

## Standard Project fiche

### 1. Basic information

- 1.1 CRIS Number: TR2011/0314.08  
1.2 Title: Improvement Of Maritime Safety Regarding Handling Of Dangerous Goods At Ports And Coastal Facilities  
1.3 Sector: Transport  
1.4 Location: Ankara, Turkey

#### Implementing arrangements:

- 1.5 Implementing Agency: Central Finance and Contracts Unit, Turkey  
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- 1.6 Beneficiary (including details of SPO): Undersecretariat for Maritime Affairs  
  
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#### Financing:

- 1.7 Overall cost (VAT excluded)<sup>1</sup>: EUR 2 000 000  
1.8 EU contribution: EUR 1 840 000  
1.9 Final date for contracting: 2 years after the signature of the financing agreement  
1.10 Final date for execution of contracts: 2 years following the end date for contracting  
1.11 Final date for disbursements: 1 year after the end date for the execution of contracts

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<sup>1</sup> The total cost of the project should be net of VAT and/or other taxes. Should this not be the case, the amount of VAT and the reasons why it should be considered eligible should be clearly indicated (see Section 7.6)

## 2. Overall Objective and Project Purpose

### 2.1 Overall Objective:

The overall objective of the project is to improve the safety of maritime transport in Turkey in line with EU acquis and international conventions.

### 2.2 Project purpose:

The purpose of the project is to establish a system for the administration to ensure safe handling of dangerous goods in ports and coastal facilities.

### 2.3 Link with AP/NPAA / Progress Report

#### Accession Partnership Documents

It is indicated in Council Decision of 18 February 2008 on the principles, priorities and conditions contained in the Accession Partnership with the Republic of Turkey and repealing Decision 2006/35/EC (2008/157/EC) that alignment with, and implementation in, the maritime sector paying special attention to the effective implementation of pollution prevention should continue.

The general and important comments and recommendations of EU indicated in the accession partnership documents are;

- Alignment with EU acquis on maritime safety and effective implementation,
- Strengthening of the capacity to implement EU acquis.

In addition it is indicated in the Chapter 14: Transport Policy that “Continue alignment with, and implementation in, the maritime sector paying special attention to the effective implementation of pollution prevention. Further strengthen maritime administration, including the improvement of the safety record of the Turkish fleet and the implementation of the maritime security acquis.”

#### National Programme for the Adoption of Acquis

The following items were mentioned in the 2008 NPAA to be harmonized (under the heading “transport policy”):

- *Annex III/IMO of the MARPOL (73/78) Convention of 27.09.2003*
- *Directives No.94/57/EC, 2002/59/EC, 95/21/EC, 2001/25/EC and 2005/65/EC Regulation No. 725/2004/EC*

These items are to be harmonized within the context of this project.

## Progress Reports on Turkey's Move toward Accession

### Turkey 2009 Progress Report:

Progress in the maritime sector has been limited; the move of Turkey to the white list of the Paris MoU confirms Turkey's good performance as a flag state. The institutional capacity for prevention of pollution and emergency response should be improved. In both the air and maritime sectors, no progress has been made towards becoming a party to international conventions.

### Turkey 2010 Progress Report:

In the field of **maritime transport**, some progress can be reported, particularly on the strengthening of institutional capacity. The undersecretariat for maritime affairs (UMA) has prepared a pre-accession sector strategy and identified priority policy areas for short-term actions. The directorate general for coastal safety and salvage operations established a long range identification and tracking system (LRIT) and the Turkish national LRIT data centre integrated with the International Maritime Organisation (IMO) and the International Mobile Satellite Organisation (IMSO). Also a national assistance, search and rescue automation system called Yakamos was put into operation in October 2009. These investments substantially enhanced UMA's technical capacity for monitoring, pollution estimation and integrated planning in coastal zones. Vessel traffic monitoring information systems (VTMIS) for the ports of Izmit, Izmir, Mersin and Iskenderun are being installed. UMA also initiated a comprehensive annual training programme on oil pollution preparedness and emergency response. However, actual physical capacity for pollution prevention and emergency response is limited. The regulation on seafarers was amended on 28 May 2010: graduates of the military navy schools are required to complete training and take the seafarer exam in accordance with the Convention on standards of training, certification and watch keeping (STCW).

The regulation on reception of waste from ships and waste control was amended and specific references to Marpol Annexes were made in relation to the definition of waste. Turkey became a party to protocol on limitation on liability for maritime claims (LLMC 1996). UMA issued an administrative instruction to comply with the anti-fouling systems convention while the ratification process is ongoing. There was no progress in becoming a party to SOLAS-78, SOLAS-88, the Convention on facilitation of international maritime traffic (FAL), the International Convention on the control of harmful anti-fouling systems on ships (AFS) and Marpol Annexes III and IV. The detention rate of Turkish vessels was 4.2% in 2009 (5.6% during the first half of 2010) compared to 2.2% for the EU average in 2009. Turkey is on the white list of the Paris Memorandum of Understanding. Alignment in the maritime safety area is at a good level but the third EU Maritime Package adopted

National Action Plan 2010-2015 under the pre- accession strategy contains the following action under the safer seas policy priority:

#### **Action 4: Carriage of hazardous cargo by sea**

The technical, administrative and application capacity on carriage of hazardous cargo by sea will be improved by means of below activities.

The relevant national legislation should be harmonized with EU legislation, the provisions of the international conventions and IMO rules and regulations.

The relevant national legislation on carriage of hazardous cargo by sea should be coordinated with the national legislation regulating other transport modes.

The port person related to loading and unloading should be trained in order to effective implementation of legislation.

The measures to raise the technical capacity at ports should be determined and implemented.

Port community system should be established big ports loading and unloading hazardous cargo.

The targets of the National Action Plan 2004-2008 have been achieved large majority. The one of targets which have not yet been executed is that approval of Annexes of the MARPOL 73/78 Convention by Turkey.

#### 2.4 Link with MIPD

Multi-annual Indicative Planning Document (MIPD) 2011-2013, under the heading “Sector Objectives for EU support over next three years”:

Types of indicators to measure developments towards these objectives include, inter alia:

- Professional competence and policy training completed for institutions and universities in the field of road, maritime, aviation transport and railways
- **Provided support to transport safety and environmental sustainability** by focusing on road charging, reduction of greenhouse emissions from transport, **use of transport information systems**, utilisation of intermodal transport and **transport of dangerous and hazardous goods**, on safety management systems, network planning and optimisation, reduction of greenhouse gas emissions, passenger rights, airports and aviation safety, an integrated approach and **measures to ensure cleaner sea and coastal areas**, emergency response and **accident prevention** and investigation..

#### 2.5 Link with National Development Plan (where applicable)

N/A

2.6 Link with national/ sectoral investment plans(where applicable)

N/A

### **3. Description of project**

#### **3.1 Background and justification:**

The shipping industry transports 90% of the world's trade. Seaborne trade has been increasing since 1970's. The important part of the cargoes transport by shipping industry consists of dangerous goods. With this trend, the volume of global maritime trade is expected to continue to increase in the future.

The transport of dangerous goods is one of the crucial aspects of maritime safety. While most of the maritime legislation (both at international and community levels) focus on maritime safety as the prevention of hazards arising from normal activities in the maritime sector (such as accidents, or intentional pollution), there is a specific body of legislations relevant to potentially dangerous maritime activity: the transport of dangerous goods.

The IMDG Code was developed as a uniform international code for the transport of dangerous goods by sea covering such matters as packing, marking, labelling and stowage of dangerous goods with particular reference to the segregation of incompatible substances. Application of the IMDG Code is compulsory under the 2002 amendments to SOLAS but the Code also contains provisions of a recommendatory nature which are explicitly stated in chapter 1.1 of the Code (the full list of relevant international legislation and the EU acquis can be found in Annex 4).

In addition to the international regulations, regional measures have been taken at the Community level. With the adoption of the Directive 2002/59/EC a Community Vessel Traffic Monitoring and Information System, that is enabling the Member states to monitor the dangerous goods carried within the European waters and Ports, has been set.

As a party to the international conventions and a candidate country to the EU, Turkey has made significant progress on the safety of ships, and alignment to the acquis on safety in recent years. However the specific legal alignment and administrative capacity on dangerous goods are mostly inadequate. The secondary legislation on the matter is largely out of date. The main legislation on transportation of dangerous goods is the Regulation No. 3/14831 on Transportation of Dangerous Goods by Merchant Ships was entered into force on 8 September 1952. Dangerous goods listed under the Annex of the Regulation and the permission system set by the Regulation is not reflecting the contemporary approach to the transportation of dangerous goods. Therefore, Turkey needs to prepare a new legislation considering the latest international regulations and EU acquis.

Moreover, the administration does not have the necessary capacity for implementation and enforcement of these international conventions due to the fact that the effective enforcement and operation for the safe transport of dangerous goods require complex electronic systems for real time tracking of dangerous goods. Although the administration has the physical infrastructure for accomplishing such a task, there is a

need to enhance this infrastructure by adding new components necessary for full compliance to modern requirements.

The current project will deal with these problems both in terms of legal alignment and administrative capacity building. First, since there are many important issues involved in handling of dangerous goods and it is not possible to tackle all these issues in one project, the first activities of the project is to create a comprehensive long term action plan together with the stakeholders of the project. Then, the necessary draft texts to close the gap between the Turkish legislation, EU acquis and international conventions and codes shall be drafted after a gap analysis. This will create the basis for legal alignment with the EU (note that most of the EU acquis in this field makes references to, and calls for effective implementation of international conventions). The next two items in the project aims at improving the administrative capacity of the Administration.

One part of capacity building is making sure that the staff of the administration and the sector has the necessary know-how for safe handling of dangerous goods, including the legal requirements. On the other hand, the sector must be efficiently monitored regarding compliance, so establishing a monitoring mechanism is crucial. For this purpose a database on dangerous goods will be developed within the project, to aid the Administration in instant monitoring and enforcement.

The stakeholders of the project include the port administrations, other public organization involved in the handling of dangerous goods. Yet, there are no co-beneficiaries to the project since UMA is the sole public authority for administration of this subject.

### **3.2 Assessment of project impact, catalytic effect, sustainability and cross border impact (if applicable)**

#### Project Impact

The main impact of the project will be the increased safety and security in Turkish ports and coastal facilities in Turkey. This is important first of all, for the persons working in ports, since they are always at risk due to dangerous goods. From a wider perspective, people living near ports will benefit from decreased risk, since the negative impact of an accident may cause loss of life or property for these groups. Finally, the same risks involve ships that are visiting Turkish ports and coastal facilities, so there will be a positive impact in terms of safety of lives and property.

#### Catalytic Effect

The project will be the first one on this subject and be the first major project in Turkey on handling of dangerous goods. The legal framework to be established by the project will bring new responsibilities to the Administration, civil sector and the private sector. Moreover, the long term action plan within the project will be the basis for future projects. So, the project is expected to have a strong multi-sector catalytic effect.

#### Sustainability

Regarding the financial sustainability of the project, two important results of the project should be considered.

One is the financial sustainability of the database. Since the database will belong to the Administration, it will undertake all necessary financing and maintenance through its own annual budget.

The second one is sustainability of the training for trainers. This is an important question, since the trainers will not, mostly, be civil servants (rather, employed by the stakeholders). For the sustainability of trainers, a few solutions are proposed (to be exactly determined within the project). One is that ports and coastal employ trainers, to train their own personnel. The other solution is that training is carried on a paid basis. Either case, The solution will be established with a binding legal framework, after consultation with the stakeholders.

After the project ends, the main department of the Administration responsible for the safety of handling of dangerous goods will be “Department of Ports and Coastal Facilities”. This department will be responsible for the implementation of the Long Term Action Plan (output of A02 and A03). As a part of this responsibility, it will undertake to sustain project results and carry out further works as indicated by the Action Plan. This will provide institutional and legal sustainability. The legislation drafted by the project will be send to the parliament with a view to adoption.

#### Cross-border impact

This project can be said to have a positive cross border impact, taking into account that there are Turkish ships travelling to foreign ports and vice versa. Safe and secure handling in Turkish ports is an important asset in terms of the safety of foreign ships visiting Turkish ports. Similarly, when cargo on a Turkish ship has been safely loaded, it creates less risk for the foreign port of destination.

### **3.3 Results and measurable indicators:**

<b>Results</b>	<b>Indicators</b>	<b>Relevant Outputs</b>
Legal framework for safe handling of dangerous goods adopted.	<ul style="list-style-type: none"> <li>Proposals and draft texts required for full harmonization to the relevant EU acquis submitted to the Parliament by the first quarter of 2014 by the Twinning Team</li> </ul> <p>(the exact number and list of draft legislation will be determined by the gap analysis)</p>	<p>04 Comprehensive legal and institutional gap analysis report for the full application of the acquis on dangerous goods</p> <p>05 Draft legal texts and proposals submitted to the Parliament for approval</p>

	under twinning)	
Adequate administrative capacity in place for safe handling of dangerous goods established.	<ul style="list-style-type: none"> <li>• 50 trainers and 25 administrative personnel trained by the end of 2013</li> <li>• A sustainable training system is operational</li> <li>• An organization plan for the optimum implementation of dangerous goods legislation prepared</li> </ul>	<p>06 Training needs assessment (TNA)</p> <p>07 Training certificates, training evaluations</p> <p>08 Training certificate, training evaluations</p>
Procedures and IT system for the monitoring of handling of dangerous goods by the administration established	<ul style="list-style-type: none"> <li>• Database for monitoring of dangerous goods operational by the end of 2013</li> <li>• Database for monitoring of dangerous goods operational by the end of 2013</li> </ul>	<p>09 Report and Terms of Reference on implementation model</p> <p>10 Database for monitoring of dangerous goods developed and put into use</p>

### 3.4 Activities:

All the man/month estimations are indicatively given for budgeting purposes. The twinning consultant may in its work plan re-allocate the man/days as deemed necessary between the different activities.

#### A01 - Inception and analysis of the current situation

This activity marks the beginning of the project, namely through the Kick-off meeting.

The kick-off meeting shall include the Administration, Twinning partner, CFCU, EUSG, the EU Delegation and representatives of the stakeholders.

More importantly, the Twinning team shall carry out an analysis of the existing situation regarding handling of dangerous goods in Turkey. This analysis shall include the existing legal provisions, institutional responsibilities, administrative capacity (including IT capacity, personnel, training, etc), implementation by end users (ports and coastal facilities) and other relevant subjects.

The findings of the analysis shall be contained in the Inception Report.



Input: Indicatively 4 STE man/months (m/ms) (TW)

Output: Inception Report

A02 - Preparation of a long term action plan for the Administration on safe and secure handling of dangerous goods

In this activity, the twinning team shall prepare a long term action plan (around five years) for the Administration to carry out in order to ensure full enforcement with international rules. It is not expected that this project alone can cover all the possible dimensions regarding handling of dangerous goods. Naturally, the first two years of this plan will be composed of this project.

Input: Inception Report, Indicatively 8 STE m/ms (TW)

Output: Long term action plan, including envisaged results, measurable indicators and resource requirements, on safe and secure handling of dangerous goods (“Action Plan”)

A03 - Meeting with stakeholders about the action plan

The meeting with the stakeholders shall serve two important purposes.

One is to discuss with stakeholders the action plan prepared under the previous activity. The other is to ensure visibility of the project, which will provide commitment of stakeholders in the future. For these purposes, information about the project and the action plan shall be sent to the stakeholders in advance, to enable discussion and exchange of ideas in the meeting. These ideas shall be used for the revision of the action plan, before it becomes official and adopted by the Administration.

Input: Action Plan, Indicatively 4 STE m/ms (TW)

Output: Revised Action Plan (if the feedback from stakeholders makes it necessary)

A04 – Carrying out a gap analysis and collection of all dangerous goods handling data

This activity involves carrying out a gap analysis of Turkish legislation on one hand, and EU acquis and international legislation on the other. The legal experts of UMA shall aid the Twinning experts in carrying out the gap analysis. The findings of this analysis shall be presented in the “gap analysis report”. A further project pipeline shall be developed if needed based on the outcome of the gap assessment.

Input: Indicatively 25 STE m/ms (TW)

Output: Gap analysis report (may be submitted in the following Quarterly Report).

#### A05 - Preparation of proposals and draft legal texts

This activity aims to provide harmonization with the EU and international rules. The legal analysis in the Inception Report shall serve as the starting point. It must be noted that there are three different levels of harmonization under this activity:

- Primary legislation (laws to be put into force by the Parliament)
- Secondary legislation (regulations to be put into force by the Administration)
- Proposals for adoption (these are also to be put into force by the Parliament, but they are different from legislation because full texts of international conventions and codes are harmonized).

These three items undergo different procedures in Turkey, and the relevant procedure shall be used accordingly. Regarding primary legislation, only the submission to the Parliament is considered within the scope of the project, since adoption by the Parliament takes time.

At the end of the activity, legal texts which allow harmonization with EU and international rules shall be drafted by the legal experts of the project team. The Administration shall assign at least one full time legal expert for this activity.

Input: Inception Report, Indicatively 17 STE m/ms (TW)

Output: Draft legal texts and proposals

#### A06 - Conducting a training needs assessment (TNA)

This activity includes conducting a training needs assessment for candidates to be trained under activities 06 and 07.

First, the content of the training shall be determined in accordance with the international legislation on this subject (the draft legal text analyzed and prepared under A 04 shall serve as a guide).

Secondly, candidates for training shall take exams on related subjects (divided into two groups – trainers and staff of the Administration).

At the end of these tests, the specific needs for training shall be identified, which will serve as the input for A06 and A07.

Input: Draft legal texts, Indicatively 4 STE m/ms (TW)

Output: Training needs assessment (TNA)

#### A07 - Training of trainers

The training of trainers (to be employed by the stakeholders) is completed under this activity. The curriculum for training shall be determined by Act 05. The training shall be carried out by the experts from the Twinning team and may require translation.

The trainees shall be examined before and after the training programmes in order to measure the overall effectiveness of trainings. This shall constitute the “training evaluation system” of the project. The trainees shall be certified according to their scores on these examinations.

The training material shall be stored on the Administration’s web site and updated as necessary, and open to public.

Input: translation services, Indicatively 30 STE m/ms (TW)

Output: Training materials, training certificates, TNA, training evaluations.

#### A08 - Training of administrative personnel

The relevant personnel of the administration (especially inspectors in ports and the relevant personnel in the HQs) shall be trained on enforcement of handling of dangerous cargo in a manner similar to A06.

Input: study visits, translation services, Indicatively 20 STE m/ms (TW)

Output: training materials, training certificates, TNA, training evaluations.

#### A09 - Identification of optimum implementation model for monitoring of dangerous goods for the Administration

The exact functionalities of the database have been identified by a needs assessment study that is carried out under support to European integration 2008 programme. Under this activity, the twinning team shall review the results of this study and identify the optimum model for monitoring and enforcement by the Administration. Also the database to be developed must establish the baseline situation in Turkey in handling of dangerous goods. The model includes practical implementation of legal measures by the administration for effective monitoring of ports and coastal facilities in terms of their performance in handling dangerous goods. The findings under this activity, among other things, shall be used as an input for Act 09.

Input: Inception Report, Indicatively 5 STE m/ms (TW)

Output: Report on implementation model (may be a part of the relevant regular report)

#### A10 - Development of a database for monitoring dangerous goods through a service contract

Under this activity, a contractor shall develop the database through a technical assistance contract. All relevant data with regard to handling of dangerous goods will be uploaded in the database.

Input: Technical Assistance contract (12 months), Terms of Reference

Output: Database for handling of dangerous goods

A11 - Briefing meeting with stakeholders

A meeting with stakeholder shall be held to inform the stakeholders on the results of this project. The major legal changes, the impact (present and future), the new responsibilities for the stakeholders shall be thoroughly explained in this meeting.

Input: Indicatively 3 STE m/ms (TW)

Output: Detailed presentations and written material about the project activities and results from the meeting, to be used as sources of information in the future

A12 - Closing meeting

This activity includes the closing meeting, marking the end of the twinning and the project.

Input: Indicatively 3 STE m/ms (TW)

Output: Closing meeting presentations and speeches, news from the press

Activities that have been marked as “TW” requires inputs from twinning, whereas “TA” denotes “technical assistance”. In this manner, only Activity 10 – development of a database requires input from technical assistance/service contract.

3.5 Conditionality and sequencing:

All required hardware and any possible additional financing needs for the TA will be provided through national funding.

Sequencing:

No.	Activity Group	Sequencing
	Inception	
01	Inception and analysis of the current situation (TW)	No sequencing, the first activity to be implemented.
	Action Plan	It is better to begin the action plan first, it may suggest some corrections and make contributions to the remaining activities in the project.

02	Preparation of a long term action plan for the Administration on safe and secure handling of dangerous cargo (TW)	After the completion of the “Inception Report”.
03	Meeting with stakeholders about the action plan (TW)	After the completion of the Action Plan,
	Legal alignment	
04	Carrying out a gap analysis	Some gaps may already be identified in the Inception Report and the Action Plan.
05	Preparation of proposals and draft legal texts (TW)	After the gap analysis is completed.
	Training	
06	Conducting a training needs assessment (TW)	Independent activity. but should start as soon as possible.
07	Training of trainers (TW)	After the training needs assessment.
08	Training of administrative personnel (TW)	After the training needs assessment.
	Monitoring & Database	
09	Identification of optimum implementation model for monitoring for the Administration (TW)	Independent activity, but should begin some time after 04 in order to allow some legal basis.
10	Development of a database for monitoring dangerous goods through a service contract (TA)	After 09 is completed, since it uses the TOR from that activity.
	Closing	
11	Briefing meeting with stakeholders (TW)	All other TW activities (preferably also the TA) should be completed before this activity begins.
12	Closing meeting (TW)	Last activity.

Taking into account all these factors, the ideal sequencing for the project activities are:

- The “Inception” and “Action Plan” activity groups should be completed first.
- The activities under “Legal alignment”, “Training” and “Monitoring & Database” groups should be completed in sequence, but these groups are independent of each other.
- The “Closing” group should be implemented lastly.

Please consult Annex 6 for the suggested implementation schedule.

There are no conditions to begin the implementation of the project.

### Risk Assessment

Type of Risks	Level of Risk on OO (High, medium, low)	Probability risk will occur (High, medium, low)
The draft texts and proposals may not be sufficiently adopted by the Parliament	Medium	Low
There may not be a sufficient number of candidates for training	Low	Medium
The contractor may not complete the technical assistance contract of time	Low	Low

### 3.6 Linked activities

UMA completed the project titled “Improvement of Maritime Safety in Ports and Coastal Areas in Turkey” (No: TR0503.09) in 2008. This project’s main focus was promoting safety in ports and coastal areas, which includes handling of dangerous goods in ports.

The most important activity from the previous project, for the purposes of this project, is the establishment of an online database which serves as a tracking tool for dangerous cargo that is carried by sea. This database allows the ports to be notified in advance of the inbound dangerous goods and make the required preparations. However, Turkey does not have a unified system for these preparations to be carried out in ports. That is the subject of this project. Yet, the database for dangerous goods can be integrated with the database to be developed in this project.

Another important out from the previous project was the Emergency Preparedness Manual for ports and coastal facilities. While this manual covers aspects of what is to be done when an emergency occurs regarding dangerous goods, the main subject of this project is to mitigate the risk of such emergencies.

### 3.7 Lessons learned

A good communication with the stakeholders is a very important for the success of this project in particular. Constant communication with stakeholders is important for ensuring the commitment of stakeholders, visibility of the project and most importantly, sustainability of the project results. For this purpose, two activities in the project (act. 3 and 11) have been added for meeting with stakeholders. However, the challenge lies in the fact that Turkey has about 300 ports, which is almost half of what

EU has, not including other stakeholders. Such a big number requires that establishing a good communication network by the Project Team is essential.

A very important lesson from the previous projects is that database development in projects can be very problematic. The contractor company needs quality information about the existing IT infrastructure and a very good notion of what the beneficiary has in mind about the database. However, project teams rarely have members with sufficient understanding of information technologies. Thus, project teams require good cooperation from the IT departments of their administrations. Regarding the functionality of the database, a thorough understanding by the IT department and the contractor company must be established before any work is done within the contract. This responsibility belongs to the project team.

Another particular lesson is that in a project involving legal change, a good line of communication with other departments of the administration and other public and international bodies is very important, so that the project team is aware of new legislation concerning the project before it enters into force. And this is very important for this project, since the subject matter of the project, handling of dangerous goods, has only recently come to attention in the international field. So, the provisions in this field are rapidly changing. While this sounds obvious, it is very hard for a project team to know in advance the internal situation in IMO or the EU. However, due attention should be paid by the legal experts of the project team to avoid duplicate work on one hand, and impractical legislation on the other.

#### 4. Indicative Budget (amounts in EUR)

			SOURCES OF FUNDING										
			TOTAL EXP.RE	TOTAL PUBLIC EXP.RE	IPA EU CONTRIBUTION		NATIONAL PUBLIC CONTRIBUTION					PRIVATE CONTRIBUTION	
ACTIVITIES	IB (1)	INV (1)	EUR (a)=(b)+(e)	EUR (b)=(c)+(d)	EUR (c)	% (2)	Total EUR (d)=(x)+(y)+(z)	% (2)	Central EUR (x)	Regional/ Local EUR (y)	IFIs EUR (z)	EUR (e)	% (3)
Twinning	x	–	1,400,000	1,400,000	1330000	%95	70,000	%5	80,000				–
Technical Assistance	x	–	600,000	600,000	510000	%85	90,000	%15	60,000				–
TOTAL IB													
TOTAL INV													
<b>TOTAL PROJECT</b>			<b>2,000,000</b>	<b>2,000,000</b>	<b>1,840,000</b>	<b>-</b>	<b>160,000</b>	<b>-</b>	<b>160,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>-</b>

*For Twinning contracts joint cofinancing will be provided to cover 5% of the costs of the Twinning contract. Additional parallel cofinancing will be provided in order to cover costs of activities not eligible for IPA support in line with the Twinning Manual.*

*In the context of beneficiary staff participating in missions outside of Turkey paid for under a contract, the maximum amounts eligible for accommodation costs and daily allowances ("per diems") are the official rates provided for by EuropeAid for the destination country (see website for the latest rate). Provided the total cost of daily allowance and accommodation charged to the contract remains below these maximum rates, the applicable Turkish rules and regulations for per diems shall be applied when reimbursing these costs for public servants from the beneficiary institutions. Where a contract foresees the reimbursement of such expenses for Turkish public servants and other beneficiaries of IPA projects during missions inside of Turkey, the maximum costs reimbursed under the contract will be those provided for domestic missions under the applicable Turkish legislation provided that they are subject to the same ceiling for maximum rates. This provision cannot be construed and applied in contradiction with the IPA Framework Agreement and in particular the IPA Implementing Regulation.*



## **Justification for the Choice of Instrument/Contract**

The Twinning Manual 2009 states that “*Twinning activities are best suited to projects where the goal is relatively clear and where the input of administrative expertise is crucial*” (pg 18).

Our experience suggests that this is the most important criteria for the choice between Twinning and Technical Assistance – where the required experience is better available. Other important criteria are how well an activity can be specified (TA is more suited to activities where specific limits to the work can be drawn, whereas TW is better for loosely defined activities which allow the guidance of the MS bodies). TA is also more suited for labor-intensive activities, where the officers of MS administrations usually don't have so much time and specific expertise to commit.

According to these criteria, we are convinced that most of our activities should be carried out under a TW contract. Most of the activities are directly concerned with administrative functions – legal alignment and capacity building. These activities require specific expertise and guidance from a public body on matters of legal implementation, certification, monitoring, etc.

One important exception in the project is Activity 10 (Development of a database for monitoring of dangerous goods) where the ideal choice of instrument is TA. First of all, the expertise and know-how to develop a database lies with a specialized firm. Secondly, the task can be rather well defined, through a “Terms of Reference” and a corresponding contract. Finally, the development of a database requires around four experts to work for 12 months. Resident experts in a MS public body will not be able to dedicate their experts for such a long time. So, TA is the obvious choice for this activity.

## **5. Indicative Implementation Schedule (periods broken down per quarter)**

Contracts	Start of Tendering	Signature of contract	Contract Completion
Twinning	2011 Q3	2012 Q1	2013 Q4
Technical Assistance	2012 Q1	2012 Q3	2013 Q3

All projects should in principle be ready for tendering in the 1<sup>ST</sup> Quarter following the signature of the FA

## **6. Cross cutting issues (where applicable)**

### **6.1 Equal Opportunity**

The necessary measures will be taken in order to provide equal opportunity for all stakeholders. Especially in training programmes participation of female participants will

be encouraged. Twinning team will consider the participation of female trainees while determining the place, duration and the context of the trainings.

## 6.2 Environment

Effective control of the dangerous cargo handling in Turkish ports and measures to be taken for the safe transportation of dangerous good in Turkish waters will inevitably have a positive impact on the environment and especially people living in coastal areas and port areas.

The proposed trainings, especially the trainings for familiarization to the transport of dangerous goods will increase general public awareness concerning protection of environment.

## 6.3 Minorities and vulnerable groups

According to the Turkish Constitutional System, the word minorities encompass only groups of persons defined and recognized as such on the basis of multilateral or bilateral instruments to which Turkey is a party.

There shall be no discrimination by any of the parties in the Project (including the Administration, the Twinning Partner, and the Contractor for Technical Assistance) on the basis of minority or ethnic background. This is particularly relevant in the selection of training candidates. Such discrimination shall be punishable under the relevant articles of the applicable law and may result in the termination of the Contract.

## 6.4 Civil Society

Two activities (A03 and A10) are included in the project to provide the involvement of the stakeholders (which includes the civil society organizations).

Activity 03 involves the discussion of the action plan with stakeholders. This is to ensure the involvement of the civil society in the design of future activities in the field of dangerous goods.

Activity 10 is to brief the stakeholders on the completed activities, legal changes, results, etc which are parts of the project.

Other than these two specific activities, measures shall be taken within the project to ensure flow of information and participation in decision making with the civil society.

## **ANNEXES**

1. Log frame in Standard Format
2. Amounts contracted and Disbursed per Quarter over the full duration of Programme

## ANNEX I : LOGICAL FRAMEWORK MATRIX

Project Logframe	Programme Name and Number	IPA-1 2011
IMPROVEMENT OF MARITIME SAFETY REGARDING HANDLING OF DANGEROUS GOODS AT PORTS AND COASTAL FACILITIES	Contracting Period Expires 2 years after the signature of financing agreement	Disbursement Period Expires 1 years following the end date for execution of contracts
	Total Budget 2,000,000 €	IPA budget 1 840 000

Overall objective	Objectively Verifiable Indicators	Sources of Verification	
The overall objective of the project is to improve the safety of maritime transport in Turkey in line with EU acquis and international conventions	% 10 decrease in the number of incidents involving dangerous goods in Turkish ports between 2014-2016	Statistics from the dangerous goods database (established under project)  Press releases  Progress reports of the EU Commission  EUROSTAT	
Project Purpose	Objectively Verifiable Indicators	Sources of Verification	Assumptions
The purpose of the project is to establish a system for the administration to ensure safe handling of dangerous goods in ports and coastal facilities.	<ul style="list-style-type: none"> <li>At least 30 ports and coastal facility employees trained for handling of dangerous cargo by two years from the end of the project</li> <li>Database and procedures fully operational by the end of the</li> </ul>	Inspection reports of the Administration  Information from the dangerous goods database	The action plan is faithfully implemented after the project is completed

	project. The database maintenance will be in charge of the competent Administration		
Results	Objectively Verifiable Indicators	Sources of Verification	Assumptions
1. Legal framework for safe handling of dangerous goods prepared.	<ul style="list-style-type: none"> <li>Proposals and draft texts required for full harmonization to the relevant EU acquis submitted to the Parliament by the first quarter of 2014 by the Twinning Team</li> </ul> <p>(the exact number and list of draft legislation will be determined by the gap analysis under twinning)</p>	<p>Report by the Twinning team, containing the draft legal texts in the annex</p> <p>Official Journal excerpts containing the adopted legislation</p>	The draft legal texts are put into force by the Parliament
2. A system of training for safe handling of dangerous goods established.	<ul style="list-style-type: none"> <li>50 trainers and 25 administrative personnel trained by the end of 2013</li> <li>A sustainable training system is operational</li> <li>An organization plan for the optimum implementation of dangerous goods legislation prepared</li> </ul>	<p>Training reports by the Twinning team</p> <p>Training records and statistics from the training evaluation system</p> <p>Organization report prepared by the twinning team</p>	A sufficient number of trainers and public officers continue their employment in their respective areas
3. An IT system for the monitoring of handling of dangerous goods by the	<ul style="list-style-type: none"> <li>Database for monitoring of dangerous goods operational by the end of 2013</li> </ul>	The end users provide the database with sufficient information, as will be required by the legal changes in	

administration established	<ul style="list-style-type: none"> <li>Availability of the database from the UMA website</li> </ul>	the project.	
Activities	Means	Costs	Assumptions
<p>01. Inception and analysis of the current situation (TW)</p> <p>02. Preparation of a long term action plan for the Administration on safe and secure handling of dangerous cargo (TW)</p> <p>03. Meeting with stakeholders about the action plan (TW)</p> <p>04. Carrying out a legal gap assessment and collection of data</p> <p>05. Preparation of proposals and draft legal texts (TW)</p> <p>06. Conducting a training needs assesment (TW)</p> <p>07. Training of trainers (TW)</p> <p>08. Training of administrative personnel (TW)</p> <p>09. Identification of optimum implementation model for monitoring for the Administration (TW)</p>	<p>01. 4 STE m/ms, TW</p> <p>02. 8 STE m/ms, TW</p> <p>03. 4 STE m/ms, TW</p> <p>04. 35 STE m/ms, TW</p> <p>05. 17 STE m/ms, TW</p> <p>06. 4 STE m/ms, TW</p> <p>07. 30 STE m/ms, TW</p> <p>08. 20 STE m/ms, TW</p> <p>09. 3 STE m/ms, TW</p> <p>10. 6 months (18 m/ms) ,TA</p> <p>11. 3 STE m/ms, TW</p> <p>12. 3 STE m/ms, TW</p> <p>Twinning Contract (EU contribution=1,330,000 €)</p> <p>Technical Assistance (EU contribution=510,000 €)</p>	<p>A04 – There are no major changes after the completion of the activity in the relevant EU acquis or the international conventions</p> <p>A05 – there is a sufficient number of qualified applicants for training</p> <p>A11 – The contractor completes the technical assistance contract on time (in case of delays, the rest of the project activities are not jeopardized, but Result 03 will not be reached).</p>	

<p>10. Preparation of terms of reference for a database for monitoring of dangerous goods (TW)</p> <p>11. Development of a database for monitoring dangerous goods through a service contract (TA)</p> <p>12. Briefing meeting with stakeholders (TW)</p> <p>13. Closing meeting (TW)</p>			
			Preconditions
			The project shall start with the signing of the FA.

**ANNEX II: amounts (in €) Contracted and disbursed by quarter for the project (IPA contribution only)\***

	2012/Q1	2012/Q2	2012/Q3	2012/Q4	2013/Q1	2013/Q2	2013/Q3	2013/Q4
<b>Contracted</b>								
Twining	1,330,000							
Service			510,000					
<b>Cumulated</b>	1,330,000	1,330,000	1,840,000	1,840,000	1,840,000	1,840,000	1,840,000	1,840,000
<b>Disbursed</b>								
Twining	798,000	44,333	44,333	44,333	44,333	44,335	44,335	266,000
Service			306,000				204,000	
<b>Cumulated</b>	798,000	842,333	1,192,670	1,237,000	1,281,330	1,325,670	1,574,000	1,840,000

The duration of the service contract is 12 months.



