECA Permanent Secretariat, other relevant regional bodies, and the European Maritime Safety Agency is also assumed for coordination of activities and where relevant reinforced technical cooperation.

#### 3.2 Risks

The Contractor has identified a number of measures to counter possible risks that may delay or prevent successful or timely achievement of the project objectives. The identified risks and proposed actions to minimise their impact are set out below:

**Table 2: Risks & Counter Measures**

Risk	Likelihood	Impact	Counter Measures
A complex, sensitive and at times uncertain political work climate in the region	H	M	The expert team is made up of specialists with many years of experience in politically sensitive environments, incl. in TRACECA countries. Their expertise will help anticipate and mitigate any delay or restraint imposed by the political environment.
Lack of commitment and willingness by the partner countries to implement regional integration programmes, insufficient inter- and intra-institutional coordination, lack of common goals and priorities in the Maritime sector	M	H	The expert team will cooperate closely with the project partner countries and all relevant stakeholders to inform about the importance of the present project and enhance collaboration by emphasising the benefits and added value of the Project's activities.
Procedural delays in the regional integration process	M	M	The expert team will try to anticipate any delay caused in this respect through appropriate coordination and consultation with the involved public bodies.
Lack of absorption capacity, time or interest in the training	M	M	The expert team will evaluate absorption capacity as per NTU training model; will use among others the interactive and participatory methods; and will ensure

Risk	Likelihood	Impact	Counter Measures
			participation by careful training preparation. The proposed expert team is highly skilled in training delivery.
Insufficient agreement between the partner countries on the adherence to the VIMSAS system	L	M	All three key experts and the management team have substantial experience in supporting transition countries in implementing and running VIMSAS audits.
Adverse impact of political interference in the legal, regulatory and systemic approximation of national systems to allow for implementation of MARPOL, VIMSAS, MLC and other framework agreements	M	L	We are fully aware of our responsibility for raising awareness inside the administrations of the partner countries on the importance and benefits of adhering to these international conventions, systems and cooperation frameworks.
Lack of co-operation between the ongoing TRACECA projects which could result in overlapping of activities.	L	M	The expert team will cooperate closely with the team leaders of other on-going TRACECA projects in order to avoid duplication as well as to make use of all available findings.

H= High, M= Medium, L= Low

## 4 Scope of the work

The project activities are focused to address the Priority Actions of the TRACECA Regional Action Strategy on Maritime Safety and Security and Environmental Protection.

### 4.1 General

#### 4.1.1 Project description

This project has been conceived as the follow-up of the previous TRACECA EU funded project on maritime safety and security and ship pollution prevention in the Black and Caspian Seas. It is linked to the topics and themes addressed in Platform 2 of the Eastern Partnership on Economic Integration and Convergence of the EU Policies addressing the main transport challenges faced by the ENPI countries.

The overall objective of the project is to support the further ratification and implementation of international maritime safety and security conventions as well as improving the level of quality and coordination of maritime administrations in the Black and Caspian Seas TRACECA countries, within the overarching objective of making shipping safer, more secure and environment friendly.





Despite being a regional project, our contract will focus also on specific needs at national level of each partner country by taking into account the level of improvement of the maritime administration over the past years and keeping in mind the different bilateral assistance provided (including twinning) to some of the partner countries.

Building on past activities, the project will support the implementation of the TRAS approved by the TRACECA countries at the IGC in November 2011. As most partner countries remain on the black or grey lists of the Paris Memorandum of Understanding on Port State Control, this project aims to help the countries in implementing specific activities to improve performance in this area.

Enhanced cooperation between the partner countries and EMSA, aiming for full compliance with IMO instruments related to Automatic Identification Systems (AIS), Long range identification and Tracking of Ships (LRIT) and Vessel Traffic Monitoring Information Systems (VTMIS), should be foreseen.

Protection of the marine environment aims at achieving a zero illegal waste, zero emissions maritime transport in the Black and Caspian Seas. Several initiatives have already been developed and the support should be continued.

Likewise, actions aiming at maintaining a secure shipping environment and at improving human behaviour that affects maritime accidents should be taken.

In order to reduce the risk of insufficient commitment from the partner countries, it is essential to involve the TRACECA Permanent Secretariat to revitalise the activities of the Maritime Safety and Security Working Group. This can facilitate the coordination among the countries, and between the countries and the EU.

Visibility and information activities will be implemented to ensure that project results are adequately disseminated.

#### **4.1.2 Geographical area to be covered**

The project covers Armenia, Azerbaijan, Georgia, Moldova, Ukraine, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan. We will strive to associate Bulgaria, Romania and Turkey to the extent that this is in line with the priorities of the EC and the TRACECA PS.

#### **4.1.3 Target groups**

The beneficiary countries are countries of the ENPI East region and Central Asia, participating in the TRACECA programme. Bulgaria, Romania and Turkey will be indirect beneficiary countries. The project's main stakeholders will be the Ministries of Transport, maritime administrations and authorities, port authorities and maritime academies. Indirectly, the shipping companies in the region could also benefit from the project.

The Permanent Secretariat of TRACECA based in Baku and TRACECA National Secretaries of the partner countries will be closely associated to the working groups and the coordination of the project. Regional organisations such as the Black Sea Commission and the Black Sea



Memorandum of Understanding on port state control should also be integrated into the implementation of the project.

## 4.2 Specific activities

### 4.2.1 Component 1 Regional coordination

#### ***Activity 1.1 Support to the Regional Working Group***

The terms of reference for the Regional Working Group have been drafted by the SASEPOL project team. They are annexed to this report. Currently the presidency of the RWG is ensured by Turkey. A meeting with the presidency prior to the next meeting will allow assessing the current state of the workgroup and set an agenda that may include a revision of the Terms of Reference of the group. The project will support the organisation of a maximum of two RWG per year; the frequency will depend on the progress of implementation of identified measures and priority actions. Meeting dates will be determined in liaison with the TRACECA Permanent Secretariat in order to ensure consistency with the other planned activities of the TRACECA ICG. Expected results of the meetings will be:

- Identify the measures and priority of the TRAS activity plans;
- Coordinate the implementation of activities under the TRAS priority actions;
- Monitor the progress of the implementation of the TRAS

#### ***Activity 1.2 Support to National Working Groups***

The National Working Groups on maritime safety, security and marine pollution will be supported and strengthened with the purpose of enhancing the regional cooperation and interchange of knowledge and practices between the countries participating in the TRACECA Maritime Safety II project. The main task of the NWGs will be to adopt the identified objectives and priority actions by the RWG in the national plans of each beneficiary country. The international project experts will advise on the following organisational elements and activities of the Working Group:

- Objectives and terms of reference of the Working Group and its meetings;
- Organization and logistics, procedures and schedules;
- Identification, position and expertise of the participants; and
- Drafting of findings and recommendations of the Working Group mainly addressed to the elaboration of the regional Action Plan on maritime safety, security and protection of the marine environment.

The National Working Groups will support the RWG in coordinating its activities for their respective assigned priority actions. The NWGs will also oversee the implementation of the TRAS for their specific priority actions and, where required, develop specific implementation plans. Through the NWGs the Participating States will contribute to the overall regional coordination of the TRAS. Participants will be the national officials in charge of maritime



safety, security and protection of the marine environment. A representative from the National TRACECA Secretariat will be invited to participate.

### **Activity 1.3 Contribution to the implementation of the TRAS**

The TRACECA Regional Action Strategy (TRAS) on Maritime Security, Safety and Environmental Protection for the period up to 2021 points out the main directions of collaboration on maritime security, safety and environmental protection between the Participating States. The main purpose of TRAS is the creation of a highly efficient regional maritime transport system, which combines the national maritime transport programs with the development plans of the Pan-European transport corridors. The Strategy is considered as a general framework for the cooperation of the Caspian and Black Sea countries in the field of maritime transport with particular focus on maritime safety, security and environmental protection. Based on the results of the SASEPOL Projects and if need be of an expert's mission in the field, an assessment will be carried out about the status of implementation of the TRAS and identification of impediments. Results of this study will be presented to the beneficiaries and national action plans for the implementation of national and international legislation (EU/IMO/UN) on maritime safety, security and environment protection will be designed. The TAT will assist the partner administrations (maritime authorities) in preparing the national Action plans in formulating specific actions, time frames and budgets. Where needed, assistance will be provided in structuring the relevant organisational capacity (manpower, human resource qualifications, and budgets) to implement the national action plans. These national measures will be aligned with regional efforts to reach the objectives of the Strategy. The international project experts will assist and support the implementation of the TRAS in to the national plans of the beneficiary countries.

## **4.2.2 Component 2: Flag State implementation**

### **Obligations of Flag States**

As a consequence of ratification of international instruments a number of obligations are to be dealt with by Flag states. One of the topics being an on-going concern of the EC is the certification of seafarers in accordance with the STCW Convention to ensure proper education and training and to minimise the risk of fraudulent certificates. The results of port State control inspections, and of statistics and anonymized data from the results of the voluntary Audits carried out by the IMO, reveal the difficulties flag States have in surveying ships flying their flags and the insufficient monitoring of recognized organizations for duties that have been delegated. In order to strengthen the beneficiaries' capacity to perform their duties under EU and international regulations, the project will provide assistance in the form of regional and national training sessions, national action plans and studies based on the results of previous projects and updated assessments.



**Activity 2.1: Strengthening the models for Flag State administrations, including the establishment of a quality system (TRAS priority action 4)**

In recent years the scope of duties for maritime Administrations has broadened significantly on one hand through new international conventions developed primarily by the International Maritime Organisation, but also by the International Labour Organisation and on the other hand through technical developments in shipping industry and as through public expectations. In order to adequately cope with these requirements, maritime Administrations need to review their setup.

As described in 1.4.1 above the IMO Member states established an audit regime looking on how the individual Member states meet their obligations emanating from the various instruments (CODE FOR THE IMPLEMENTATION OF MANDATORY IMO INSTRUMENTS, 2011, IMO Resolution A.1054(27)). While this regime is currently voluntary, it is decided that from late 2015 this audit scheme will become mandatory. The most reasonable approach to ensure best possible compliance with the obligations is to establish well documented processes. In order to ensure a continuous quality level of such processes of a maritime Administration a quality management system following ISO 9001:2008 is the most promising way forward.

The project will support the partner countries in these efforts by a number of means. First step is a review of the setup of the maritime Administration through a GAP analysis or alternatively a review of the existing organisational structure followed by an analysis in view of possible improvements. For the purpose of the review, the experts' team will develop a questionnaire for a preliminary assessment of performance. An example of performance indicators is included in Annex 4. Recommendations as a result of this analysis / review will allow the beneficiary administration to strengthen their organization.

For those beneficiaries that have officially volunteered for the Audit Scheme, the project will propose a mock-audit, performed by two experienced auditors, in conditions similar to an actual audit. The mock-audit will allow those beneficiaries to best prepare for the actual exercise and work on identified non-conformities.

For Quality Management Systems (QMS), an introductory workshop will be organized. Its purpose will be to explain the principles of Quality Management, applicable ISO standards, and relevance to the performance of duties by Maritime Authorities. Respective roles and responsibilities within the administrations will be distinguished. As a follow-up to this workshop, for those partners expressing interest in an ISO implementation project, an initial national consultancy will be proposed.

For the project's partners that are landlocked and have expressed an interest in the project, a specific programme designed to raise awareness for maritime issues for such countries has been drafted.



***Activity 2.2: Supporting the implementation of international legislation in the area of flag state including the monitoring of flag performance and monitoring by recognised organisations.***

Ratification of Conventions in General (TRAS priority items 4, 15, 17-21)

Effective implementation of international conventions is a key element to flag State performance. The partner countries may meet obstacles in the process, and this task will support them in this respect, based on the principles set in Directive 2009/21/EC of 23 April 2009 on compliance with flag State. Effective monitoring by Recognised Organisations is part of flag performance and both topics will be treated jointly. In section 1.6.3 above the different international maritime Instruments ratified by the partner countries are considered. It is noted that none of the later instruments have been ratified until today, in particular to mention the Ballast Water Management Convention and the Maritime Labour Convention 2006. It is further noted that only one accession to an instrument has been noted by the IMO for the partner countries within the last three years (Azerbaijan, BUNKERS 2001 on 22.6.2010). Within the project specific information will be provided about the different instruments in focus of the TRACECA Strategy allowing an in depth understanding of the instruments in question and consequences of ratification.

The expert team will provide an assessment of and advice to the maritime administrations in the following aspects:

- undertaking reviews of bodies and institutions dealing with maritime issues and clear definition of their individual and joint responsibilities;
- analysing the involved organizations, operations and staff activities and performance of the maritime administrations on effectiveness and efficiency;
- capacity of each beneficiary to integrate EU and international legislation in its national law and
- development of an action plan for improving flag State performance in collaboration with the concerned administrations to support the implementation of international legislation and the development of modern maritime administrations. The National Working Group of each partner will assess progress made in the implementation of the action plan.

Part of this assistance will be delivered in the form of a regional workshop where the participation of EU Member States will be sought in order to share experience on approximation of EU legislation and ratification of conventions. The workshop will also provide guidance for the development of a relevant ship safety philosophy and addressing a number of sample cases from various chapters of SOLAS and other IMO ship safety instruments. This ship safety philosophy will allow beneficiaries to address the issue of the SOLAS regulations that are to be implemented to the satisfaction of the administration.



***Activity 2.3: Assisting beneficiaries to set up independent accident investigation bodies and provide one basic training for accident investigators in coordination with EMSA performance (EU Maritime Policy, 3<sup>rd</sup> Maritime Safety Package, ref also to TRAS paragraph 3.2.3)***

According to the regulations named above, each state should engage in a formalised accident investigation in accidents in its territorial waters and on ships flying that states flag, regardless where the accident is occurring. Statistical evaluations of Flag state audits reveal this as a weak point in several cases. Core requirements of the regulations are:

1. Independence of the Accident Investigation body from the maritime Administration,
2. Qualification of accident investigators,
3. Communication of results.

The project will assess the statutory and regulatory status of those investigating bodies in partner countries in view of securing implementation of an independent analysis of maritime casualties. As a result of this assessment, recommendations will be drafted to improve the efficiency of investigation bodies in compliance with principles and recommendations of above-mentioned EU and international regulations.

A workshop on best practices to set up an independent investigation body will be held with the cooperation of EMSA, possibly in Lisbon.

***Activity 2.4: Undertaking tutoring projects in coordination with EMSA on port State control for those beneficiaries (Ukraine and Georgia) that are members of the Black Sea MoU and those that perform PSC inspections in the Caspian Sea (Azerbaijan)***

Rules related to Port State Control inspections are detailed in the IMO Assembly Resolution A27/Res.1052 revising applicable port State control procedures. Specific rules for the region are detailed in the Black Sea MoU Port State Control Officers' manual.

The main purpose of this activity will be to raise further awareness, as follow-up from SASEPOL training activities during recent years, of the necessity of an improved and harmonised system of port State control in Ukraine and Georgia as well as strengthening co-operation and the exchange of information. The inclusion of Azerbaijan, which enjoys observer status in the Black Sea MoU, will be sought since the Maritime Administration of the country has been performing Port State Control tasks for a number of years.

An ad hoc national tutoring programme will be developed for Ukrainian, Georgian and Azerbaijani PSCOs. In case Moldova is intending to become member to the Black Sea MoU, this country may participate in the programme.

The implementation of this training programme will be commensurate to the PSC responsibilities of the partner countries. The tutoring would be a one week national training course, including inspections in a main port, under the lead of an EMSA officer one Paris



MoU officer and one Black Sea MoU officer. The theoretical part of the training will take place in the premises of the partner country's institutions.

**Activity 2.5: Assist in continuing data exchange, to support to the Black Sea MoU information system (BSIS)**

The BSIS system has been launched in 2003 by the Russian Federation, for the purpose of exchanging information on port State inspections, in order to make available to Authorities information on inspection of ships in other regional ports to assist them in their selection of foreign flag ships to be inspected and in the exercise of port State control on selected ships; and provide effective information exchange facilities regarding Port State Control in the region.

The BSIS features allow the Secretariat to provide statistical data and for the Black Sea MoU members to examine the inspection reports in order to continually assess PSC effectiveness in the region and identify areas where improvement of the performance is required. Each Authority will report on its inspections under the Memorandum and their results, in accordance with the procedures specified in the Manual.

The Black Sea Information System also provides for information exchange with the information system of the other regional agreements.

The Experts will assess the current performance of the system, identify areas with potential room for improvement and provide assistance in continuing data exchange in two directions:

- assistance to the implementation of the data exchange agreement between the Black Sea MoU and the IMO Secretariat in order to feed the corresponding PSC module of IMO's Global Integrated Shipping Information System (GISIS), thus relieving the Black Sea MoU members of their individual reporting obligations for PSC;
- data exchange with other MoU regimes. The project will assess the technical feasibility of such measures, and take into account the decision-taking process of neighbouring regimes that may potentially be interested in such exchanges.

On the basis of the abovementioned assessment, a set of remedial, improvement and upgrading measures will be recommended.

**Activity 2.6: Training of auditors to the IMO Audit Scheme**

This activity is proposed in reference to TRAS priority n° 4 "... fulfil the requirements of the IMO MS Audit Scheme / Assistance to participating States in preparation of VIMSAS".

As described in 1.4.1 and further addressed in Activity 2.1, the VIMASA audit is currently the most common instrument to evaluate the performance of a Flag state. In order for being able to do proper self-assessments it is beneficial to have trained auditors in the administration. A regional training course will be organised possibly in cooperation with IMO. It will focus on the principles and objectives of the Scheme, its evolutions in view of the coming institutionalisation of the Scheme after 2014. The course will focus both on training of auditors and as a first step in beneficiaries' assistance to the preparations to the Audit.



### 4.2.3 Component 3 Safety of navigation – Traffic monitoring

#### Purpose:

The purpose of this component is to support the project partners in complying with international regulations related to traffic monitoring instruments: AIS, VTMIS and LRIT. This component will also lay the ground for a possible future participation of the partner countries to SafeSeaNet. It is divided into three activities: needs assessment, development of training program, delivery of training. Reference is made to Priority Action 1 of the TRACECA Regional Action Strategy.

#### **Activity 3.1: Needs assessment**

In principle only coastal states will be visited initially, i.e. Ukraine, Georgia, Azerbaijan, Kazakhstan and Turkmenistan and those states that have a national ocean going fleet. The visits will be scheduled to take place in 2013. The preliminary assessment missions carried out at the beginning of the project will allow determining the countries where major changes, if any, have taken place since the SASEPOL project has ended, in terms of traffic monitoring capacities. This will in turn determine the need for further assessment.

Some countries have already adopted VTS and VTMIS systems and made these operational in its main ports, such as Ukraine, Azerbaijan (Baku) and Georgia (Batumi). The project experts will build on the results of the SASEPOL Project Activity 2.2 and analyse the situation of VTS systems in the partner countries in order to identify their needs and priorities. This will be achieved through implementation of the following tasks:

- review and evaluation of the functioning and utilisation of existing VTMIS systems in the partner countries;
- assessment of the needs of new VTMIS in major national ports that do not have the system at present;
- identification of equipment for the modernisation or new installation of VTMIS in the partner countries and preparation of cost estimates (investments and operations);
- provision of advice on the efficient use and management of the VTMIS;

The second goal of these meetings with Maritime Administrations, Port Authorities and relevant academic institutions of the partner countries will be to identify local experts, training institutes and discuss background qualifications, requirements and estimated numbers of key personnel to be trained.

Third, an assessment will be made of the knowledge and experience with AIS data exchange between individual partner states and to EU member states. At the same time experts will assess the willingness of partner countries (port authorities) to have a regional AIS server installed in their country. The eventual installation of such a server follows the directive 2002/59/EC of 27 June 2002 institutes vessel traffic monitoring and information system in Europe. In order to realise its objectives, the European Commission set off the development of SafeSeaNet (SSN) system (see further Activity 3.2).





### **Activity 3.2: Development of training plans**

Building on the results of the assessment phase, the training programs will be developed with a view to the trainings which need to be held at national or regional levels. Special attention will be given to training of teachers (the Train-the-Trainer concept) of selected training institutes.

The training plan, when finalised, will be agreed with the contracting authority and the partner countries.

For those countries that are able and interested to join the SafeSeaNet further support will be given to the methods, means and conditions to participate.

### **Activity 3.3: Training delivery**

#### a) VTS/VTMIS and AIS

Training courses will include, inter alia, the following:

- Functional and organisational aspects of Vessel Traffic Services operations (VTS)
- The respective roles and responsibilities of Maritime Administrations, Port Authorities in view of and VTMIS.
- organisation of training courses for the VTMIS operators.

A workshop on VTMIS best practices will be organized in cooperation with EMSA. This workshop will focus on facilitating a discussion on the establishment of a coordinated regional VTMIS where the service involves two or more neighbourhood countries. The workshop will include a module on SafeSeaNet, and will promote regional exchange of AIS data and in particular the establishment of a regional AIS server, building on the technical specifications produced by the MONINFO project. The workshop will be held in 2015.

#### b) LRIT

A regional workshop on LRIT will be organized in a country where participants will receive detailed information on the LRIT system, including the LRIT architecture system and its main components as well as the legal obligations of the Administrations and vessels. The participants will update the Workshop on how their respective Administrations are implementing the LRIT requirements.

## **4.2.4 Component 4 Protection of the marine environment**

### Purpose:

The purpose in relation to the protection of the marine environment is to facilitate the implementation of relevant regulations and mechanisms. This purpose is closely connected to the Priority Actions No. 10 to 21 of the TRACECA Regional Action Plan for 2021 on Marine environment protection. Protection of the marine environment from pollution originating



from ships is covered by EU Marine Strategy Directive 2008/56/EC, Directive 2013/30/EU of the European Parliament and of the Council of 12 June 2013 on safety of offshore oil and gas operations, Directive 2012/33/EU of the European Parliament and of the Council of 21 November 2012 amending Council Directive 1999/32/EC as regards the sulphur content of marine fuels, Commission Directive 2010/26/EU of 31 March 2010 amending Directive 97/68/EC of the European Parliament and of the Council on the approximation of the laws of the Member States relating to measures against the emission of gaseous and particulate pollutants from internal combustion engines to be installed in non-road mobile machinery, Directive 2009/123/EC of the European Parliament and of the Council of 21 October 2009 amending Directive 2005/35/EC on ship-source pollution and on the introduction of penalties for infringements, Commission Directive 2007/71/EC of 13 December 2007 amending Annex II of Directive 2000/59/EC of the European Parliament and the Council on port reception facilities for ship-generated waste and cargo residues, Directive 2005/35/EC of the European Parliament and of the Council of 7 September 2005 on ship-source pollution and on the introduction of penalties for infringements.

In the Black Sea, the Convention on the Protection of the Black Sea Against Pollution 1992 (the Bucharest Convention) entered into force on 15 January 1994. Article VIII of the Convention Pollution from vessels provides that: “The Contracting Parties shall take individually or, when necessary, jointly, all appropriate measures to prevent, reduce and control pollution of the marine environment of the Black Sea from vessels in accordance with generally accepted international rules and standards.” Three protocols complement the Convention, including in particular the Protocol on Cooperation in combating pollution of the Black Sea Marine Environment by Oil and Other Harmful Substances in Emergency Situations and the Protocol on The Protection of The Black Sea Marine Environment Against Pollution by Dumping.

***Activity 4.1: Training to strengthen national legislation regarding port reception facilities for ship generated waste and cargo residue and provide support for improving the implementation arrangements (TRAS priority action 10 and 12)***

The International Convention for the Prevention of Pollution from Ships (London, 1973 and 1978 [protocol]; MARPOL 73/78) regulates the quantities of various wastes that vessels may discharge into the sea. Port states are requested to provide suitable reception facilities to allow ships to deposit residuals which in accordance to the Convention have to be disposed land side. This refers to cargo residuals and cargo tank cleaning residuals (MARPOL Annex I and Annex II) as well as to ship borne residuals like sewage, garbage and ozone depleting substances (MARPOL Annex IV, V and VI). The EU directive 2000/59/EC gives guidance in implementation of the MARPOL requirements including fees and enforcement. The Regulations for the Prevention of Pollution by Garbage from Ships (Annex V to the Convention) deals with the marine litter problem because any garbage or solid waste thrown out overboard can be considered as marine litter. According to Regulation 5 of Annex V, the Black Sea is defined as a Special Area<sup>1</sup> with much stricter requirements on the disposal of garbage than in many other maritime areas of the world. Any discharges of garbage (except food waste) are prohibited here. However, the garbage discharge requirements for a region



that has been designated as a Special Area (e.g., the Black Sea area) will not enter into force until adequate garbage reception facilities are provided by all riparian countries in their ports and harbours. The project will assist in reaching the objective of reduction of dumping of wastes and marine litter by providing guidance for port states on how to best implement respective legislation but also practical advice such as on the layout or capacities of reception facilities. This guidance will include the following:

- Assess existing national legislation related to port reception facilities
- Deliver a two or three days regional workshop to present the results of the assessment, analyse impediments and propose action plans for an effective implementation of the MARPOL Convention as related to Port Reception Facilities, using EU directive 2000/59/EC where relevant. Cost-recovery mechanisms will be presented. A roundtable with the participants will assess which solutions are considered most feasible.

***Activity 4.2: Supporting activities related to prevention of pollution by oil, pollution by noxious liquid substances, and pollution by harmful substances carried by sea (TRAS priority action 10 and 14)***

Based on the outcome of studies and GAP analyses carried within the project, an assessment study will be undertaken to evaluate the level of implementation of the relevant MARPOL requirements in the partner countries. The study will focus on the existing regulations, administrative organisation, and efficiency of the enforcement system of the implementation of the Convention.

A 3- to 4-day regional workshop will update the participants on the latest development of MARPOL, further the workshop will demonstrate the benefits of the Convention and how the collection of its Annexes creates a cohesive and efficient system to prevent pollution from ships, and thus will promote more thorough implementation.

***Activity 4.3: Training session on the latest amendments of international and EU legislation related to the sulphur content on marine fuels***

The EU adopted in 1999 Council Directive 1999/32/EC relating to a reduction in sulphur content of certain liquid fuels, following the addition of a new Annex VI to the International Convention for the Prevention of Pollution from Ships (MARPOL). The Regulations for the Prevention of Air Pollution from Ships (Annex VI) seek to minimize airborne emissions from ships (SO<sub>x</sub>, NO<sub>x</sub>, ODS, VOC) and their contribution to local and global air pollution and environmental problems. The purpose of directive 1999/32 is to reduce the emissions of certain types of liquid fuels and thereby to reduce the harmful effects of such emissions on man and the environment. The directive requires the Member States to determine the national penalties applicable to breaches of the directive's provisions.

Following the entry into force of MARPOL Annex VI in May 2005, work started on the revision of Annex VI and the NO<sub>x</sub> Technical Code with the aim of significantly strengthening



the emission limits in light of technological improvements and implementation experience. As a result, in October 2008, MEPC 58 adopted the revised MARPOL Annex VI and the NOx Technical Code which entered into force on the 1 July 2010.

The new revised MARPOL Annex VI substantially tightens the NOx and the Sulphur limits when compared to the original requirements of the said Annex. The main changes will result in a progressive reduction in sulphur oxides (SOx) emissions from ships, both globally and also in the established Sulphur Emission Control Areas (SECAs) and also progressive reductions in NOx emissions from marine engines, with the most stringent controls on the so-called "Tier III" engines, i.e. those engines installed on ships constructed on or after 1 January 2016, operating in Emission Control Areas (ECAs). The new revised Annex VI also allows for an Emission Control Area (ECA) to be designated for SOx and Particulate Matter (PM), or NOx, or all three types of emissions from ships.

Directive 2012/33/EU of the European Parliament and of the Council of 21 November 2012 amending Council Directive 1999/32/EC aligns the Directive with the latest IMO provisions on the sulphur content of marine fuels, adapts the Directive to the IMO provisions on alternative compliance methods, maintains the link between the stricter fuel standards in Special Emission Control Areas (SECAs) and the fuel requirements for passenger ships on regular service and improves implementation of the Directive by harmonising and strengthening provisions for monitoring of compliance and reporting.

A regional workshop will be convened in order to raise awareness within the Black and Caspian Seas coastal States of the benefits of ratifying Annex VI, familiarize the participants with Annex VI requirements in general and, in particular, the key changes that the revised Annex VI brought along, assist in the preparatory work for the ratification, implementation and enforcement of Annex VI, and finally to make the participants aware of the requirements and the preparatory work needed for the designation of the Black and Caspian Seas regions as an Emission Control Areas (ECA). This seminar will also allow Flag states to keep vessels flying their Flag up to date on necessary precautionary measures when sailing in Emission Control Areas.

***Activity 4.4: Assistance for regional and national activities related to places of refuge, the Anti-Fouling Convention, ballast water management and the handling of dangerous goods.***

**a) Places of refuge**

The issue of "places of refuge" is one aspect of contingency planning in the consideration of which the rights and interests of coastal States as well as the need to render assistance to vessels that are damaged or disabled or otherwise in distress at sea ought to be taken into account.

Activities related to this topic will take into account the state of legislation, EU Directive 2002/59 establishing a Community vessel traffic monitoring and information system, and in particular article 20 on places of refuge making reference to IMO guidelines. A regional workshop, to which the Black Sea Commission will be invited to participate, will assess in



which respect the above mentioned regulations and guidelines apply effectively to the beneficiaries and evaluate the willingness of partners to put in place a regional coordination mechanism.

#### **b) Anti Fouling Convention**

The International Convention on the Control of Harmful Anti-fouling Systems on Ships, which was adopted on 5 October 2001, prohibits the use of harmful organotins in anti-fouling paints used on ships and establishes a mechanism to prevent the potential future use of other harmful substances in anti-fouling systems. The convention entered into force on 17 September 2008. EU regulation 782/2003 prohibits organotin compound on ships and takes additional steps to ensure a general ban on tributyltin (TBT) coatings.

A Regional Workshop, will be organised in order to take stock of the level of implementation of the AFS Convention, in particular, with respect to the survey and inspection procedures adopted by the Black and Caspian coastal States, and to exchange views regarding the best practices with regard to these surveys and inspections which are essential for the effective implementation of the AFS Convention.

#### **c) Handling of dangerous goods**

The International Maritime Dangerous Goods (IMDG) Code was developed as a uniform international code for the transport of dangerous goods by sea covering such matters as packing, container traffic and stowage, with particular reference to the segregation of incompatible substances.

In order to assist the beneficiaries in the full implementation of the IMDG Code, the Project will:

- Evaluate, for each partner country, the needs related to the implementation of international standards on the handling, transport and storage of dangerous cargoes on ships and in port areas;
- Provide a risk analysis in the same countries to facilitate the preparation of emergency plans and to provide them with administrative and technical advice to comply with the SOLAS requirements and the IMDG Code.

#### **d) Ballast Water management**

Since the introduction of steel hulled vessels around 120 years ago, water has been used as ballast to stabilize vessels at sea. Ballast water is pumped-in to maintain safe operating conditions throughout a voyage. This practice reduces stress on the hull, provides transverse stability, improves propulsion and manoeuvrability, and compensates for weight lost due to fuel and water consumption.

While ballast water is essential for safe and efficient modern shipping operations, it may pose serious ecological, economic and health problems due to the multitude of marine species carried in ships' ballast water. These include bacteria, microbes, small invertebrates,



eggs, cysts and larvae of various species. The transferred species may survive to establish a reproductive population in the host environment, becoming invasive, out-competing native species and multiplying into pest proportions.

The Ballast Water Management Convention, adopted in 2004, aims to prevent the spread of harmful aquatic organisms from one region to another, by establishing standards and procedures for the management and control of ships' ballast water and sediments. TRAS Priority Action 15 refers. With the entry into force of the Convention it is expected that enforcement will be carried out in the context of Directive 2009/16/EC on Port State Control.

A regional Consolidation and Implementation Training Course on the Ballast Water Management (BWM) Convention, 2004 will aim to promote awareness in the Region and to support preparatory steps of implementation. Issues associated with the implementation of the Convention and the respective roles of the Flag, Coastal and Port State will be debated. The question of Port State Control and sampling will be developed to highlight its complexity.

***Activity 4.5: Support the introduction of satellite surveillance (CleanSeaNet) on a sustainable basis in the Black Sea (optional)***

This activity relates to Priority Action nr 13 of the TRACECA Regional Action Plan for 2021 in which a Regional Environmental Management System (EMS) is programmed to be established by 2017.

In line with the existing EU member states CleanSeaNet service, the support of our experts will be directed towards the following actions:

Enhancing awareness and methodology to partner states of the CleanSeaNet service through the assistance of EMSA in a regional workshop, in combination with other support activities on marine environment prevention and protection.

***Activity 4.6: Training on pollution response (optional)***

Marine pollution is a major field of concern, and staff of maritime administrations and port authorities must be trained in prevention, identification and combat of all types of marine pollution from ships. This activity is in line with TRAS Priority Action n° 14 "Enhance national and inter regional response to maritime pollution incidents".

The training will contain an overview of marine pollution combating systems (equipment, detection, information collection, legal action) and elaborate on ways to prevent pollution.

The training could be best provided in training sessions for relevant maritime administration officers (including Port authority and Coastguard staff) engaged in pollution prevention and combat and in collecting, controlling and maintaining maritime data between member states. The Training is primarily targeted at participants from Coastal States.



For training on pollution response, a regional course on pollution prevention and control will be organised with the objectives of:

- (a) familiarising participants with relevant EU regulations and international conventions on pollution prevention and control;
- (b) raising awareness on regional contingency planning for preparedness and response to marine pollution incidents;
- (c) providing the participants with an insight on oil spill control systems together with practical training; and
- (d) providing information on liability and compensation for oil pollution damage.

The training could be modelled on the INFOPOL training course delivered by CEDRE.

In order to maximise efficiency within the limits of available budget, the training will be organised under the “Train the trainers” principle.

Timing of training is best scheduled after initial assessment has been made on levels of progress in prevention of marine pollution and the protection of marine environment in terms of regulation and implementation plans as available. Training could be planned in 2014.

#### ***Activity 4.7: Training on offshore units regulations***

Training on offshore unit regulations will focus on the obligations on Coastal States in relation with the issuance of surveys and monitoring by recognised organisations for the mobile offshore drilling units operating in their waters, as well as issuance of exemptions and equivalences, control of certificates and incident/casualty investigation. A questionnaire to the partners will allow a first assessment of the number of countries concerned. Depending on the results of this assessment, regional or national training on the job will be provided.

### **4.2.5 Component 5 The Human Element**

#### ***Activity 5.1: Implementation and enforcement of the International Safety management Code (ISM Code) – training of ISM auditors***

The ISM regime is the mandatory quality management system to be used for the management of ships. Amongst the obligations of a Flag State is the auditing and certification of the ISM system. For managing the survey and certification it is helpful to have Flag State Surveyor having experienced an ISM auditor training. Therefore an ISM auditor training course will be organised. The main objective of the Training Course will be for the trainees to acquire good knowledge and understanding of:

- the requirements of the ISM Code, its interpretation and application;
- the process of certification within the scope of the ISM Code;
- the basic audit technique in conducting ISM and management system audits; and of



- the mandatory rules and regulations and applicable codes, principal guidelines and standards recommended by the IMO, administrations, classification societies and maritime industry organisations

### **Activity 5.2: Specialised STCW course**

The International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended (STCW convention) forms the basic instrument for the education and certification of seafarers. The latest comprehensive set of amendments was adopted on 25 June 2010 during a diplomatic conference in Manila. The training will take into account the latest amendments and focus on the obligations of Parties to the Convention to ensure compliance with its requirements including requirements emanating from the amendments. This includes that:

- training, assessment of competence and certification of seafarers are in accordance with the provisions of the Convention;
- STCW certificates and endorsements accurately reflect the competencies of the seafarers, using the appropriate STCW terminology as well as terms which are identical to those used in any safe manning document issued to the ship;
- impartial investigation can be held of any reported failure, whether by act or omission, that may pose a direct threat to safety of life or property at sea or to the marine environment;
- certificates or endorsements issued by the flag State can be effectively withdrawn, suspended or cancelled when warranted, and when necessary to prevent fraud;

### **Activity 5.3: Training of flag and port State inspectors to the ILO MLC 2006**

In view of the Priority nr 8 of the TRACECA Regional Action Plan for 2021, ratification of the ILO Maritime Labour Convention (MLC) of 2006 needs to be completed in partner states by 2014.

A questionnaire will help to determine the status of the partners' ratification process of this Convention. Those partners that are considering whether to join the Convention will be invited to take part in an introductory seminar detailing the ILO MLC 2006 and its benefits, in view of its entry into force in 2013. Partners that have progressed further will have the possibility to send participants to the sessions of the ILO International Training Centre in Turin targeted at law and/or policy officials from government departments concerned with the legal aspects of treaty implementation and focused on questions that may arise for personnel entrusted with implementing the MLC 2006 in national legal systems, or targeted at maritime inspectors and surveyors and aimed at strengthening the capacity of trainers to train maritime labour inspectors in the MLC 2006 and ensuring better quality and consistency in the inspection systems worldwide.



#### 4.2.6 Component 6 Security of ships and ports

This component is closely related to Priority Actions No. 22 to 27 of the TRACECA Regional Action Strategy for 2021. Support in various forms is required on the implementation and coordination of maritime security in and between partner states, in particular Coastal states.

##### ***Activity 6.1: Organisation of training for staff on the ISPS Code and support its implementation***

The International Ship and Port Facility Security Code (ISPS Code) is a comprehensive set of measures to enhance the security of ships and port facilities. The ISPS Code is a part of International Convention for the Safety of Life at Sea (SOLAS), 1974.

The purpose of the Code is to provide a standardised, consistent framework for evaluating risk, enabling Governments to offset changes in threat with changes in vulnerability for ships and port facilities through determination of appropriate security levels and corresponding security measures.

Based on assessments in partner states, in combination with assessments from other activities, a status report will be composed for each partner states describing organisation and performance via indicators on the effectiveness of the ISPS code implementation.

Training programmes will be composed for each partner state which shows serious gaps in performance levels. The programmes aim at upgrading the awareness, knowledge and proficiency of the maritime security management and to enhance the capabilities of the partner countries to effectively control their own flagged ships, ports/port facilities and foreign ships (*ref. IMO MSC.1:Circ.1341*). To that effect, national training courses will be organised, consisting of one 4-day course covering the maritime security management intended to upgrade the awareness, knowledge and proficiency of the Designated Authority (DA) of the beneficiary. After the training is held and evaluated, performance by National governments and their executing agencies will be monitored through the remaining period of the project. Therefore all programmed, budgeted and approved training sessions need to be held latest in year 2 (by July 2014) to enabling monitoring to take place over a sufficient period of time.

A Study Tour will be organised to 1 or 2 EU member states in year 2. Participants will be selected from various partner states (preferably Trainers, max 3 per state) to secure sustainability of training to local staff dealing with ship and port security.

In case the interest of partner states for the Study Tour exceeds budget limits the TAT will make a selection. In case budget limits allow, large groups will be split into smaller groups. Each Study Tour group will whenever possible be limited to maximum 6 participants to secure transfer of knowledge and skills and to manage tour logistics more efficiently.

##### ***Activity 6.2: Organising exchange of experiences and best practices on maritime security issues in close coordination with other relevant regional initiatives.***



A yearly regional workshop, for which the cooperation of DG MOVE has been approved, will be organised. The purpose of these workshops will be to promote the reforms that are necessary for an effective implementation of the ISPS Code within the partner countries. The workshops will address both the regulatory and technical aspects of the implementation of the maritime security rules.

The main priority will be to recall the common objectives and commitments and to identify:

- the level of the implementation of the relevant legal instruments in each of the partner countries and the definition of the most suitable “Organisational chart” for each country, completed by a coherent Action Plan identifying the reforms needed;
- the level of implementation of SOLAS maritime security requirements both for ships and port facilities based on self-assessments of the partner countries.

An evaluation of the assessments and an analysis of the results should lead to an identification of relevant best practices and gaps and to proposals for the right mixes of technology/ procedure/human resource for each partner country;

The partner countries will be required to provide an input in these workshops by providing an updated state-of-play of the implementation of the maritime security.

#### **4.2.7 Component 7 Visibility and communication**

We strive to ensure that all stakeholders and the general public are provided with an adequate opportunity to learn about the aim and objectives of this specific project and about the work being carried out by the Contractor, experts and public officials in collaboration with the Contracting Authority and the partner countries. The specific objectives of this component are to:

- generate a high level of awareness of the background, objectives, scope of works and the status of activities and deliverables,
- deliver a high level of accurately, prior approved visibility of the project, and
- communicate and disseminate the project results.

All activities will be carried out in close collaboration with the Client and the Project Partners. The activities will strictly follow the guidelines set up by the EC in their “Communication and Visibility Manual”. The Manual outlines rules and procedures for project promotion material for all contractors working under the EU.

### ***Activity 7.1: Developing of Strategy, Guidelines and Procedures for Communications***

The aim of this task is to set up a framework for continuous conversation in which awareness and knowledge of specific issues is shared and largely discussed between all the other relevant stakeholders involved.

The Contractor will develop a communication strategy and detailed guidelines and procedures for internal and external project information, communication and dissemination of information. The strategy will consider different target groups and stakeholder interests. The procedures will follow the communication strategy and set out communication rules and procedures, including approval and back-up procedures. The strategy will be developed in coordination with the Transport Dialogue and Network Interoperability II Project in order to ensure complementarity of efforts and achieving common goals in a synchronised way. A Senior Communication Non-Key Expert will be recruited for this purpose, after the necessary structures of the Transport Dialogue and Network Interoperability II Project are in place and allow for an integrated and coordinated communication approach.

### ***Activity 7.2: Dissemination activities and project portal***

The dissemination programme will include a combination of all communication instruments/tools such advertisements, PR, website promotion, participation at fairs and events, based on a unified comprehensive communication concept.

The Contractor will contribute to the TRACECA Web page and liaise with the Transport Dialogue and Network Interoperability II project on this.

The Contractor will prepare Press Releases for approval and publication by the Client, Project Partners or the stakeholders identified to release such communications.

All visibility and publicity activities will be carried out in close cooperation with and with the approval of the Project Partners and Contracting Authority. The EU and TRACECA logos will appear in all visibility documents, reports, training materials etc.

## **4.3 Project management**

### **4.3.1 Project Management Structures and Procedures**

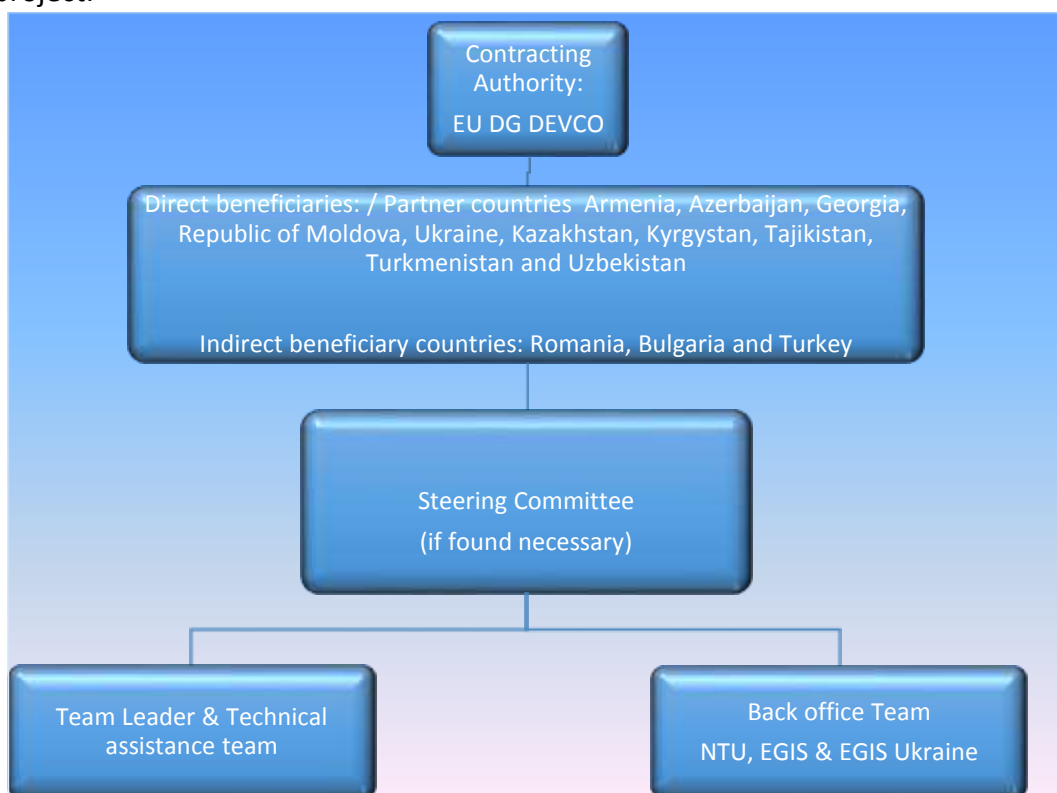
The Contractor has been setting up the appropriate project management arrangements and quality assurance systems during the Inception Phase. The Project Quality Plan contains:

- Quality Control Procedures;
- Resource Management Procedures;
- Risk Management Procedures;
- Project Monitoring & Reporting Guidelines.



### 4.3.2 Management structure

The management structure in the figure below is proposed for efficient management of the project:



**Figure 3: Project management structure**

The presented management structure reflects our understanding of the processes and activities required in the project.

The Team Leader (TL) and the Technical assistance team (AT) as well as the back office team (OT) of NTU, EGIS international and EGIS Ukraine will be responsible for the project implementation and the achievement of all objectives set by ToR.

Other involved parties will be:

Potential ad-hoc working groups established as needed by the partner countries or the TRACECA Permanent Secretariat, which will be responsible for specific activities within the scope of this contract or in fields which overlap with other ongoing or upcoming projects. Our TL will ensure close cooperation with and assist the working groups in achieving the agreed objectives.

The Back-Stopping Team (BS Team) is a team comprising specialists allocated by the Contractor according to the needs of the project. The BS Team will liaise with the Project Director and Team Leader to respond quickly to any requests for technical advice and support arising from the team in the field or to respond to requests for ad hoc information and short-term inputs from the Contracting Authority.

#### **4.3.3 TRACECA Maritime Safety & Security II Steering Committee**

If found necessary, a Project Steering Committee might be convened on the initiative of the Contracting Authority.

### **5 Logistics and timing**

#### **5.1 Location**

The Contractor will manage the project from the Kiev project office with the permanent back-up of our offices and representations in Aalborg (Denmark), Brussels (Belgium), Minsk (Belarus), Chisinau (Moldova) etc.

The project office is fully equipped, has been operational since the beginning of February 2013 and is located at:

Ulitsa Saksaganskogo no. 119, building 1, office no. 30, Kiev, Ukraine

The office can be reached by telephone during work hours on +380 44 235 5344.

#### **5.2 Commencement date and period of execution**

The commencement date of the contract was 16 January 2013, and it is foreseen to run for 36 calendar months, thereby ending on 15 January 2016.

#### **5.3 Indicative Timetable**

The following indicative mission agenda shows an overview of the prioritised expert interventions by Component, Activity and timing.

The indicative mission agenda is detailed for 2013 though subject to alterations in the 1st Progress Report due in July 2013, whereas it only aims to provide a general idea of the mission priorities for 2014 and 2015 (2nd and 3rd Project Year).

Table 3: Overall planning of activity

Overall plan of activities

Project title: TRACECA Maritime Safety & Security II		Project number: EuropeAid / 133051 / C / SER / MULTI		<b>Beneficiary countries:</b> Direct: Armenia, Azerbaijan, Republic of Moldova, Ukraine and Georgia, Kazakhstan, Kyrgyzstan, Uzbekistan, Tajikistan and Turkmenistan Indirect: Bulgaria, Romania, Turkey																																										
<b>Planning Period:</b> 16 January 2013 – 16 January 2016				<b>EC Contractor:</b> NTU / EGIS International / EGIS Ukraina																																										
Project objective: The overall objective of the TRACECA Maritime Safety & Security II Project is to support the further ratification and implementation of international maritime safety and security conventions as well as improving the level of quality and coordination of maritime administrations in the Black Sea and Caspian Sea partner countries with the overall objective of making shipping safer, more secure and environment friendly.																																														
N°	Activities	TIME FRAME																																				Expert Inputs / Days								
		2013												2014												2015																				
Year	Calendar month	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	TL	KE2	KE3	SE	JE				
0	Inception phase	x	x	x																																					40	10	15		10	
1.1	Regional Working groups										x						x							x																						
1.2	National Working groups											x	x	x	x	x	x	x	x	x	x	x	x	x	x	x															165	100	130	34	195	
2.1.a	Maritime Administration Review				x	x	x	x	x	x	x	x																														77	15	185	40	60
2.1.b	Quality Management Systems Workshop																																													
2.2.a	Convention enforcement Workshop																																													



**TRACECA Maritime Safety & Security II, Inception Report NTU Consortium**

Project title: TRACECA Maritime Safety & Security II	Project number: EuropeAid / 133051 / C / SER / MULTI	<b>Beneficiary countries:</b> Direct: Armenia, Azerbaijan, Republic of Moldova, Ukraine and Georgia, Kazakhstan, Kyrgyzstan, Uzbekistan, Tajikistan and Turkmenistan Indirect: Bulgaria, Romania, Turkey
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N°	Activities	TIME FRAME																																				Expert Inputs / Days						
		2013												2014												2015																		
		Year	2013												2014												2015																	
Calendar month	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	TL	KE2	KE3	SE	JE			
Implementation month	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	TL	KE2	KE3	SE	JE			
2.2.b	Recognized Organization Monitoring Workshop																			X																								
2.3	Accident Investigation Workshop																												X															
2.4	National Port State Control Officers Tutoring																			X	X	X																						
2.5	Black Sea MoU Information System Assessment										X																																	
2.6	VIMSAS Auditors Training																						X																					
3.1	Vessel Traffic Systems (VTS) Assessment							X	X	X	X	X																											35	155		25		
3.2	VTS Training plans design											X	X	X																														



**TRACECA Maritime Safety & Security II, Inception Report NTU Consortium**

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		2013										2014										2015																					
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Implementation month		1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12						
3.3.a	VTS operators training																																										
3.3.b	VTS Workshop																																										
3.3.c	Long Range Id. & Tracking Workshop																																										
4.1	Port Reception Facilities Training																																						78	35	90	70	
4.2	MARPOL Convention Workshop																																										
4.3	MARPOL Annex VI Workshop																																										
4.4.a	Places of Refuge Workshop																																										
4.4.b	Anti-Fouling Systems Convention Workshop																																										





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N°	Activities	TIME FRAME																																				Expert Inputs / Days						
		2013												2014												2015																		
Year	Calendar month	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	TL	KE2	KE3	SE	JE		
Implementation month		1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12							
4.4.c	Dangerous Goods (IMDG Code) Workshop															x																												
4.4.d	Ballast Water Mgmt. Conv. Workshop																																											
4.5	CleanSeaNet Introductory Workshop (optional)																																											
4.6	Oil Pollution Response Training (optional)																																											
4.7	Mobile Offshore Drilling Units Training																																											
5.1	Intl. Ship Mgmt. (ISM Code) Training																																							44		65	30	



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Implementation month	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12						
5.2	Standards Training Certification & Watchkeeping Convention Course																																									
5.3.a	ILO Maritime Labour Convention (MLC 2006) Seminar															X																										
5.3.b	ILO MLC 2006 Training																	X																								
6.1.a	Ports & Ships Security (ISPS Code) training needs assessment																																									
6.1.b	ISPS Training																																									
6.1.c	ISPS Study Tour																																									
6.2	ISPS Workshops												X																													



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7.1	Communication Strategy development				x	x	x	x	x	x	x	x																										29	20	15	20	20
7.2	Dissemination activities				x				x			x				x			x			x		x				x			x			x			x					



## 6 Reports

### 6.1 Reporting requirements

The Contractor will strictly follow the reporting requirements specified in the ToR and summarised below.

**Table 4: Reporting Schedule**

Report	Submission date
Inception Report	2 months after the start of the project implementation
Progress Reports	No later than month 7, 13, 19, 25, 31
Draft Final Report	One month before the end of the project
Final Report & Final Financial Statements	Within one month after receiving comments on the draft final report from the Project Manager

In addition, the Contractor prepares monthly progress reports in line with the constant progress monitoring framework. The first monthly report for the month of February 2013 was submitted to the EC DG DEVCO at the end of the reporting month.

## 7 Annexes

### Annex 1, Relevant EU legislation

Topic	Legislation
Quality of flags	DIRECTIVE 2009/21/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 23 April 2009 on compliance with flag State requirements_
Classification societies	REGULATION (EC) No 391/2009 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 23 April 2009 on common rules and standards for ship inspection and survey organisations  DIRECTIVE 2009/15/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 23 April 2009 on common rules and standards for ship inspection and survey organisations and for the relevant activities of maritime administrations summary
Port State Control	DIRECTIVE 2009/16/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 23 April 2009 on port State control_
Traffic monitoring	DIRECTIVE 2009/17/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 23 April 2009 amending Directive 2002/59/EC establishing a Community vessel traffic monitoring and information system
Accident Investigation	DIRECTIVE 2009/18/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 23 April 2009 establishing the fundamental principles governing the investigation of accidents in the maritime transport sector and amending Council Directive 1999/35/EC and Directive 2002/59/EC of the European Parliament and of the Council_
Liability of carriers (Athens Convention)	REGULATION (EC) No 392/2009 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 23 April 2009 on the liability of carriers of passengers by sea in the event of accidents
Insurance	DIRECTIVE 2009/20/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 23 April 2009 on the insurance of ship owners for maritime claims_

## Annex 2, Regional Working Group Terms of Reference (source: sasepol.eu)

### Objectives

- Enhance regional cooperation and exchange of knowledge in the scope of Safety, security and pollution prevention in the maritime and port industry
- Establish a dialogue where the participating countries can discuss and learn from each other
- Promote harmonisation in their way to comply with international regulations
- Issue and follow a regional action plan on the topics above

### Activities

- Provide guidance to NWGs in their studies to ensure coordination of topics
- Work as a regulation watch for the NWGs and will give guidance for implementation
- Provide guidance on resolving implementation or enforcement problems
- Cooperate with the other regional working groups like TRACECA or BAKU initiative

### Other activities

- Discuss its own ToR and propose eventual amendments
- Prepare agenda of its next meeting
- Share experience gained within the national WG meetings
- Prepare, update or amend the regional action plan
- Promote the action plan to the NWGs

### Composition of the Regional Working Group

- Two representatives of each NWG
- One representative of the non-direct beneficiary countries (3) will be invited

A president will have to be elected or designated to ensure the effective running of the RWG

For the duration of the project, one or more project experts, with a consultant status, will help to prepare the 6-monthly meeting and attend it.



## Annex 3, TRAS Priority Actions

Priority Action Number	Priority Action Title
	<i>in Maritime Safety</i>
1	Improve the exchange of information between countries regarding vessel traffic movements to achieve full compliance with IMO instruments related to AIS, LRIT and Vessel Traffic Monitoring and Information System (VTMIS) Adoption of corresponding measures providing for ships safety in the water areas of ports and navigation channels
2	Enhance PSC at national level and enhance regional cooperation on PSC by 2013-2015
3	Ensure effective cooperation in SAR operations and reinforce the SAR capacity in the region
4	Adoption of the commitments by the member states in accordance with the relevant international Conventions related to maritime safety and fulfil the requirements of the Code for the Implementation of Mandatory IMO Instruments, as well as the IMO Member State Audit Scheme (VIMSAS)
5	All Partner States should aim to be on the “White List” of the Paris MoU on PSC by 2021 at the latest
6	Phase out single-hull tankers in accordance with MARPOL 73/78 and its amendments. For the member states – to adopt measures aimed at the development of Maritime Commercial Navy based on National Plans (NP)
7	Improve Flag States’ internal verification of the performance of Recognised Organisations (Ros/Maritime Registers) acting on their behalf
8	Promote the ratification of ILO MLC 2006 by Participating States
9	Promote the adoption and implementation of ILO-OSH 2001 by Participating States
	<i>in Environmental Protection</i>
10	Minimise wastes and emissions from maritime transport and ensure that Partner States are able to achieve “good environmental status” in marine waters covered by their sovereignty or jurisdiction
11	Promote the use of alternative energy solutions in ports, including non-conventional / alternative sources of energy, such as solar energy and wave power
12	Enhance port reception facilities for ship-generated waste and cargo residue
13	Develop a Regional Environmental Management System (EMS) in accordance with ISO 14001 for Maritime Transport targeting the continuous improvement of the environmental performance of shipping
14	Enhance national and inter-regional response to maritime pollution incidents
15	Aim to ratify the International Convention for the Control and Management of Ships’ Ballast Water and Sediments (BWM-2004) to prevent the potentially devastating effects of the spread of harmful aquatic organisms carried by ships’ ballast water from one region to another
16	Submit proposals regarding “Special Areas” provisions under Annexes I, II, V and VI of MARPOL 73/78 for the Caspian Sea
17	Ratification of CLC Convention of 1969 and Protocols to CLC Convention of 1976 and 1992

18	Ratification of FUND Convention of 1971 and Protocols to the FUND Convention of 1992, 2000 and 2003
19	Ratification of INTERVENTION Convention of 1969 and Protocol of 1973 to the INTERVENTION Convention
20	Ratification of BUNKER Convention of 2001
21	Member states should take necessary measures for accession to a number of International Conventions and regional Conventions, Treaties and Agreements for the Black and Caspian Seas related to the protection of the marine environment
<i>in Maritime Security</i>	
22	Improve conformity of national maritime security codes to the International Ship and Port Facility Security Code (ISPS) and the relevant EU Directives
23	Establish an integrated security information management system for ships crossing both seas to enable the identification, monitoring, tracking and reporting of vessels at sea
24	Enhance coastal surveillance of maritime transport by improving shore-based infrastructure and regional cooperation
25	Promote the ratification of ILO 185
26	Adopt and implement ILO / IMO's Code of practice on Security in ports
27	Promote the adoption of a MoU on Port Security



## Annex 4, Flag State Performance Indicators

Flag State performance indicators	
<b>A</b>	<b>GENERAL REQUIREMENTS</b>
A1	Adequate and effective system in place to exercise control over ships entitled to fly their flag
A2	Means in place to ensure compliance with relevant international rules and regulations in respect of maritime safety, security and protection of the marine environment
A3	Capability to implement and enforce its provisions through appropriate national legislation and to provide the necessary implementation and enforcement infrastructure
A4	Capability to promulgate laws which permit effective jurisdiction and control in administrative, technical and social matters over ships flying its flag
A5	A legal basis for the enforcement of its national laws and regulations including the associated investigative and penal processes
A6	The availability of sufficient personnel with maritime expertise
<b>B</b>	<b>COMMUNICATION</b>
B1	Strategy communicated on national legislation?
<b>C</b>	<b>RECORDS</b>
C1	Records established and maintained to provide evidence of conformity to requirements and of the effective operation of the State.
C2	Records "legible, readily identifiable and retrievable"?
C3	Documented procedure defining controls on identification, storage, protection, retrieval, retention time and disposition of records?
<b>D</b>	<b>IMPROVEMENT</b>
D1	Demonstrates continual improvement of measures giving effect to conventions and protocols accepted?
D2	Improvement made through rigorous and effective application and enforcement of national legislation, as appropriate, and monitoring of compliance?
D3	A culture exists providing opportunities to people for improvement of performance in maritime safety and environmental protection activities?
D4	Action taken to identify and eliminate causes of any non-conformity in order to prevent recurrence?
D5	Flag State reviews and analyses non-conformities?
D6	Implementation of necessary corrective actions monitored?
D7	Reviews of corrective action taken?
<b>E</b>	<b>FLAG STATE SPECIFIC REQUIREMENTS</b>
E1	Policies implemented through national legislation and guidance?
E2	Responsibilities within Administration assigned to update and revise any relevant policies?

E3	Resources and processes capable of administering a safety and environmental protection programme in place?
E4	Administrative instructions to implement applicable international rules and regulations issued?
E5	Interpretations of national regulations developed and disseminated?
E6	Resources to ensure compliance with the requirements of mandatory IMO instruments
E7	Use of an audit and inspection programme independent of any administrative bodies
E8	Resources to ensure compliance with the requirements of the 1978 STCW Convention, as amended?
<b>F</b>	<b>IMPARTIAL INVESTIGATION CAPABILITIES</b>
F1	Ability for certificates or endorsements to be effectively withdrawn, suspended or cancelled?
F2	Resources to ensure the conduct of investigations into casualties and adequate and timely handling of cases of ships with identified deficiencies
F3	Resources to develop, document and provide guidance of requirements found in relevant mandatory IMO instruments?
F4	Ships entitled to fly their flag are sufficiently and efficiently manned?
<b>G</b>	<b>ENFORCEMENT</b>
G1	All necessary measures to secure observance of international rules and standards by ships entitled to fly their flag and by entities and persons under their jurisdiction so as to ensure compliance with their international obligations?
G2	Prohibition of ships from sailing until compliant with the requirements of international rules and standards
G3	Periodic inspection of ships entitled to fly their flag to verify that the actual condition of the ship and its crew is in conformity with the certificates it carries
G5	Surveyors ensure that seafarers assigned to the ships are familiar with their specific duties?
G6	Surveyors ensure that seafarers assigned to the ships are familiar with ship arrangements, installations, equipment and procedures
G7	Surveyors ensuring that ship's complement, as a whole, can effectively co-ordinate their activities in an emergency situation and perform functions vital to safety or to the prevention or mitigation of pollution
G8	Penalties of adequate severity to discourage violation of international rules and standards exist in national laws and regulations?
G9	Capability to institute proceedings – after an investigation has been conducted – against ships which have violated international rules and standards, irrespective of where the violation has occurred?
G10	Penalties of adequate severity to discourage violations of international rules and standards by individuals issued with certificates or endorsements under their authority exist in national laws and regulations?
G11	Capability to institute proceedings – after an investigation has been conducted – against individuals holding certificates or endorsements who have violated international rules and standards, irrespective

	of where the violation has occurred?
G12	Control and monitoring programme developed and implemented?
G13	Statistical data collected and trend analyses conducted?
G14	Timely response to deficiencies and alleged pollution incidents reported by port or coastal States?
G15	Appropriate number of qualified personnel implementing and enforcing the national legislation
G16	Appropriate number of personnel for performing investigations and surveys?
G17	Sufficient number of qualified flag State personnel to investigate incidents where ships entitled to fly its flag have been detained by port States
G18	Sufficient number of qualified flag State personnel to investigate incidents where the validity of a certificate or endorsement or competence of individuals holding certificates or endorsements issued under its authority is questioned by port States?
G19	Training and oversight of the activities of flag State surveyors and investigators?
G20	Appropriate corrective measures to bring own vessels into compliance with the applicable international conventions can be taken
G21	Provision for flag State or RO to determine international certificates only issued to vessels meeting all applicable standards?
G22	Capability to determine international certificate of competency or endorsement only issued after it has determined that the person meets all applicable requirements?
<b>H</b>	<b>FLAG STATE SURVEYORS</b>
H1	Responsibilities, authority and interrelation of all personnel who manage, perform and verify work relating to and affecting safety and pollution prevention defined and documented?
H2	Personnel responsible for, or performing, surveys, inspections and audits on ships and companies covered by the relevant IMO mandatory instruments appropriately qualified
H3	Personnel have appropriate practical and theoretical knowledge of ships, their operation and the provisions of the relevant national and international instruments necessary to perform their duties as flag State surveyors obtained through documented training programmes?
H4	Personnel assisting surveyors have education, training and supervision commensurate with the tasks they are authorized to perform?
H5	Documented system for qualification of personnel and continuous updating of their knowledge as appropriate to the tasks they are authorized to undertake?
<b>I</b>	<b>FLAG STATE INVESTIGATIONS</b>
I1	Investigations carried out following marine casualties or pollution incidents?
I2	Casualty investigations conducted by suitably qualified investigators, competent in matters relating to the casualty?
I3	Qualified investigators provided, irrespective of the location of casualty or incident?

14	Individual investigators have working knowledge and practical experience in those subject areas pertaining to their normal duties?
15	State has ready access to expertise in listed areas: navigation and the Collision Regulations; flag State regulations on certificates of competency; causes of marine pollution; interviewing techniques; evidence gathering; and evaluation of the effects of the human element
16	Any accidents involving personal injury necessitating absence from duty of three days or more and any deaths resulting from occupational accidents and casualties investigated, and the results of such investigations made public?
17	Performance evaluated with respect to the implementation of administrative processes, procedures and resources necessary to meet their obligations as required by the conventions to which they are party?