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THIS ACTION IS FUNDED BY THE EUROPEAN UNION

ANNEX IX

to the Commission Implementing Decision
on the financing of the multiannual action plan in favour of the
NDICI Neighbourhood East Region for 2023-2024

Action Document for

Participation of Georgia, Republic of Moldova and Ukraine in the Transport Community

ANNUAL ACTION PLAN

This document constitutes the annual work programme in the sense of Article 110(2) of the Financial Regulation, and action plan/measure in the sense of Article 23(2) of NDICI-Global Europe Regulation.

1. SYNOPSIS

1.1. Action Summary Table

<p>1. Title OPSYS Basic Act</p>	<p>Participation of Georgia, Republic of Moldova¹ and Ukraine in the Transport Community Annual action plan OPSYS business reference: ACT-61761 ABAC Commitment level 1 number: JAD.1160249 Financed under the Neighbourhood, Development and International Cooperation Instrument (NDICI-Global Europe).</p>
<p>2. Economic and Investment Plan (EIP)</p>	<p>Yes Transport</p>
<p>EIP Flagship</p>	<p>Flagship 4 in Moldova: improving connectivity. Indirectly contributing to: Flagship 3 in Ukraine (“<i>improving connectivity by upgrading cross-border points</i>”) and Flagship 2 in Georgia (“<i>transport across the Black Sea</i>”)</p>
<p>3. Team Europe Initiative</p>	<p>No</p>
<p>4. Beneficiar(y)/(ies) of the action</p>	<p>The action shall be carried out for the benefit of Georgia, Moldova and Ukraine.</p>

¹ Hereafter Moldova

5. Programming document	Multiannual Indicative Programme for the Neighbourhood East Region for the period 2021-2027 ²			
6. Link with relevant MIP(s) objectives/expected results	Specific Objective 2: Support transport and connectivity (<i>including for the Black Sea</i>)			
PRIORITY AREAS AND SECTOR INFORMATION				
7. Priority Area(s), sectors	Priority area 1: Resilient, sustainable and integrated economies			
8. Sustainable Development Goals (SDGs)	Main SDG (1 only): 16: Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels Other significant SDGs 9: Build resilient infrastructure, promote sustainable industrialization and foster innovation			
9. DAC code(s)	21010 - Transport policy and administrative management 100 %			
10. Main Delivery Channel	40000 – Multilateral organisations			
11. Targets	<input type="checkbox"/> Migration <input type="checkbox"/> Climate <input type="checkbox"/> Social inclusion and Human Development <input type="checkbox"/> Gender <input type="checkbox"/> Biodiversity <input type="checkbox"/> Human Rights, Democracy and Governance			
12. Markers (from DAC form)	General policy objective	Not targeted	Significant objective	Principal objective
	Participation development/good governance	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Aid to environment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Gender equality and women's and girl's empowerment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Reproductive, maternal, new-born and child health	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Disaster Risk Reduction	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Inclusion of persons with Disabilities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Nutrition	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	RIO Convention markers	Not targeted	Significant objective	Principal objective

² C(2021)9370 adopted on 15/12/2021

13. Internal markers and Tags

Biological diversity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Combat desertification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Climate change mitigation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Climate change adaptation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Policy objectives	Not targeted	Significant objective	Principal objective
EIP	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
EIP Flagship	YES <input checked="" type="checkbox"/>		NO <input type="checkbox"/>
Tags	YES		NO
transport	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
energy	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
environment, climate resilience	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
digital	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
economic development (incl. private sector, trade and macroeconomic support)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
human development (incl. human capital and youth)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
health resilience	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
migration and mobility	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
agriculture, food security and rural development	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
rule of law, governance and public administration reform	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
other	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Digitalisation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tags	YES		NO
digital connectivity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
digital governance	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
digital entrepreneurship	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
digital skills/literacy	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
digital services	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Connectivity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Tags	YES		NO
digital connectivity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	energy	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	transport	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	health	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	education and research	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Migration	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Reduction of Inequalities	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	COVID-19	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BUDGET INFORMATION			
14. Amounts concerned	Budget line(s) (article, item): budget line BGUE-B2023-14.020111-C1-NEAR Total estimated cost: EUR 2 000 000 Total amount of EU budget contribution EUR 2 000 000		
MANAGEMENT AND IMPLEMENTATION			
15. Implementation modalities (management mode and delivery methods)	Direct management through: - Grants		

1.2. Summary of the Action

The action aims to strengthen cooperation in the field of transport by establishing and maintaining a continuous working relationship between Georgia, Moldova, Ukraine and the Transport Community. Implementation of the action is key in view of the candidate status of Ukraine and Moldova and European perspective for Georgia. The action will foster regional cooperation between the EU, Western Balkans and Georgia, Moldova, and Ukraine to support the homogeneous development of their transport sectors and ensure closer integration of transport markets. This will be mainly achieved through countries' alignment with relevant EU *acquis* in the field of road, rail, inland waterways, and maritime transport (excluding air transport) as well as support to development of Trans-European Transport Network in Georgia, Moldova, Ukraine.

In line with priorities of the regional multiannual indicative programming for the EU support to the Eastern neighbourhood, the action will support improvements of transport connectivity in Georgia, Moldova and Ukraine by enhancing overall transport safety and improving transport infrastructure through alignment with relevant EU *acquis*.

The action will contribute to SDG 16: Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable, and inclusive institutions at all levels as well as SDGs 9: Build resilient infrastructure, promote sustainable industrialisation, and foster innovation.

The objectives and intended outputs of the action will contribute to the implementation of the Economic and Investment Plan for the Eastern partnership (EIP) by investing in enhanced transport connectivity and strengthening transport links on the extended indicative Trans-European Transport Network³. Furthermore, the action is expected to contribute to Flagship initiatives of the EIP, particularly Flagship 4 in Moldova: improving connectivity and anchoring Moldova in the TEN-T, and indirectly to: Flagship 3 in Ukraine (“improving connectivity by upgrading cross-border points”) and Flagship 2 in Georgia (“transport across the Black Sea”).

³ Hereafter TEN-T

1.3. Beneficiar(y)/(ies) of the action

The Action shall be carried out mainly in Georgia, Moldova and Ukraine all of which are included in the list of ODA recipients. Depending on their nature, some activities may be carried out in the Western Balkans region and in the EU Member States, all of which are included in the list of ODA recipients.

2. RATIONALE

2.1. Context

The European Council of 23-24 June 2022⁴ confirmed the assessment presented by the European Commission in its Opinions⁵ on the application for EU memberships submitted by Ukraine, Moldova and Georgia and decided to grant the status of candidate country to Ukraine and to the Republic of Moldova and recognised the European perspective of Georgia. In this context, going forward with a closer association with Ukraine, Moldova and Georgia should be pursued. This closer association includes strengthening cooperation in the area of transport, with the aim to enhance connectivity and ensure closer transport market integration.

In this context, the role of the Transport Community is crucial. The Transport Community is an international organisation promoting closer cooperation and integration in the field of mobility and transport. The organisation was founded by the Treaty establishing the Transport Community (TCT)⁶ signed on 9 October 2017 by the European Union and the six Western Balkan Partners (WB6)⁷. The aim of the Treaty is creation of a Transport Community in the field of road, rail, inland waterways, and maritime transport as well as the development of the transport network between the European Union and the six Western Balkan Parties. The Treaty aims at bringing about the progressive integration of transport markets of the WB6 into the EU transport market on the basis of the relevant *acquis*, including in the areas of technical standards, interoperability, safety, security, traffic management, social policy, public procurement and environment, for all modes of transport excluding air transport. The Transport Community is supported by a TCT Permanent Secretariat (TCT PS), based in Belgrade, Serbia.

Against this background, the Transport Community Treaty set-up could serve as an effective model to also pursue the closer association between the Treaty contracting parties and Ukraine, the Republic of Moldova and Georgia in the transport field.

The process of closer association of Georgia, Moldova and Ukraine to the Transport Community has already begun. In the framework of the Ministerial Council of the Transport Community of 15 November 2022, the Contracting Parties of the Transport Community Treaty and the Ministers in charge of Transport from Ukraine, Georgia and Moldova endorsed the Joint Statement on Cooperation for the Development of the Transport Sectors⁸. Based on this Joint Statement, the Transport Community Permanent Secretariat was invited by the Ministerial Council to reflect on the necessary adaptations of the working modalities of the different TCT bodies, in order to facilitate the more systematic involvement of Ukraine, Moldova and Georgia as observing participants. This progressive involvement in ongoing and future activities of the Transport Community will

⁴ <https://www.consilium.europa.eu/en/press/press-releases/2022/06/24/european-council-conclusions-23-24-june-2022/>

⁵ https://neighbourhood-enlargement.ec.europa.eu/news/european-commission-recommends-council-confirming-ukraine-moldova-and-georgias-perspective-become-2022-06-17_en

⁶ https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2017.278.01.0003.01.ENG

⁷ Albania, Bosnia and Herzegovina, North Macedonia, Kosovo* (*the designation of which is without prejudice to positions on status, and is in line with UNSCR 1244 (1999) and the ICJ Opinion on the Kosovo declaration of independence), Montenegro, and Serbia.

⁸ <https://transport.ec.europa.eu/system/files/2022-11/Joint-statement-on-strengthening-cooperation-between-TCT-and-Moldova-Ukraine-Georgia-2022.pdf>

ensure closer association of Georgia, Moldova and Ukraine with EU transport markets, including in the context of enlargement process.

The action will strengthen cooperation in the field of transport, in particular in the work of the Transport Community between all involved parties, and support creation of an effective transport network between the European Union and its neighbours.

The action also fits the objectives of the European neighbourhood policy. In particular, the March 2020 Joint Communication on the Eastern Partnership (EaP) policy beyond 2020⁹ outlined the following long-term policy objectives for future cooperation: (1) *deliver economies that work for all*; (2) *strengthen the fundamentals, such as accountable institutions and rule of law*; (3) *boost our green transformation*; (4) *support the digital transformation and* (5) *build fair and inclusive societies*. Increasing resilience was defined as the central goal for the new Eastern Partnership agenda. In this context, the Joint Communication sets out a clear vision for the EaP region for the future and committed to increase the use of EU and international transport standards.

Furthermore, the Joint Staff Working Document “Recovery, resilience and reform: post 2020 Eastern Partnership priorities”¹⁰ published in July 2021 outlines the EaP priorities and targets for the post-2020 agenda in the context of recovery, resilience and reform, aims at enhanced cooperation in the area of transport connectivity the EU by supporting sustainable, rules-based and secure transport connectivity with the partner countries covering road, rail, air, maritime and waterborne transport. The action will also support the implementation of the Economic and Investment Plan for the Eastern Partnership by the implementing of the relevant EU transport *acquis* thus improving overall transport safety and transport connectivity in the region. By contributing to enhanced transport connectivity and strengthening transport links on the extended indicative TEN-T, the action is expected to contribute to EIP’s Flagship initiatives of the EIP, particularly Flagship 4 in Moldova: improving connectivity and anchoring Moldova in the TEN-T, and indirectly to: Flagship 3 in Ukraine (“improving connectivity by upgrading cross-border points”) and Flagship 2 in Georgia (“transport across the Black Sea”). In similar vein, the action also complements the efforts of the EU Global Gateway¹¹ strategy aimed at supporting the extension of the Trans European Transport Network in line with applicable European standards.

The action is also expected to contribute to implementation of the EU-Ukraine Solidarity Lanes action plan¹², establishing alternative transport routes to facilitate Ukraine's export and imports, in particular to address threats to global food security. The action plan developed in response to Russia's war of aggression against Ukraine accelerates the need to reshape connectivity patterns in the EU's eastern neighbourhood by improving all transport links westwards towards the EU in the perspective of closer ties between Ukraine, Moldova, Georgia and the EU.

2.2. Problem Analysis

Short problem analysis

The three enlargement countries - Ukraine, Georgia and Moldova will be challenged by the technical complexity of the ever evolving EU *acquis* in the field of transport. Currently, these countries lack human, financial and institutional capacity that would make the process of approximation most effective. In addition, both Ukraine and Moldova cannot be expected to significantly enhance resource allocation in the current context of Russia’s war of aggression against Ukraine, while the need to further develop specialised staff knowledge and to conduct technical and regulatory capacity-building activities to ensure the transposition and

⁹ JOIN(2020) 7

¹⁰SWD(2021) 186

¹¹ https://commission.europa.eu/system/files/2021-12/joint_communication_global_gateway.pdf

¹² <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52022DC0217>

implementation of the transport EU *acquis* will remain high. Linkages and synergies with ongoing work in the Western Balkans on EU alignment can be a source of reference and learning.

Furthermore, given the candidate status for EU membership for Ukraine and Moldova and the European perspective for Georgia, action is necessary to go beyond the current possibilities for closer association of the partners, including the transport sector and ensure their more systematic involvement in the existing structures. In this context, a more systematic participation as observing participants of Georgia, Moldova and Ukraine to the Transport Community, could serve as an effective model to also develop the transport connectivity further in the area.

Georgia, Moldova, and Ukraine on multiple occasions have expressed their desire to join the Transport Community. By endorsing the Joint Statement for the development of transport sector the countries confirmed their readiness for their progressive involvement starting from the observers' status until full membership.

The Association Agreements with Georgia, Moldova and Ukraine, include commitments to transpose key elements of the EU transport-related *acquis* and associated matters. Given the recent developments, the pursuit of closer cooperation with the countries, including in the transport sectors is high on the agenda of the EU and partner countries. To allow for this closer integration of the transport markets, the national legislative and regulatory frameworks in the partner countries need to be strengthened through legislative support and technical assistance, thus providing incentives for further development of the transport connectivity between the Contracting Parties of the Transport Community Treaty and between Georgia, Moldova and Ukraine to improve the efficiency and safety of transport, and to achieve the objectives of green and sustainable mobility. To allow for coherent and coordinated implementation of these measures a targeted support is needed to ensure a harmonised approach to transposition and implementation of the EU transport legislation (rail, road, maritime, inland waterways and development of transport network infrastructure) and the environment, public procurement, competition and procedural rules in the region. This initial cooperation with the Western Balkans Regional parties and the EU in the framework of the Transport Community and its working bodies will facilitate the full accession of Georgia, Moldova and Ukraine to TCT as well as promote the development of international transport in Europe, and especially to facilitate the organisation and operation transport market.

Identification of main stakeholders and corresponding institutional and/or organisational issues (mandates, potential roles, and capacities) to be covered by the action.

Multi-stakeholder engagement and built partnerships involving various government institutions and departments, public entities, non-governmental organisations and community stakeholder groups are key to ensure active systematic involvement and closer association with the Transport Community. The following target beneficiaries and stakeholders will be involved on the implementation of the activities of the action:

- **Relevant government authorities:** Ministries of transport and/or infrastructure or equivalent, which are in charge of setting the strategic orientations for the transport sector as a whole, hold the sectoral lead in selecting priority projects, including those setting up strategic orientations for the transport sector (overall and per respective transport mode).
- **Relevant national sectoral agencies:** governmental agencies, administrations, departments tasked with implementation of sectoral transport policies: in road, rail, infrastructure management and operation, road safety, maritime and inland waterways and related issues, such as environment, procurement and social issues.
- **Civil society organisations:** will be involved in activities to the extent possible to ensure transparency and accountability.
- **International Financial Institutions and other donors:** will be involved in the activities, particularly those related to monitoring of the TEN-T and preparation of TEN-T relate investments.
- **Other relevant stakeholders,** if needed, will be involved.

2.3. Lessons Learned

The action will build on the results of the ongoing 12-months project aimed at supporting a gradual engagement of relevant transport stakeholders from Ukraine, Moldova and Georgia in relevant working bodies of the Transport Community and major events. The project will collect the necessary data based on broad consultations with transport stakeholders in Ukraine, Moldova and Georgia as well as relevant EU institutions. As a result, the project will develop a baseline report on EU-*acquis* alignment and the overall transport sector of Ukraine, Moldova and Georgia. This will provide a solid base for further engagement of Ukraine, Moldova and Georgia and the Transport Community.

The role of the Permanent Secretariat of the Transport Community is vital for smooth implementation of the action given their experience in activities aimed at supporting the integration of the national transport markets of Western Balkans regional partners with the EU.

The action will seek synergies with ongoing regional and bilateral transport-related actions, particularly in the area of maritime safety and security, road safety, TAIEX, etc.

3. DESCRIPTION OF THE ACTION

3.1. Objectives and Expected Outputs

The **Overall Objective/Impact** of this action is Ukraine, Moldova and Georgia progressive integration of the transport markets with the EU is ensured in the context of the enlargement process.

The **Specific Objective(s)** (Outcomes) of this action are

1. Ukraine, Moldova and Georgia are progressively engaged in activities of the Transport Community in the field of road, rail, inland waterways and maritime transport on the basis of the relevant EU *acquis* for all modes of transport, excluding air transport.
2. The process of development of the transport networks between Ukraine, Moldova and Georgia and the EU is supported.

The **Outputs** to be delivered by this action contributing to the corresponding Specific Objectives (Outcomes) are:

Contributing to Specific Objective 1 (Outcome 1):

- 1.1 The systemic involvement of Ukraine, Moldova and Georgia in TCT activities is ensured.
- 1.2 The Support is provided to ensure the transposition of EU relevant *acquis* as provided by the Transport Community Treaty/Association Agreements/DCFTAs requirements
- 1.3 Support is provided to implement EU relevant *acquis* as provided by the Transport Community Treaty/Association Agreements/DCFTAs requirements;
- 1.4 Continuous monitoring of the progress achieved in alignment with EU *acquis* is ensured;
- 1.5 The capacities of Ukraine, Moldova and Georgia and their relevant national authorities are developed in the view of gradual approximation with the EU transport-related *acquis* in the areas of the Transport Community;
- 1.6 The process of the gradual integration of UA, MD and GE in the Transport Community Treaty to allow for full membership is supported.

Contributing to Specific Objective 2 (Outcome 2):

- 2.1 The process of development of Trans-European Transport Networks (*TEN-T*) in Georgia, Moldova and Ukraine is supported.

3.2. Indicative Activities

Activities related to Output 1.1 Systemic involvement of Ukraine, Moldova and Georgia in TCT activities ensured:

- Supporting the participation of Georgia, Moldova and Ukraine in the working bodies of the Transport Community, such as Ministerial Council, Regional Steering Committee, Technical Committees (e.g. on Road, Road Safety, Transport Facilitation, Dangerous Goods, Waterborne Transport and Rail, etc.), Budget Committee and Social Forum.
- Provision of needed technical assistance to conduct studies in various areas, such as railway, road, road safety, transport facilitation, waterborne transport, inland waterways, multimodality, Trans-European Transport Networks, transportation of dangerous goods, sustainable and smart mobility.

Activities related to Output 1.2: Capability for the transposition of EU relevant acquis as provided by the Transport Community Treaty/Association Agreements/DCFTAs requirements is increased, and

Activities related to Output 1.3: Capability for the implementation of EU relevant acquis as provided by the Transport Community Treaty/Association Agreements/DCFTAs requirements is increased:

- Reviewing primary and secondary legislation, where the project will support the review of the legislation and provide recommendations to facilitate the transposition of the EU *acquis*.
- Supporting development of correlation tables and transposition roadmaps/plans, where needed. To enable countries to follow-up the progress and/or compare the national legal texts with the corresponding EU legislation.
- Reviewing existing national internal procedures/processes/manuals, where requested and provide recommendations to facilitate the adaptation of the documents.

Activities related to Output 1.4: Progress review ensured:

- Conducting review visits where relevant (e.g. inception/initial, annual, final review visits) to support the process of establishing the level of compliance with EU regulatory requirements and to verify progress in the transposition and implementation.

Implementation of activities under Output 1.2, 1.3 and 1.4 will depend on the needs, priorities and commitment of the Beneficiary country. Therefore, their carrying out will be subject to a formal request from the Beneficiary country.

Activities related to Output 1.5: Building, where requested the capacities of Ukraine, Moldova and Georgia and their relevant national authorities in the view of gradual approximation with the EU transport-related acquis in the areas of the Transport Community supported:

- Developing and implementing of a tailored-made capacity-building programme per transport mode depending on priorities and needs of a particular country.
- Conducting workshops on EU *acquis*, its impact and transposition requirements.
- Conducting experience exchanges, study visits, on-the-job training, whether on-site and/or in an EU Member State and in the Western Balkan, to complement and upgrade knowledge of experts and allow participants from beneficiaries to gain knowledge from experience and best practice, obtain access to working methods of competent authorities and establish good working relations with stakeholders.

Activities related to Output 1.6: The process of revision of the Transport Community Treaty to allow for full membership of Georgia, Moldova and Ukraine supported:

- Supporting, where applicable the work of the Permanent Secretariat of the TCT, TCT working bodies, TCT Contracting parties and Georgia, Moldova and Ukraine in regard to the revision process of the TCT and of other existing applicable rules of procedures associated with TCT working bodies in place.

Activities related to Output 2.1: The process of development of Trans-European Transport Networks (TEN-T) in Georgia, Moldova and Ukraine is supported:

- Collecting relevant data on the status of implementation of the TEN-T and drawing up respective report.
- Continuous monitoring of the on-going and in development projects on the Core and Comprehensive TEN-T in relation to existing policy documents, including the Economic and Investment Plan for the Eastern Partnership and Indicative TEN-T Investment Action Plan.

3.3. Mainstreaming

Environmental Protection, Climate Change and Biodiversity

Outcomes of the Strategic Environmental Assessment (SEA) screening (relevant for budget support and strategic-level interventions)

The SEA screening concluded that no further action was required.

The environmental protection, climate change and biodiversity impact have been assessed in the identification, formulation and quality support review phase.

Outcomes of the Environmental Impact Assessment (EIA) screening (relevant for projects and/or specific interventions within a project).

The EIA screening classified the action as Category C (no need for further assessment).

Outcome of the Climate Risk Assessment (CRA) screening (relevant for projects and/or specific interventions within a project)

The CRA screening concluded that this action is no or low risk (no need for further assessment).

Gender equality and empowerment of women and girls

As per OECD Gender DAC codes identified in section 1.1, this action is labelled as G0. This implies that although gender equality is not the principal reason of the action, the action will seek to mainstream it in the activities. In this respect, the action, to the extent possible, will seek to consult both women and men, including women's organisations in implementation of its activities. Where within the implementation of the action support should be provided to development of various studies, the respective data that is going to be collected should be gender sensitive/disaggregated. Furthermore, considering the transport sector is not gender balanced (with only 22% of women), the action will seek synergies with various initiatives to support women's participation in the transport field, such as *Women in Transport* - EU Platform for change launched on 27 November 2017. The objective of the initiative is to strengthen women's employment and equal opportunities for women and men in the transport sector thanks to the actions brought about by the Platform members. It will also serve as a forum to discuss and exchange good practices. Finally, with the adoption by the Transport Community of the Action plan *on the implementation of the EU acquis in the area of social issues and passenger rights in Transport*, the action should also benefit from the foreseen activities addressing the gender gap e.g. empowering women to join up and contribute to the transport sector as workers, decision-makers, as well as activities on ensuring that transport services respond to the needs of all users. The action will be

coherent with the EU Gender Equality Strategy¹³ and the EU Gender Action Plan (GAP) III¹⁴. The evaluation and monitoring framework of the action will consider gender-disaggregated indicators.

Human Rights

The Action will contribute to protecting economic and social rights. Activities included in the Action are focused on promoting to the efficiency, sustainability, and safety of transport, to achieve the objectives of green and sustainable mobility, which will bring positive effects to peoples’ well-being and supporting economic and social integration.

Disability

As per OECD Disability DAC codes identified in section 1.1, this Action is labelled as D0. This implies that the Action does not specifically target the inclusion of persons with disabilities.

Democracy

Not addressed by the action

Conflict sensitivity, peace and resilience

Not addressed by the action.

Disaster Risk Reduction

Not addressed by the action.

3.4. Risks and Assumptions

Category	Risks	Likelihood (High/ Medium/ Low)	Impact (High/ Medium/ Low)	Mitigating measures
1 - External Environment	Risk 1 Ongoing Russia’s war of aggression against Ukraine and its consequences for project implementation risks in the whole EaP region.	High	High	Continuous monitoring and assessment of the situation, continuous dialogue with the beneficiary countries involved to ensure the sustainability of activities.
1 - External Environment	Risk 2 lack of political commitment from the participating countries over the duration of the action.	Low	High	Continuous dialogue with national authorities on issues related to transport. The action will aim at sufficiently engaging relevant institutions through continuous exchanges with relevant national authorities, also highlighting the benefits and impact of the action.

¹³ COM(2020) 152 final

¹⁴ JOIN (2020) 17 final.

1 – External Environment	Risk 3 – Travel restrictions and/or changing policy priorities due to the COVID-19 pandemic.	Low	Low	Organisation of hybrid or virtual meetings or events, pursuing close dialogue with the beneficiaries to keep the objectives of the action high on the agenda.
4 – Legality and regularity aspects	Risk 4 – With data collection, risk of misuse of personal data.	Low	Low	Most road incident data shared by police authorities is cleaned of personal details. A policy will be strictly enforced requiring all data to be cleaned of personal details at the source. Training will be conducted to support this.
1 – External Environment	Risk 5 Lack of full support and cooperation by the beneficiaries during the implementation.	Medium	Medium	Alignment with beneficiaries' needs, regular political dialogue with the countries of the region with support from the EU Delegations.
3-People and the organisation	Risk 6 Significant degree of staff turnover in beneficiary institutions and erosion of institutional memory.	Medium	Medium	Ensuring the retention of institutional memory through the documentation of files and guidance notes, as well as the promotion of retention policies.
1 – External Environment	Risk 7 Delays in revision of TCT	Medium	High	The Commission will provide necessary support to facilitate putting in place the necessary legal arrangements to ensure countries' full accession to TCT. Beneficiary countries will be encouraged to actively engage in the process.

External Assumptions

- Factors outside the project's control that may affect the outcome-impact linkage, such as continued political, social and economic stability in the region, are favourable for implementation.
- The hostilities cease and the security situation in Ukraine is stable enough or does not deteriorate to allow for implementation.
- Smooth cooperation between the contracting parties of the TCT and the observing participants.
- Demand for support outlined in the Action document remains high.
- Capacity of responsible authorities of the observing participants to support the process of legislative regulatory and legislative approximation remains high.
- Regulatory proposals developed with EU support are adopted timely and without being altered.
- Beneficiary countries are fully collaborating.
- Capacity to carry out necessary training is not affected by pandemic (training conducted virtually).

3.5. Intervention Logic

The underlying intervention logic for this action is that in order to strengthen cooperation in the transport sector and ensure a closer association with Georgia, Moldova and Ukraine it is necessary to advance further the integration of countries' transport markets with the EU. This can be achieved by establishing and maintaining a continuous working relationship between Georgia, Moldova, Ukraine and the Transport Community. To that end, objective of the action is to progressively involve Georgia, Moldova, Ukraine in the activities of Transport Community in the field of road, rail, inland waterways and maritime. At the same time, the action will provide opportunities to further advance the development of the transport networks within beneficiary countries and with the EU.

In this context, through its outputs the action will support participation of Georgia, Moldova and Ukraine, in the priority areas covered by the Transport Community Treaty, focusing notably on the process of transposition, implementation of the EU *acquis* and on the continuous monitoring of the achieved progress, thus contributing to both the socio-economic development of the partner countries and to achieving the goals of countries under the Association Agendas. In addition, the action will also support countries' engagement in the Transport Community working bodies, conducting activities to improve the capacity of their respective national authorities to plan, transpose and implement the EU transport *acquis*. Furthermore, the action will also assist countries in development and progress monitoring of core and comprehensive TEN-T. Finally, the action will seek to provide tailored-made technical assistance to support the overall process of countries integration with the EU transport market. In accordance with TCT provisions, the Transport Community Permanent Secretariat will be instrumental in delivering on these activities and programming and managing the availability of technical expertise.

As some technical assistance projects will take place in the three countries with bilateral funding, is the action will seek to ensure that the country work plans (including their updates) are constructed and agreed with the relevant EU Delegations (as they oversee managing this bilateral assistance) and that implementation is carried out with a deep and regular information-sharing and strategic exchange of views with the EU Delegations.

3.6. Indicative Logical Framework Matrix

Results	Results chain: Main expected results	Indicators	Baselines (values and years) ¹⁵	Targets (values and years) ¹⁶	Sources of data	Assumptions
Impact 1	Ukraine, Moldova, and Georgia progressive integration of the transport markets with the EU is ensured in the context of the enlargement process.	1 Level of alignment of Georgia, Moldova and Ukraine with EU transport-related <i>acquis</i> improved	1 GE: ¹⁷ <i>Some level of preparation</i> 2 MD ¹⁸ : <i>Idem</i> 3 UA ¹⁹ : <i>Idem</i>	1 GE: TBD 2 MD: TBD 3 UA: TBD	1 Project reports, Enlargement reports, Assessment visit reports	<i>Not applicable</i>
Outcome 1	1 Ukraine, Moldova and Georgia are progressively engaged in activities of the Transport Community in the field of road, rail, inland waterways, and maritime transport on the basis of the relevant EU <i>acquis</i> for all modes of transport, excluding air transport.	1.1 Number of action plans with priority measures for a specific transport mode developed 1.2 Number of reports on the status of alignment with EU transport <i>acquis</i> produced 1.3 Number of draft legislative and regulatory acts supported at the request of the Beneficiary country.	1.1 0 1.2 0 1.3 0	1.1 6 1.2 2 1.3 TBD	1.1 National reports 1.2 Text of legislative and regulatory acts, if applicable	Political and economic stability in the countries Commitment and willingness of the governments concerned to align with the EU <i>acquis</i>
Outcome 2	2 The process of development of the transport networks between Ukraine, Moldova and Georgia and the EU is supported.	2.1 Number of annual reports on the development of TEN-T core and comprehensive network in the Beneficiary countries developed	2.1 0	2.1 2	2.1 Monitoring report Project reports	Continuous policy orientation towards closer integration into the EU, and adoption of the EU <i>acquis</i>

¹⁵ Baseline values will be inserted at a later stage in the description of the action

¹⁶ Target values will be inserted at a later stage in the description of the action

¹⁷ SWD(2023) 31

¹⁸ SWD(2023) 32

¹⁹ SWD(2023) 30

						<p>High level of cooperation between all levels of national authorities involved in legislative process</p> <p>Availability and engagement of qualified staff and resources</p>
<p>Output 1 related to Outcome 1</p>	<p>1.1 The systemic involvement of Ukraine, Moldova and Georgia in TCT activities is ensured.</p>	<p>1.1.1 Number of annual meetings organised between Transport Community and attended by the observing participants</p> <p>1.1.2 Extent to which countries' capacity for engagement with TCT is enhanced</p> <p>1.1.3 Number of technical assistance actions (including, to the extent possible gender sensitive/disaggregated data)</p>	<p>1.1.1 0</p> <p>1.1.2 As it is</p> <p>1.1.3 0</p>	<p>1.1.1 18</p> <p>1.1.2 Significantly enhanced</p> <p>1.1.3 TBD</p>	<p>1.1.1 Project reports</p> <p>1.1.2 Progress reports</p> <p>1.1.3 Surveys of Beneficiary countries, project reports</p>	<p>Beneficiaries are fully collaborating.</p> <p>Political, social and economic conditions are favourable to allow physical participation at the meetings.</p> <p>Beneficiaries' commitment</p>

						and clear understanding of the TA priorities
Output 2 related to Outcomes 1	1.2 The Support is provided to ensure the transposition of EU relevant <i>acquis</i> as provided by the Transport Community Treaty/Association Agreements/DCFTAs requirements.	1.2.1 Number of new or revised legal act drafted 1.2.2 Number of transposition roadmaps/plans or equivalent developed 1.2.3 Number of persons involved in legal drafting having acquired appropriate capacity (disaggregated: professional profile, theme of capacity development, gender, etc.)	1.2.1 0 1.2.2 0 1.2.3 0	1.2.1 TBD 1.2.2 TBD 1.2.3 TBD	1.2.1 Project reports 1.2.2 Correlation tables and transposition roadmaps/plans or equivalent	Full commitment of all involved parties Commitment and support of beneficiary countries management Stable management structure of beneficiaries
Output 3 related to Outcomes 1	1.3 Support is provided to implement EU relevant <i>acquis</i> as provided by the Transport Community Treaty/Association Agreements/DCFTAs requirements.	1.3.1 Number of tools developed and proposed to target groups 1.3.2 Number persons having acquired skills to requirements (disaggregated: professional profile, theme of capacity development, gender, etc.)	1.3.1 0 1.3.2 0	1.3.1 3 1.3.2 3	1.3.1 and 1.3.2 List of participants Feedback from participants (satisfaction survey) Project reports	Sufficient capacity in the respective beneficiary countries
Output 4 related to Outcomes 1	1.4 Continuous monitoring of progress of alignment with EU <i>acquis</i> ensured	1.4.1 Total number of annual progress review meetings conducted	1.4.1 0	1.4.1 18	1.4.1 Review visit reports Project reports	Availability of staff that will participate in project activities from the
Output 5 related to Outcomes 1	1.5 The capacities of Ukraine, Moldova and Georgia and their relevant national authorities are developed in the view of gradual approximation with the EU	1.5.1 Persons having acquired skills to requirements (sex disaggregated data)	1.5.1 0 (gender disaggregated)	1.5.1 TBD (gender disaggregated)	1.5.1 List of participants Feedback from participants	

	transport-related acquis in the areas of the Transport Community				(satisfaction survey) Project reports	beginning to project completion Trained staff are retained
Output 6 related to Outcomes 1	1.6 The process of gradual integration of Ukraine, Moldova and Georgia in the Transport Community Treaty supported.	1.6.1 Actions in place to incentivise and support the process of revision of the TCT 1.6.2 Revision of TCT initiated and adopted	1.6.1 0 1.6.2 0	1.6.1 at least 2 1.6.2 1	1.6.1 Policy document, various papers, and assessments, project reports 1.6.2. Minutes, assessments, reports	Willingness of the contracting parties of TCT to support the process of revision Commitment of the beneficiary countries
Output 1 related to Outcome 2	2.1 The process of development of Trans-European Transport Networks (<i>TEN-T</i>) in Georgia, Moldova and Ukraine is supported.	2.1.1 Annual report on the development of TEN-T core and comprehensive network in the Beneficiary countries	2.1.1 0	2.1.1 2	2.1.1 Report	Full commitment of all involved parties Sufficient capacity in the respective beneficiary countries Availability of the staff that will

						participate in the activity
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4. IMPLEMENTATION ARRANGEMENTS

4.1. Financing Agreement

In order to implement this action, it is not envisaged to conclude a financing agreement.

4.2. Indicative Implementation Period

The indicative operational implementation period of this action, during which the activities described in section 3.1 will be carried out and the corresponding contracts and agreements implemented, is 72 months from the date of adoption by the Commission of this financing Decision.

Extensions of the implementation period may be agreed by the Commission's responsible authorising officer in duly justified cases.

4.3. Implementation Modalities

The Commission will ensure that the EU appropriate rules and procedures for providing financing to third parties are respected, including review procedures, where appropriate, and compliance of the action with EU restrictive measures²⁰.

4.3.1. Direct Management (Grants)

4.3.1.1. Grants

a) Purpose of the grant(s)

The grant is needed to support the achievement of the outputs 1.1 – 1.6 and 2.1 outlined above and thus contribute to attaining of the specific objectives of the action as described in section 3 of the action document.

b) Type of applicants targeted

The type of applicants targeted are entities with a strong expertise and knowledge of the transport sector in the context of the EU enlargement process, notably on the transposition and implementation of the adapted EU *acquis* under the Transport Community Treaty, evidence-based policy recommendations and the development of transport regulatory and legislative frameworks.

(c) Justification of a direct grant

Under the responsibility of the Commission's authorising officer responsible, the grant may be awarded without a call for proposals to an entity with demonstrated and specific expertise, which will be selected on the grounds of their specific degree of technical competencies in the field of transposing and implementing the adapted EU *acquis* under the Transport Community Treaty or high degree of specialisation, strong proven operational experience in implementing similar actions/activities with the contracting parties to the Transport Community Treaty. The policy and context for implementing the EU *acquis* under the Community Treaty in the EU enlargement context provides for a limited number of highly specialised and significantly competent beneficiaries in the highly specific area and overall regional context.

Under the responsibility of the Commission's authorising officer responsible, the recourse to an award of a grant without a call for proposals is thus justified under Art. 195 (f) of the Financial Regulation and will be considered on a case-by-case basis in the light of these requirements. The activities under the action require a

²⁰[EU Sanctions Map](#). Please note that the sanctions map is an IT tool for identifying the sanctions regimes. The source of the sanctions stems from legal acts published in the Official Journal (OJ). In case of discrepancy between the published legal acts and the updates on the website it is the OJ version that prevails.

specific type of body with high degree of specialisation and expertise in preparation and carrying out of activities aimed at creating a transport community with the EU covering road, rail, inland waterways and maritime transport and development of transport network with the EU. In addition, entity/entities should have proven track record experience in delivering activities to ensure and facilitate progressive integration of national transport markets into the European Union transport market on the basis of the relevant *acquis*, including in the areas of technical standards, interoperability, safety, security, traffic management, social policy, public procurement and environment, for all modes of transport excluding air transport.

The implementing entity/consortium of entities will be selected using the following criteria:

- Demonstrated expertise in transposing and implementing the adapted *acquis* under the Transport Community Treaty;
- Sound knowledge of the enlargement process and of progressive integration of transport markets in this context;
- Proven experience in implementing similar actions/activities for the contracting parties to the Transport Community Treaty.

4.3.2. Changes from indirect to direct management (and vice versa) mode due to exceptional circumstances

The part of the action under the budgetary envelope reserved for grants may, partially or totally and including where an entity is designated for receiving a grant without a call for proposals, be implemented in indirect management with an entity, which will be selected by the Commission's services using the criteria defined in section 4.3.1.1.c) above.

If the implementation modality under direct management as defined in section 4.3.1. (grants) cannot be implemented due to circumstances beyond the control of the Commission, this action may be implemented in indirect management with a pillar-assessed entity using the following criteria:

- Demonstrated expertise in transposing and implementing the adapted *acquis* under the Transport Community Treaty;
- Sound knowledge of the enlargement process and of progressive integration of transport markets in this context;
- Proven experience in implementing similar actions/activities for the contracting parties to the Transport Community Treaty.

4.4. Scope of geographical eligibility for procurement and grants

The geographical eligibility in terms of place of establishment for participating in procurement and grant award procedures and in terms of origin of supplies purchased as established in the basic act and set out in the relevant contractual documents shall apply, subject to the following provisions.

The Commission's authorising officer responsible may extend the geographical eligibility on the basis of urgency or of unavailability of services in the markets of the countries or territories concerned, or in other duly substantiated cases where application of the eligibility rules would make the realisation of this action impossible or exceedingly difficult (Article 28(10) NDICI-Global Europe Regulation).

4.5. Indicative Budget

Indicative Budget components	EU contribution
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	(amount in EUR)
Grants (direct management) – cf. section 4.3.1	2 000 000
Grants – total envelope under section 4.3.1	2 000 000
Communication and visibility – cf. section 6	0
Contingencies	0
Totals	2 000 000

4.6. Organisational Set-up and Responsibilities

Overall, the implementing partner will manage the Action in close cooperation with the main stakeholders, counterpart institutions, national regulatory institutions, administrations, and relevant authorities. They shall closely coordinate with the relevant EU Delegations in consultation with DG NEAR as well as other Commission services (geographical units/desks, etc.) This will also help strengthen project coordination processes to avoid risk of duplication of financing and overlap of activities, create synergies and complementarity between different actions and initiatives.

An oversight mechanism shall be established to ensure coordination and complementarity of the different activity streams within the Action. It will comprise representatives of the European Commissions to ensure strategic guidance of the actions, with DG NEAR as contracting authority and DG MOVE for thematic guidance, as well as implementing partner and other stakeholders as appropriate.

A Steering Committee shall be established for the project within the action to ensure coordination and complementarity of the different project activities. The steering committee will meet once a year and additionally on a case-by-case basis if such a necessity arises. Performance, monitoring and reporting, including in terms of visibility obligations, of the action will be undertaken in accordance with the signed agreement and will be presented by the selected entity during the Steering Committee meetings.

The action will seek synergies and complementarity with other actions implemented in Georgia, Moldova and Ukraine, particularly those providing technical assistance to the transport-related actions.

In accordance with the Transport Community rules of procedure other stakeholders, particularly those acting in the area of civil engagement and environment, when justified, may be invited to participate in various meeting of the TCT working bodies as observers.

As part of its prerogative of budget implementation and to safeguard the financial interests of the Union, the Commission may participate in the above governance structures set up for governing the implementation of the action.

5. PERFORMANCE MEASUREMENT

5.1. Monitoring and Reporting

The day-to-day technical and financial monitoring of the implementation of this action will be a continuous process, and part of the implementing partner’s responsibilities. To this aim, the implementing partner shall establish a permanent internal, technical and financial monitoring system for the action and elaborate regular progress reports (not less than annual) and final reports. Every report shall provide an accurate account of implementation of the action, difficulties encountered, changes introduced, as well as the degree of achievement of its Outputs and contribution to the achievement of its Outcomes, and if possible at the time of

reporting, contribution to the achievement of its Impacts, as measured by corresponding indicators, using as reference the logframe matrix.

The Commission may undertake additional project monitoring visits both through its own staff and through independent consultants recruited directly by the Commission for independent monitoring reviews (or recruited by the responsible agent contracted by the Commission for implementing such reviews).

Arrangements for monitoring and reporting, including roles and responsibilities for data collection, analysis and monitoring:

Internal monitoring:

Each of the project activities is related to specific outcomes/outputs and equipped with quantified indicators and deliverables. Throughout the implementation, the achieved results will be checked against the activity plans and project deliverables set as milestones. Indicator-based reporting will be performed based on the logframe. Relevant indicators will have to be disaggregated where possible.

The implementing partner will be responsible for the day-to-day execution and monitoring of the activities. In case of discrepancies, the project team will propose and introduce corrective measures. The normal procedure for eliminating discrepancies will be (a) recognition of discrepancy, (b) estimation of the level of discrepancy and potential impact (time, quantity and quality wise), (c) definition of reasons (internal and external), (d) preparation of a contingency plan (responsibilities, activities), (e) implementation of a contingency plan and (f) review.

DG NEAR will be regularly updated on progress made and any issues encountered. EU Delegations in beneficiary countries will be systematically consulted and informed of annual project work plans and on the progress of any bilateral activity within the project.

DG MOVE and EU Delegations in beneficiary countries will be regularly consulted on thematic issues. They will be invited to participate in steering committee meetings.

Regular internal reporting will be established at the onset of the project with all project stakeholders and will contribute to the overall project evaluation reporting. While the monitoring will be a constant process, at the key milestones of the project, internal evaluation will be implemented.

5.2. Evaluation

Having regard to the nature of the action, a mid-term, final, ex-post evaluation(s) will not be carried out for this action or its components.

5.3. Audit and Verifications

Without prejudice to the obligations applicable to contracts concluded for the implementation of this action, the Commission may, based on a risk assessment, contract independent audit or verification assignments for one or several contracts or agreements.

6. STRATEGIC COMMUNICATION AND PUBLIC DIPLOMACY

All entities implementing EU-funded external actions have the contractual obligation to inform the relevant audiences of the Union's support for their work by displaying the EU emblem and a short funding statement as appropriate on all communication materials related to the actions concerned. To that end they must comply with the instructions given in the 2022 guidance document [Communicating and raising EU visibility: Guidance for external actions](#) (or any successor document).

This obligation will apply equally, regardless of whether the actions concerned are implemented by the Commission, the partner country, service providers, grant beneficiaries or entrusted or delegated entities such as UN agencies, international financial institutions and agencies of EU Member States. In each case, a reference to the relevant contractual obligations must be included in the respective financing agreement, procurement and grant contracts, and contribution agreements.