

ACTION FICHE FOR THE 2007 ENPI-EAST REGIONAL ACTION PROGRAMME

1. IDENTIFICATION

Title	Transport safety and security		
Total cost	6 M€ (<i>EC contribution</i>)		
Aid method / Management mode	Project approach – <i>centralised</i>		
DAC-code	21010	Sector	<i>Transport policy and administrative management</i>

2. RATIONALE

2.1. Sector context

The project is intended to support the implementation of civil aviation and land transport safety and security measures in the EC neighbouring countries and Central Asian countries.

Security and safety related issues in CIS countries continue to hamper transport development and remain priority concerns underlined in the beneficiaries' Poverty Reduction Strategy Papers and National Transport Strategies. In particular, they highlight the priorities related to the harmonisation of their transport legislation and regulations with the European standard and the integration of their transport network into regional transport corridors.

Transport safety and security is one of the priority issues identified by the EC and the beneficiary countries in the "Baku initiative" recommendations adopted in May 2006 during the Second Ministerial Conference on Transport Cooperation between the EU, Black Sea and Caspian Sea littoral States and their Neighbours, by Azerbaijan, Armenia, Belarus, Bulgaria, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Romania, the Russian Federation (as an observer), Tajikistan, Turkey, Ukraine and Uzbekistan with representatives of the European Commission.

The project's priorities have also been approved by all TRACECA National Secretaries during the working group meeting of December 2006. The project was defined on the basis of the TRACECA Long-Term Strategy adopted by the TRACECA Ministers of Transport in May 2006 and including a Chapter entitled "Towards safe, secure and sustainable transport in the TRACECA area".

This project is also in line with the ENPI Eastern Regional Strategy paper and the Central Asian Strategy Paper 2007-2013, which highlight that regional level assistance is needed in transport security and improvement of legal certainty and safety standards in the road, rail and maritime transport sectors. The project seeks to implement the objectives defined in the ENPI Eastern Indicative Programme 2007-2010 and its related bilateral Action Plans as well as the Central Asian Indicative Programme 2007-2010, such as the integration of the Central Asian and ENPI Eastern countries' transport markets, improving intermodality and alignment with international standards in the transport sector.

The project will follow-up recommendations of the High-Level Group on the extension of the trans-European transport networks to neighbouring countries and the Communication of the Commission on "Guidelines for transport in Europe and neighbouring regions"³, in which it endorsed the High Level Group's recommendations on five major trans-national transport axes and on the so called horizontal measures⁴. In particular, the objective of this project is to ensure that the priorities defined for safety and security on all modes of transport and particularly on aviation and maritime transport and on road safety will be implemented in a coordinated and timely fashion with the beneficiary countries.

The objectives of the project are also in line with the external transport policy of the Community. In the field of civil aviation, it aims at strengthening relations to the countries in Central Asia and at integrating neighbouring countries into Pan-European aviation structures. Partner countries should accept the implication of the EU internal aviation market in their bilateral aviation relations with EU Member States or the Community (Community standard clauses). In particular, countries like Kazakhstan and Kyrgyzstan encounter problems related to the development of air services to and from the EU because of inadequate safety oversight over air carriers resulting in the inclusion of some operators on the European "black list".

2.2. Lessons learnt

This project builds upon past activities implemented and priorities identified in the framework of the TRACECA programme. Up to now, 62 technical assistance projects worth 105 million euros and 14 investment projects worth 52 million euros have been financed through TRACECA for a total amount of 157 million euros. The last evaluations of the TRACECA programme, held in 2003 and 2007, pointed out that most support has been provided to TRACECA countries in the road, rail, maritime and intermodal transport sectors. The Evaluation concluded that projects aimed at training and harmonising standards in the civil aviation safety and security could be included. The Evaluation 2007 underlined that the most useful feature of TRACECA was that the programme allowed for and encouraged exchange of views between the member countries and gave them the opportunity of learning about up-to-date EU ideas and practices.

This project will also ensure a follow-up of previous EC-funded projects, implemented in the framework of the TACIS Regional and National Action Plans, taking into account advisory remarks from progress reports and monitoring reports of the past projects.

2.3. Complementary actions

Over the last few years, the EU Member States and the European Commission have further developed their regulatory activities in the field of transport safety and security.

³ COM (2007) 32 final, 31.1.2007.

⁴ "Horizontal measures" aim to remove physical and administrative bottlenecks along the main transport axes identified and to facilitate cooperation and communication between authorities in the different countries. These include among others strengthening of regional co-operation, ensuring technical and administrative interoperability, implementation of new technologies like traffic management systems, as well as measures to improve safety and security. In the absence of such measures, bottlenecks would occur especially at border crossings even if infrastructure works were completed.

In the field of aviation safety, directive 2004/36 (Safety Assessment of Foreign Aircraft) Directive) is designed to organise checks on third-country aircraft using EU airports and to collect and centralise related information. The Commission is also considering strengthening the control mechanisms for airplanes from third countries using European airports, which have been put in place by the SAFA Directive. Notably this will entail the involvement of the European Agency for Aviation Safety (EASA) in the coordination of inspection activities and the management of collected information (alert systems).

In the field of railway security, the European Commission adopted in 2006 a series of measures to support the revitalisation of the railway sector, including a Communication on the simplification of certification of railway vehicles, a proposal to recast the existing Railway Interoperability Directives and to modify the Regulation establishing a European Railway Agency and the Railway Safety Directive.

In the field of road transport, the Community policy objectives for road transport are to promote efficient road freight and passengers transport services, to create fair conditions for competition, to promote and harmonise safer and more environmental friendly technical standards, to ensure a minimum fiscal and social harmonisation and to make sure that the rules in road transport are effectively applied without discrimination. The existing legislation applying to road transport services establishes common rules on access to the market and to the profession, sets minimal standards for working time, driving and rest periods (including enforcement and the use of tachograph), sets minimal annual vehicle taxes and common rules for tolls and user charges.

Specific coordination with the international and European organisations involved in transport safety and security such as EUROCONTROL, the International Civil Aviation Organization (ICAO) and the European Aviation Safety Agency (EASA) will be ensured during the implementation of the project.

2.4. Donor coordination

The coordination process with the beneficiary countries was ensured in the framework of TRACECA and Baku initiative working groups meetings held in 2006. Regular meetings of representatives of the beneficiary Ministries of Transport were held in order to discuss the 2007-2010 programming priorities in the field of transport. In particular, the programming priority of Transport safety and security was discussed and approved by all representatives of the beneficiary Ministries of Transport (TRACECA National Secretaries) during the TRACECA working group meeting held in Chisinau in December 2006.

During the identification and formulation phases, coordination meetings were organised with international organisations dealing with transport safety and security, and in particular with the UN Economic Commission for Europe (UNECE); the International Financial Institutions, including the EIB, EBRD, ADB and World Bank; the European Aviation Safety Agency (EASA); Eurocontrol; the European Railway Agency (ERA).

In addition, during the preparation of the project, coordination will be maintained with other donors' transport programmes and initiatives in the TRACECA region, such as the UN Special Programme for the Economies of Central Asia (SPECA); the

UN Economic and Social Commission for Asia and the Pacific (UNESCAP); Central Asian Regional Economic Cooperation (CAREC), created by the Asian Development Bank (ADB) with participation of the Central Asian States, including Azerbaijan and China.

Regarding coordination with the Organization of Black Sea Economic Cooperation (BSEC), the European Commission pointed out in its Communication of December 2006 on “Strengthening the European Neighbourhood Policy” the potential benefits of deepening the regional cooperation in the Black Sea region, notably in the areas of energy, transport and trade. The Commission looks at the possibility of closer links with BSEC and will soon issue a Communication on a Black Sea Regional Policy Approach.

3. DESCRIPTION

3.1. Objectives

The project's objective is to improve transport safety and security environments in the EC neighbouring and Central Asian countries in line with European standards in the fields of civil aviation and land transport.

In particular, the project will provide technical and capacity-building assistance to the beneficiary countries' transport administrations in order to:

- increase awareness of and improve transport safety and security regulations and standards;
- develop regulatory frameworks in line with European safety and security regulations;
- support cooperation agreements with the related European agencies (EASA, Eurocontrol);
- support independent safety control and certification authorities;
- develop effective traffic management environments through adoption of regulations, procedures, manuals, checklists and on-the-job training.

3.2. Expected results and main activities

The project's expected results in the field of *civil aviation* will include:

- Regional Action Plans in the field of aviation safety and security are defined in coordination with the European Commission and its specialised EU agencies, based on a legal, institutional and organisational assessment of the civil aviation security and safety background in the beneficiary countries;
- Increased awareness of and improved civil aviation safety and environmental rules and procedures in accordance with requirements of international conventions, resolutions, recommendations and standards of the EU/EASA (European Aviation Safety Agency), where appropriate, the JAA (Joint Aviation Authority) and the ICAO (International Civil Aviation Organisation): new

regulations are promulgated, awareness on European standards is raised, support to working arrangements with the related European agencies is provided;

- Support is provided to independent authorities and comprehensive programmes for safety and environmental type-certification of aircraft, engines and parts, as well as certification of maintenance organisations; Support is provided to safe and effective air traffic management systems: development of independent national aviation safety authorities, ATM documents including aviation laws, ATS manuals, Air Traffic Controller licensing, safety oversight process and safety regulatory functions;

Accordingly, the main activities will focus on:

- Legal, institutional and organisational assessment of the civil aviation security and safety background in the beneficiary countries and definition of a related regional Action Plan in coordination with specialised EU agencies;
- Support to rule-making and to the adaptation of the safety and environmental legislation and regulatory frameworks to ICAO and EU/EASA standards, and possibly support to the creation of working links with the related European agencies (EASA);
- Provision of technical expertise and on-the-job training for the development of inspections, training and standardisation programmes to ensure implementation of the air safety legislation: practical support to the beneficiaries' national aviation authorities in charge of the airworthiness and environmental certification of aeronautical products, parts and appliances;
- Capacity-building activities and on-the-job training for the development of modern knowledge and practice of product support, maintenance and overhaul techniques, as well as technical support to the certification of maintenance organisations;
- Assessment of the current performances of ATM services and safety management systems in the beneficiary countries;
- Technical assistance for the development of independent ATM national safety and regulatory frameworks: setting of independent Aviation Safety authorities, development of organisational safety policies and standards, drafting of ATM documents and ATS manuals, support to the implementation of safety oversight process as means for measuring safety achievements and mechanisms for the rectification of deficiencies.

The project's expected results in *land transport safety and security* will focus on:

- Regional Action Plans in the field of road and railway safety and security are defined in coordination with the European Commission and its specialised EU agencies, based on a legal, institutional and organisational assessment of the existing situation of land transport safety and recommendations on key improvements to be implemented;
- Land transport safety, security and environmental rules and procedures improved in accordance with requirements of international and EU conventions, awareness

on European standards is raised, links with the related European agencies are strengthened;

- Regulatory authorities, authorities in charge of safety/license and accident investigation, as well as main security operators and independent certification authorities are strengthened;
- Improved legal standards for land transport safety practice (including the ones for the transport of dangerous goods) and minimal standards for working time, driving and rest periods (including enforcement and the use of tachograph), minimal annual vehicle taxes and common rules for tolls and user charges.

The main activities will include:

- Legal, institutional and organisational assessment of the situation in land transport safety and security in the beneficiary countries and definition of a related regional Action Plan in coordination with specialised EU agencies;
- Support to rule-making and to the establishment of legal standards for safety practice (including for freight services and the transport of dangerous goods), institutional capacity-building and awareness raising activities in line with requirements of European standards, support to the creation of working links with the related European agencies (EAR);
- Technical assistance to the national security authorities and main security operators in the sector of land transport in order to establish Road and Rail Transport Security Guidelines and customs-related guidelines for drivers and operators carrying or handling dangerous goods.
- Provision of technical expertise and on-the-job training for the development of inspection, training programmes and certification structures to ensure implementation of the safety and security legislation.

3.3. Stakeholders

The beneficiary countries are the countries belonging to the ENPI East region and Central Asia region, including all TRACECA and the Baku initiative countries.

The institutional capacity of the beneficiary countries has been assessed in the framework of the TRACECA regional coordination mechanisms established since 1993. In particular, the Permanent Secretariat of TRACECA based in Baku and the representatives of national transport administrations (TRACECA National Secretaries) will be closely associated to the coordination of the project and should be able to play a role in the regional transport dialogue.

The project's main stakeholders are the Ministries of Transport, training institutes and structures responsible for transport safety, security and environmental rules and procedures. The identification of the other project's partners will be completed during the institutional and organisational assessment phase of the project.

3.4. Risks and assumptions

Continued strong political commitment to regional cooperation and support from the partner institutions is a necessary condition for the project's effective

implementation. Partner governments and authorities should be ready to take the measures required in terms of legal, technical and institutional reforms and adequate resource allocation. Long-term regional stability in the region is a prerequisite for the project's sustainability. In particular, inter-state tensions in the Caucasus region as well as in Central Asia might create difficulties in terms of regional coordination of transport flows, cross-border cooperation and trade facilitation. These risks are minimised by the use of already functioning mechanisms for cooperation between the transport key stakeholders of the neighbouring states and with the EU.

Participating countries must recognise Community law and/or relevant international standards in the field of transport safety and security. In external aviation relations, the principle of Community designation must be applied either through a horizontal agreement with the Community or through amendments of bilateral aviation agreements with EU Member States.

3.5. Crosscutting Issues

The priority sector of transport safety and security will include strong components related to good governance and environmental safety. In terms of good governance, the project will promote institutional restructuring, including in particular the separation of the governmental regulatory functions from the operational and commercial activities. The application of EC rules and standards will also have a positive side effect on the environment, mainly concerning noise and emissions. Gender policy principles will be applied in the selection procedures for the staff to be trained.

4. IMPLEMENTATION ISSUES

4.1. Implementation method

Implementation will be carried out by the European Commission through centralised management.

4.2. Procurement and grant award procedures

All contracts implementing the action must be awarded and implemented in accordance with the procedures and standard documents laid down and published by the Commission for the implementation of external operations, in force at the time of the launch of the procedure in question.

4.3. Budget and calendar

The total budget is of 6M€ to be granted in the form of, indicatively, two service contracts. This is primarily a technical assistance project. It is planned that approximately €3M would be allocated to each component of the project: civil aviation and land transport safety and security. The contribution of the beneficiaries will be in the form of provision of counterpart staff, data and information. The project is expected to last 36 months.

4.4. Performance monitoring

The project will be monitored by the Tacis/ENPI monitoring office and closely followed-up by the EU Delegations in the region. The TRACECA Permanent

Secretariat will also be in charge of following-up the project's activities and reporting to the TRACECA National Secretaries. Key indicators will be incorporated in the project's design for periodic assessment of the progress of the project components. This mechanism shall be specified in the project plan and the observed performance shall be described in the periodic progress reports.

Monitoring will focus on collecting and analysing information on physical progress (input provision, activities undertaken and results delivered) and the quality of process (i.e. stakeholder participation and local capacity building); financial progress (budget and expenditure); preliminary response by target groups to project activities (i.e. use of services or facilities and changes in knowledge, attitudes or practices); reasons for any unexpected response by target groups, and what action can be taken.

4.5. Evaluation and audit

Expenditure incurred will have to be certified, as part of the obligations of the contracted parties in the framework of the implementation of this project. Mid term and final evaluations of the results achieved will be entrusted to independent consultants.

A multi-annual evaluation exercise covering all TRACECA projects implemented during the period 2006-2008 should be planned and will include a technical evaluation of this project.

Audit missions will be undertaken by EC headquarters or entrusted to specialised consultants where necessary.

4.6. Communication and visibility

In all activities, the latest visibility guidelines concerning acknowledgement of EC financing of the project should be observed. Visibility of this project will be included also in the objectives of regional coordination projects in the field of transport.