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ANNEX 1

of the Commission Implementing Decision on the ENI East Regional Action Programme
2016

**Action Document for 'Maritime safety, security and marine environmental protection
in the Black and Caspian Sea Regions'**

INFORMATION FOR POTENTIAL GRANT APPLICANTS

WORK PROGRAMME FOR GRANTS

This document constitutes the work programme for grants in the sense of Article 128(1) of the Financial Regulation (Regulation (EU, Euratom) No 966/2012 in section 5.3.1 for grants awarded directly without a call for proposals

1. Title/basic act/ CRIS number	'Maritime safety, security and marine environmental protection in the Black and Caspian Sea Regions' CRIS number: ENI/2016/ 039-351 financed under the European Neighbourhood Instrument (ENI)
2. Zone benefiting from the action/location	Black and Caspian Sea Regions. Beneficiary countries are: Azerbaijan, Georgia, Iran, Kazakhstan, Republic of Moldova ¹ , Ukraine, Turkey and Turkmenistan.
3. Programming document	ENI - 2014-2020 Regional East Strategy Paper (2014-2020) and Multiannual Indicative Programme (2014-2017)
4. Sectors	Maritime transport and marine environment
5. Amounts concerned	Total estimated cost: EUR 4 000 000 Total amount of EU budget contribution: EUR 4 000 000
6. Aid and implementation modality	Project Modality Direct management Grant – direct award

¹ Hereinafter referred to as Moldova.

7. DAC code(s)	21010 – Transport policy and administrative management 41020 – Biosphere protection			
8. Markers (from CRIS DAC form)	General policy objective	Not targeted	Significant objective	Main objective
	Participation development/good governance	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Aid to environment	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Gender equality (including Women In Development)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Trade Development	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Reproductive, Maternal, New born and child health	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	RIO Convention markers	Not targeted	Significant objective	Main objective
	Biological diversity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Combat desertification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change mitigation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Climate change adaptation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

SUMMARY

The objective of the project is to further **improve maritime safety and security and to increase the levels of marine pollution prevention, preparedness and response** in the region. This will be primarily achieved by supporting the ongoing efforts of the beneficiary countries in acceding to and implementing the relevant **international legislation**, approximation of their regulatory frameworks with the EU legislation and improving the performance of their maritime activities. The project shall cover all three typical areas of responsibility - **Flag State, Port State and Coastal State**.

The focus is on the Black Sea. Turkey, not being an ENI-country, has been added as a beneficiary country to ensure that all Black Sea littoral States that have concluded association agreements with the EU are jointly and equally supported in the area of maritime safety, security and environmental protection. Azerbaijan, as a member of the Eastern Partnership, is taken on board as a beneficiary and will benefit from the capacity building component of the project, on a needs basis, and when requested. Iran, Kazakhstan and Turkmenistan are also eligible to some activities on a needs basis, and when requested.

This project is nested under the **Black Sea Synergy** as the main focus is on the Black Sea maritime transport and maritime environment and will contribute to the objective defined in its January 2015 implementation report.

Beneficiary countries will be provided with **technical knowledge of the relevant international instruments**. This shall help to gradually mitigate the existing imbalance between the EU countries and the beneficiaries in the application of the maritime legislation. They will also be provided with operational support through the **provision of EMSA services**: CleanSeaNet as part of the European Maritime Safety Agency (EMSA) Integrated Maritime Data Environment (IMDatE), RuleCheck, MaCKs and THETIS EU. The availability of these services will on one side increase the capacity of the beneficiary countries

to implement the newly adopted/amended harmonised legislation and on the other will maintain their interest and motivation to continue the reforms high.

In the context of the activities on vessel traffic monitoring, provision will be made for providing, if the need appears, the beneficiaries with **additional infrastructure** (Automatic Identification Systems (AIS) stations).

The project contributes to achieving the objectives, as concerns the transport sector, of the Eastern Partnership (EaP) as defined at the last **EaP-Summit in Riga** (May 2015), and more in particular of making transport links between the EU and Eastern European partners safer and more efficient.

1.1 Sector context

1.1.1 Maritime safety

Safety of ships and their safe operation are primarily regulated in a number of **international conventions**, mainly but not only under the International Maritime Organisation (IMO). When acceding to such instruments States assume the primary responsibility to have in place an adequate and effective system to exercise control over ships entitled to fly their flag, and to ensure that they comply with relevant international rules and regulations in respect of maritime safety, security and protection of the marine environment, (**flag State implementation**, a function which is normally under the jurisdiction of national maritime authorities).

In recent years, the EU and its Member States have been at the forefront of improving **maritime safety** legislation and promoting high-quality standards in their capacity as Flag States. To this end the EU and its Member States were actively involved in the international domain in the development of the Code for the Implementation of Mandatory IMO Instruments and the relevant audit scheme, while within the context of the European Union the EU Member States have ensured that they effectively and consistently discharge their obligations as flag States; and enhanced safety and prevention of pollution from ships flying their flag (with a series of Directives and Regulations, known as the **Third Maritime Safety Package** and in particular Directive 2009/21/EC). The aim is to eliminate substandard shipping, increase the protection of passengers and crews, improve living and working conditions, reduce the risk of environmental pollution, and ensure that operators who follow good practices are not put at a commercial disadvantage compared to those who are prepared to take short cuts with vessel safety.

Equally important and with great influence to maritime safety is the implementation of the Maritime Labour Convention (MLC), adopted by the International Labour Organisation (ILO) in 2006, which also addresses flag State-related obligations.

In the area of flag State the beneficiary's performance varies from white to black list. Furthermore and even if the beneficiaries are parties to the vast majority of the international instruments, it is not confirmed if they have transposed in their national legislation the international instruments in their up-to-date version.

The **EU approach** is that international standards must be rigorously upheld, but a number of flag States are failing to implement their obligations as foreseen by the international instruments. The obstacles met by some flag States to effectively implement these obligations

foreseen by the international instruments, led the EU to reinforce its Port state control (PSC) regime (Directive 2009/16/EC as amended). Port State control is a second line of defence against those flag States that are unable to fulfil their obligations under the international maritime conventions. Port States have the right (for the EU Member States is an obligation deriving from Directive 2009/16/EC) to inspect foreign vessels calling at their ports in order to verify compliance with such conventions. Regional agreements based on voluntary agreements (Memoranda of Understanding on PSC) have been established in order to perform the Port State Control on the basis of harmonised procedures aiming at enhancing the activity's effectiveness and prevent any distortion to the market that could arise as a consequence of the application of disharmonised rules. The Paris Memorandum of Understanding (Paris MoU) and the Tokyo MoU are the most advanced MoUs in relation to well established harmonised rules and procedures.

EU efforts have proven that PSC can be an effective tool to fight sub-standard shipping as well as to measure the performance of flag States. In the EU domain, EMSA has developed and is hosting the relevant inspection database (THETIS) through which and on the basis of predefined legal requirements ships are selected for inspection and the results of PSC inspections are appropriately recorded.

In the area of PSC the beneficiaries can be divided in two groups – those who are members of a regional agreement, in this case the **Black Sea Memorandum on PSC (BSMoU)** - and those who are not members to any harmonised regime (Moldova and the Caspian Sea littoral States).

In the domain of coastal obligations and of safety of navigation, **Vessel Traffic Services (VTS)** or **Vessel Traffic Monitoring and Information Systems (VTMIS)** allow identification and monitoring of vessels and create an overall picture of the movement of vessels in certain maritime areas, and thus enable the authorities of the coastal states to monitor and manage the traffic, as well as to forecast and prevent potential incidents, and as a last resort to better respond in case of accidents and incidents at sea in view of minimising the loss of life and property and damage to the marine environment.

The monitoring systems can be based on short range identification transponders (i.e. Automatic Identification Systems (AIS)), but may also incorporate, at a later stage, a Long Range Identification and Tracking (LRIT) component for the entire regions.

The EU has established a Community VTMIS that introduces obligations, procedures and other requirements for ships sailing in the EU waters. The basis of the EU VTMIS is the SafeSeaNet (SSN). The main objective of SSN is to provide a European Platform for Maritime Data Exchange between maritime administrations of the Member States, by setting-up a telematic network between all the maritime EU Member States for their co-operation in preventing maritime pollution and accidents at sea. EMSA is responsible for the development, operation and maintenance of the SSN and interacts with users on an operational basis.

A pre-requisite of the deployment of any regional system, is the availability of adequate infrastructure (i.e. alerting posts and coastal stations, traffic and search and rescue coordination centres) as well as the implementation of coastal and port VTSs supported by sufficient AIS shore based infrastructure and manned by competent and trained personnel.

1.1.2 Maritime Security

The International Ship and Port facility Security (ISPS) Code was adopted in 2002 and became mandatory on the 1st July 2004 through the inclusion in the International Convention for Safety of the Life at Sea (SOLAS). The Code aims to provide a standardised and

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

The project's beneficiaries are all parties to the SOLAS Convention and therefore are said to implement in full the International Ship and Port Facility Security Code (ISPS) for what concerns the mandatory standards of Part A both for ships and port facilities with the help of the guidance provided in the Part B of the said Code.

There is a tight relation between the level of knowledge, the capability of the management, the resources available and the performance of a maritime administration (for ships) and of a Designated Authority (for port facilities). Taking that into account this activity aims to get the full implementation of the mandatory SOLAS maritime security requirements together with a progressive alignment with the European Union standards as laid down in the Regulation (EC) no 725/2004 of the European Parliament and of the Council of 31 March 2004 on enhancing ship and port facility security, in the Directive 2005/65/EC of the European Parliament and of the Council of 26 October 2005 on enhancing port security as well as with the Commission Recommendation of 11 March 2010 on measures for self-protection and the prevention of piracy and armed robbery against ships.

1.1.3 Prevention of pollution caused by ships

The Black Sea has a very sensitive and fragile environment that requires special measures and rigid environmental control. This is further exacerbated by the heavy traffic of ships carrying oil and the oil off-shore industry. A potential incident will have long-term and irreversible negative effects on the environment as well as on the coastal economies of the littoral states. Acknowledging this, the Black Sea has been designated as "special area" under Annex I (Prevention of pollution by oil) and Annex V (Prevention of pollution by garbage from ships) of the International Convention for the Prevention of Pollution from Ships (MARPOL). In special areas more stringent anti-pollution requirements apply in order to ensure higher level of protection than other areas of the sea. The lack of notifications from the coastal states on the existence of adequate reception facilities has been an obstacle for the entry into force of the requirements for the Black Sea special area under Annex V. As far as the air emissions are concerned and Annex VI (Regulations for the Prevention of Air Pollution from Ships and the NO_x Technical Code), it should be noted that still two coastal states have not yet ratified it. In addition, and with respect to the content of Sulphur in fuel oils, two littoral states are EU Member States thus bound by Directive 1999/32/EC as amended. In this respect actions should be envisaged to align the legislation of the beneficiaries to the stricter Sulphur Limits foreseen in the EU as well as their incorporation to the harmonised system for inspections and fuel sampling, facilitating the use of the inspection database THETIS EU developed and hosted by EMSA, thus ensuring the same level of control throughout the area. The Black Sea is also very vulnerable to alien species introduced with ballast water. Despite this, only 3 of the 6 littoral States have ratified the Ballast Water Management Convention.

Besides the universally applicable international instruments, there is a regional convention, namely the Convention on the Protection of the Black Sea against Pollution (Bucharest Convention), aimed at the prevention of marine pollution by ships in the Black Sea. The Convention has the basic objective to substantiate the general obligation of the Contracting Parties to prevent, reduce and control the pollution in the Black Sea in order to protect and preserve the marine environment and to provide the legal framework for cooperation and concerted actions to fulfil this obligation. Georgia, Turkey and Ukraine are parties to the Convention.

1.2 Public Policy Assessment and EU Policy Framework

1.2.1 Eastern Partnership

Representing the Eastern dimension of the **European Neighbourhood Policy (ENP)**, this initiative was launched in 2009. It aims to deepen and strengthen relations between the EU and its six Eastern neighbours, Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine. The main objective is to support political and socio-economic reforms in partner countries to:

- Foster political association and further economic integration
- Support mobility of citizens and visa liberalisation as a long term goal
- Enhance sector cooperation
- Support civil society

The ENP is currently under review. Four important dimensions constitute the backbone of this review: differentiation, focus, flexibility, ownership & visibility.

Interconnectivity is high on the agenda of the Eastern Partnership process, as confirmed at the latest Summit (Riga, May 2015). In the area of transport, the Summit participants stressed the importance of making transport links between the EU and Eastern European partners safer and more efficient, and of supporting the improvement of logistics systems, including motorways of the sea.

1.2.2 EU Association Agreements

Georgia, Moldova and Ukraine have signed Association Agreements with the EU. Turkey has signed in 2008 an Accession Partnership based on the pre-accession strategy which is the main instrument providing guidance in the preparation for its accession. On the basis of such agreements the four beneficiaries, differently from others, are bound to implement the EU maritime acquis and meet the EU standards in the field of maritime safety, maritime security and prevention of, preparedness and response to marine pollution. In the framework of the project it will be of utmost importance to support the countries in achieving their objective in close coordination with the relevant services of the European Commission and in cooperation with other EU funded projects aiming to provide specific support for the transposition of the EU standards into national legislations. Main priorities with regard to the implementation of the Association Agreements will be supporting relevant beneficiaries with the implementation of the EU Marine Strategy Framework Directive (2008/56/EC) and providing support to Moldova to bring in necessary reforms to be removed from the Black List of the Paris MoU.

1.2.3 Black Sea Synergy

This initiative, initiated in 2008, is designed as a flexible framework to ensure greater coherence and policy guidance, while also inviting a more integrated approach and closer regional ties in order to:

- Stimulate democratic and economic reforms;
- Support stability and promote development;
- Facilitate practical projects in areas of common concern;
- Open up opportunities and challenges through coordinated action in a regional framework;
- Encourage the peaceful resolution of conflicts in the region.

Under the Synergy, three sectoral partnerships were established: environment, transport and energy.

1.2.4 A strategy for the Black Sea

The EU Parliament adopted a resolution in 2011 for an EU Strategy for the Black Sea Region to be launched. The main objective is to establish an area of peace, democracy, prosperity and stability founded on respect for human rights and fundamental freedoms and providing for EU energy security. It considered that good governance, the rule of law, promotion of respect for human rights, migration management, energy, transport, the environment and economic and social development should constitute priority actions.

1.2.5 Blue Growth Strategy

The Blue Growth communication adopted in 2012 is the maritime strand of the **Europe 2020** strategy and an update of the **Integrated Maritime Policy**.

This strategy consists of three components:

- Targeted effort towards specific activities (focus areas) identified as being the most promising sectors for growth development: coastal tourism, blue energy, aquaculture, blue biotechnology and marine minerals mining.
- Cross-cutting tools which are specific, policy integrated measures across sectors including Maritime Spatial Planning, Integrated Coastal Management, Marine Knowledge 2020 initiative and maritime surveillance.
- Sea-basin strategies.

Other aspects that are crucial for a sustainable growth in the blue economy are the development of the appropriate skills, marine and maritime research and access to finance.

The Commission extended the dialogue on sustainable development of the blue economy of the Black Sea to all Black Sea countries through the annual stakeholder conferences held in Bucharest, Romania (2014) and Sofia, Bulgaria (2015).

The proposed action supports attaining the objectives of the ENP and the other strategy papers above as regards maritime safety, security and marine environmental protection and is in line with the priorities set thereby.

1.3 Stakeholder analysis

Several regional organisations are involved in policy formulation or implementation in the fields of maritime safety, security and marine environment.

On country level, the project's main stakeholders are the ministries of transport, maritime administrations and authorities, port authorities and maritime academies.

Indirectly, the shipping companies in the region could also benefit from the project.

1.3.1 International and regional organisations

The **International Maritime Organisation (IMO)** is the specialised agency of the United Nations setting the global standards for the safety, security and environmental performance of international shipping. Its main role is to create a regulatory framework for the shipping industry that is fair and effective, universally adopted and universally implemented. At the occasion of their regular meetings the different bodies of the Organization – Assembly, Committees, Sub-Committees, Working and Correspondence Groups – ensure the

coordination on maritime safety, security and environmental protection is generally ensured by IMO. All project's beneficiaries are parties to the IMO Convention and they have ratified most of the international conventions in the field of maritime safety and marine pollution prevention. The **International Labour Organisation (ILO)** is devoted to promoting social justice and internationally recognized human and labour rights, pursuing its founding mission that social justice is essential to universal and lasting peace. The ILO has four strategic objectives:

- Promote and realize standards and fundamental principles and rights at work.
- Create greater opportunities for women and men to decent employment and income.
- Enhance the coverage and effectiveness of social protection for all.
- Strengthen tripartism and social dialogue.

In support of its goals, the ILO offers unmatched expertise and knowledge about the world of work, acquired over more than 90 years of responding to the needs of people everywhere for decent work, livelihoods and dignity. It serves its tripartite constituents - and society as a whole - in a variety of ways, including formulation of international policies and programmes to promote basic human rights, improve working and living conditions, and enhance employment opportunities as well as creation of international labour standards backed by a unique system to supervise their application.

ILO is active in the field of maritime labour since 1920 with a significant number of international conventions, the standards of which have been transposed into the Maritime Labour Convention, 2006. The Convention entered into force on 20 August 2013 and together with the IMO SOLAS, MARPOL and STCW conventions is considered the fourth pillar of maritime safety.

The **Black Sea Memorandum of Understanding on Port State Control (BSMoU)** is the regional agreement which is active in the region and has a Secretariat based in Turkey. Three of the project's beneficiaries (Georgia, Ukraine and Turkey) are members of the agreement and Azerbaijan has an observer status. Good working relationship has been established between EMSA and the BS MoU Secretariat in the course of the TRACECA Maritime Safety and Security II complementary project implemented by EMSA. It was the main channel for provision of assistance to the beneficiary countries in the area of PSC (provision of RuleCheck and Distance Learning Package, development of a mandatory training scheme for PSC Officers and highly specialized training courses for PSC Officers). The Secretariat also provided EMSA with information and documents (PSC procedures) which were needed to deliver the outputs of the PSC component of the project.

In the framework of the proposed action the BS MoU Secretariat will continue to play this role.

The **Commission on the Protection of the Black Sea Against Pollution** (or the Black Sea Commission (BSC)) via its **Permanent Secretariat** is the intergovernmental body established for implementation of the Convention on the Protection of the Black Sea Against Pollution (Bucharest Convention), its Protocols and the Strategic Action Plan for the Environmental Protection and Rehabilitation of the Black Sea (latest version adopted in 2009). BSC possesses cooperation links and options for consultative conversation with other

intergovernmental organisations involved in marine pollution affairs at the global and regional level, including the United Nations Environment Programme (UNEP), IMO, Global Environmental Facility (GEF), International Commission for the Protection of the Danube River (ICPDR), Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area (ACCOBAMS), Organisation of the Black Sea Economic Cooperation (BSEC), European Environment Agency (EEA), and different other institutions of the EU.

The resources allocated to BSC as an organisation are very limited, and the organisation is not allowed to exceed the scope of the Bucharest Convention. Hence the record of BSC's direct actions is limited. The structure is dependent on projects externally funded by e.g. UNDP and EU. At the same time, BSC remains a key regional partner for the protection of the marine and coastal environment in the Black Sea and will be involved, as appropriate, in the activities of this project which are related to marine pollution (including marine litter), also contributing to more efficient coordination and use of EU funding for marine environment protection in the region.

The only Black Sea regional maritime stakeholders' forum is the **Black Sea Stakeholders Conference** chaired by the European Commission. It convened in Romania in 2014 and in Bulgaria in 2015.

The **Conference of Peripheral Maritime Regions (CPMR)** also has a Commission on the Black Sea, yet not very active.

1.3.2 Beneficiary countries

The project's beneficiary countries differ greatly in several domains.

- **Development of their maritime sectors** (fleet size and composition, maritime traffic, ports).
75% of the beneficiary countries' tonnage flies Turkish flag. The fleets are generally small, jointly accounting to 0.8 % of the world tonnage.
- **Maturity of their maritime administrations** (availability and quality of structures, staff, operational procedures).
- **Comprehensiveness of the maritime legislation** (status of ratification of international instruments and availability on implementing national legislation).
All project beneficiaries are parties to the main instruments although in some cases not to their most up-to-date versions. There is great difference in the rate of accessions from country to country (Moldova and Azerbaijan being party to a considerable less number in comparison with Ukraine and Georgia). This requires further effort in incentivising the beneficiary countries to ratify the international conventions.
A table with an overview per beneficiary country of the conventions ratified is attached in annex II.
- **Flag State performance under the Paris MoU**.
Not all countries are listed in the Paris MoU due to lack of data (minimum number of inspections per year, e.g. Azerbaijan whose fleet operates only in the land-locked Caspian Sea). Ukraine is on the Grey list, Moldova is on the Black list (under-performing) while Turkey and Kazakhstan are on the Paris MoU White list.
- **General institutional setting** (mandate of maritime administrations, operational independence, budget allocations and support from central government for reform, legislation, etc.).

- **Safety of navigation.**

Some countries have fully implemented AIS (Turkey, Ukraine and Azerbaijan). Others have only limited AIS infrastructure in some areas (Georgia, Kazakhstan and Turkmenistan).

This situation requires a differentiated approach to each beneficiary as well as a significantly different scope of assistance (in terms of volume, time and type) if the aim to attain a comprehensive level of maritime safety, security and environmental protection in the whole region is to be achieved.

Azerbaijan is party to and it is implementing the main IMO conventions, in some cases not to their most up-to-date versions. The significant traffic of oil in its territorial waters and the sensitive environment of the Caspian Sea suggest the accession to the specific IMO instruments in that area (Convention Relating to Intervention on the High Seas in Cases of Oil Pollution Casualties (INTERVENTION), Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage (FUND), Convention on Limitation of Liability for Maritime Claims (LLMC), Protocol on Preparedness, Response and Co-operation to Pollution Incidents by Hazardous and Noxious Substances (OPRC-HNS), Convention on the Control of Harmful Anti-fouling Systems in Ships (AFS) and Ballast Water Management Convention (BWM)). The country performs flag State, port State and coastal State functions. The country is not listed in the Paris MoU flag State performance lists due to lack of data/inspection missions. Azerbaijan has an observer status in the BS MoU. The country has established a well-functioning maritime administration. Azerbaijan has been and currently is a beneficiary of twinning projects with Spain (Spanish General Directorate of Maritime Affairs).

Georgia is party to the majority of IMO conventions, in some cases not to their most up-to-date versions. The country performs flag State, port State and coastal State functions. Currently Georgia appears on the Paris MoU Grey list where it moved from the Black list following a large-scale quality initiative (which also resulted in a drastic decrease of its fleet). PSC is performed within the framework of the BS MoU. The system set up by Georgia for education of seafarers according the STCW convention has been recognised by the European Commission within the meaning of Directive 2008/106/EC, as amended and this allows seafarers of all nationalities trained and certified by Georgia to serve on board ships flying the flag of an EU Member State. The country has established a well-functioning maritime administration.

Iran is party to the majority of IMO conventions, in some cases not to their most up-to-date versions. The country performs flag State, port State and coastal State functions. Currently Iran appears on the Paris MoU White list with an excess factor of -0,90. The country is also in the IMO White list for the STCW convention. The system set up by Iran for education of seafarers according the STCW convention has also been recognised by the European Commission within the meaning of Directive 2008/106/EC, as amended and this allows seafarers of all nationalities trained and certified by Iran to serve on board ships flying the flag of an EU Member State.

Kazakhstan is a Caspian Sea littoral State. The country is party to the main IMO conventions since 1994 but not to UNCLOS. The fleet of Kazakhstan is closely related to the oil industry. Currently it comprises of 104 ships, 65% of which are oil tankers. Kazakhstan appears on the 2015 and 2014 White lists of the Paris MoU. In 2012 and 2013 it was on the Grey list of the Memorandum. In 2014 Kazakhstan embarked on a large-scale governmental reform including

in the maritime field. The country will need a lot of support in order to establish efficient flag State, port State and coastal State institutions.

Moldova, as a land-locked country, has access to the Black Sea via the Danube. It has only one port which is open to both maritime and inland navigation vessels. The country is party to the main IMO conventions since 2005 and maintains a ship register since 2007. The main maritime function of Moldova is as flag State and as such it is underperforming (appears in the Paris MoU Black list). The port waste collection as well as the inspection of ships is falling behind the standards. A new law on Inland Naval Transport is drafted.

Turkey is a contracting party to all major international maritime and environmental conventions. The only exception is the UN Convention on the Law of the Seas (UNCLOS). Turkey is a party of both the Barcelona and Bucharest Conventions. This could provide opportunities to Turkey for carrying experiences from the Barcelona system to the Black Sea. Priorities in the area of maritime transport indicated in the revised Turkey Accession Partnership of 2007 relate to the need to continue the alignment and the implementation in the sector (especially as regards pollution prevention) and to further strengthen the maritime administration. Since then Turkey moved to the White list of the Paris MoU (in 2008), became party to the most important IMO conventions in the area of maritime safety, security and environmental protection and successfully completed an audit under the Voluntary IMO Member State Audit Scheme (VIMSAS) resulting in minor findings. Further efforts are needed to align with the *acquis* and to strengthen institutional capacity. Work is still needed in the area of reporting formalities for ships. The system set up by Turkey for education of seafarers according the STCW convention has been recognised by the European Commission within the meaning of Directive 2008/106/EC, as amended and this allows seafarers of all nationalities trained and certified by Turkey to serve on board ships flying the flag of an EU Member State.

Turkmenistan is a Caspian Sea littoral State. The country is party to some of the most important IMO conventions (not to their most up-to date versions, except for the Convention for the Prevention of Pollution from Ships (MARPOL)) since 2009. There are currently 63 ships under its flag. The fleet is closely related to the oil industry, 45% of the ships are oil tankers and another 45% are engaged in the offshore industry. The fleet operates only in the Caspian Sea.

Ukraine has long traditions in maritime transport, a well-developed maritime sector, many international ports and is a maritime labour-supplying country. It is party to the major IMO instruments. The country is also a member of the BS MoU. The system set up by Ukraine for education of seafarers according the STCW convention has been recognised by the European Commission within the meaning of Directive 2008/106/EC, as amended and this allows seafarers of all nationalities trained and certified by Ukraine to serve on board ships flying the flag of an EU Member State.

1.4 Results of existing projects

Since 2009 the EU has been continuously supporting the countries of the Neighbourhood East and Central Asian regions in their efforts to improve maritime safety, security and environmental protection through various projects. The adoption of the TRACECA Regional Action Strategy (TRAS) in 2011 was a major achievement of the first EU funded project in the area ('Development of common security management, maritime safety and ship pollution prevention for the Black Sea and Caspian Sea' (SASEPOL). To support the countries in

implementing the TRAS, the project 'TRACECA – Maritime Safety and Security II' was initiated in 2013, complemented with activities directly implemented by EMSA since mid-2014.

The objective of both projects is to ensure that beneficiary countries continue to implement the measures of the TRAS and to improve their performance as Flag, Port and Coastal States. The maritime authorities of the beneficiary countries were also provided with access to some operational tools developed at EU level in order to enhance their capacity to fulfil the obligations stemming from international conventions and to monitor and respond to accidental and deliberate pollution.

Since the beginning of the projects, contacts have been established with all beneficiaries and the relationship has constantly improved. The positive effects of the technical actions on the beneficiaries can be reflected in the Flag State performance of those appearing on the Paris MoU list.

Concrete results up until now of the 'TRACECA – Maritime Safety and Security II'-project (01/2013-01/2016), implemented by a private consortium led by NTU, are:

- Flag State implementation: Preparation of the beneficiaries to the IMO Member State Audit Scheme (IMSAS). Georgia successfully passed the audit, Azerbaijan and Kazakhstan have been extensively prepared, and work with Ukraine has begun. Advice to Kazakhstan on a reform of the structure of their maritime administration. Support to reform in Ukraine is on-going. Advice has already been provided on the basic structure and duties of a maritime administration.
- Protection of the marine environment: Awareness rising on the complex rules of the current IMO Conventions and EU regulations, and provision of information on State's duties. A specific effort has been carried out in Ukraine for the reform of the Port Waste Management Plan, in order to ensure compliance with EU Directive 2000/59. Joint work with the Black Sea Commission on Mobile Offshore platforms legislation. Field missions, e.g. on the International Maritime Dangerous Goods Code (IMDG), have allowed to provide tailored advice and recommendations.
- Human element: Promotion of and preparing for the ratification of the ILO MLC.
- Security of ships and ports: Training provided for administrative and port officers, to
 - improve knowledge of the ISPS implementation in ports (facilities and ports)
 - improve skills to work out assessments and plans as well as their “approval “
 - improve skills to be able to teach the port executives in order to manage the security training of port personnel at different levels (train the trainer).

Concrete results up until now of the complementary project (06/2014 – 06/2016), implemented by EMSA, are:

- Provision of access to RuleCheck and to the Distant Learning Package (DLP) for PSC Officers of the BSMoU members and project beneficiaries. RuleCheck and the DLP are tools originally developed by EMSA on behalf of the European Commission and the EU Member States to assist PSC Officers during PSC inspections and to improve their qualification. Lately the two tools have been further enhanced to cater the needs of several end users' communities.

- Provision of CleanSeaNet (CSN) service through EMSA's IMDatE to coastal beneficiary States. CSN is the European oil spill monitoring and vessel detection service (based on SAT-AIS information), which was set up to support EU Member States' actions to combat deliberate or accidental pollution in the marine environment.

Other regional and bilateral, including twinning, EU-funded projects that have been implemented in the field of maritime transport and marine environmental protection are:

- The **MONINFO** regional projects² (Environmental Monitoring of the Black Sea Basin: Monitoring and Information Systems for Reducing Oil Pollution) (EU-funded projects implemented by the Black Sea Commission) stimulated regional cooperation of maritime authorities of the six Black Sea countries, in particular concerning oil pollution from ships. At the same time they revealed the need for more efficient regional mechanisms (including AIS) for information exchange and monitoring of ship traffic to support marine and coastal environment protection. The project contributed to the development of a regional system against oil pollution from ships in the Black sea which will support the implementation of the Marine Strategy Framework Directive.
- Azerbaijan finished in 2014 a bi-lateral twinning project aimed at aligning Azerbaijan's national legislation on maritime safety, security and marine environmental protection with the short-term priorities of the EU-National Indicative Programme (NIP) for Azerbaijan and at strengthening the capacity of the State Maritime Administration (SMA) of Azerbaijan to transpose and implement the provisions of the relevant EU acquis and IMO Conventions. The project resulted in improved legislative framework in line with ratified IMO conventions and relevant EU-Directives. A new maritime transport strategy and national action plan on maritime safety, security and protection of marine environment for the period 2012-2022 were prepared. As a result of the twinning project, the Azerbaijani Merchant Shipping Code and Administration Offences Code were amended and the new "Law on Seaports" was adopted.

The TRACECA Regional Action Strategy contains a bulk quantity of measures designed to achieve the key priorities identified in the Neighbourhood Transport Action Plan in the area of maritime and inland waterway transport until 2021. Although a lot of work has been done in the framework of the above described projects they could not cover all measures of the Strategy and therefore there is a need for follow-up technical actions leading to further improvements. These are described in detail in the section 1.5 below as well as in part 4 Description of the Action.

1.5 Priority areas for support/problem analysis

The priority areas for EU support to the Eastern Partner countries in the period 2012-2020 have been defined in the Regional East Strategy Paper following a comprehensive analysis of the problems in the region and based on the priorities of the Eastern Partnership. The

²http://ec.europa.eu/environment/marine/international-cooperation/regional-sea-conventions/bucharest/index_en.htm

proposed action has bearing to a number of the challenges to be addressed according to the Regional East Strategy Paper, namely:

- overcome governance shortcomings – through the capacity building actions in all components (training, introduction of quality management systems, adoption of international and EU technical standards, implementation of operational procedures)
- ensure environmental sustainability – through the actions of component 4 Protection of the marine environment of the Black Sea
- reform the transport sector – through the actions of all components (ratification of international instruments, promulgating national laws and regulations, approximation with the *acquis*, operational procedures)
- promote regional cooperation among partner countries and with the EU – through the actions of component 2 Port State Control in the Black Sea region and component 3 VTS and VTMIS in the Black Sea region
- ensure the correct implementation of the concluded and signed Association Agreements – through the actions of component 7 Bilateral activities

A Regional Action Strategy on Maritime Safety, Security and Environmental Protection for the period up to 2021 has been developed in the framework of the SASEPOL project in order to identify concrete actions that would lead to attaining the general objectives – improved maritime safety, security and environmental protection. The implementation of some of the identified measures has been supported in the framework of the EU funded projects mentioned in 1.4.

Although substantial progress has been achieved in the partner countries, still a lot needs to be done. Large-scale and fundamental reforms are time and resource consuming and therefore progress takes time. Therefore further support will be needed to ensure the implementation of the measures identified. This approach is in line with the continuity principle in programming EU financial support according to which bringing EU investments to orderly completion or continuing them when necessary shall be considered in the programming (instructions for programming the ENI). This is essential to ensure the sustainability of the reforms.

In order to address the identified problems in the area, the new project 'Maritime safety, security and marine environmental protection in the Black and Caspian Sea Regions' foresees actions in the following priority areas:

- Flag State Implementation: beneficiaries that have not yet undergone the voluntary IMO audit scheme have to be supported in order to successfully prepare for the mandatory one and, eventually, supported to prepare and then implement the rectification plan agreed with the IMO. Georgia, that has already undergone to the IMO audit will be supported to implement the rectification plan agreed with IMO and to implement additional measures recommended at international level but made mandatory by the EU maritime legislation such as the establishment of a certified quality management system for the Flag State activities.
- Protection of the marine environment: the actions under this project will support beneficiaries to correctly implement the relevant international legislation; however the focus will be on the technical support needed to incentivise the ratification of MARPOL Annex VI by Georgia, Moldova and Kazakhstan. In addition those

beneficiaries in the in the Black Sea Region that will enact legislation on the Sulphur content of marine fuels used by ships with approximation with the acquis could use THETIS EU. Continue providing EMSA's services such as CleanSeaNet, jointly to an improved monitoring of the ships movements (also granted through the project), will allow the real-time detection of oil-spills along the beneficiaries' coastline and will enhance the capability to respond to marine pollution. Awareness on the EU legislation on air emission will be raised in the countries with aim of bringing those beneficiaries willing so closer to the EU standards.

- Human Element: technical support will be needed to complete the process of ratification of the Maritime Labour Convention (MLC), 2006. Following the ratification efforts will focus on providing support to draft and adopt the national legislation and determinations to translate the flexibility of MLC in concrete requirements.
- Security of ships and ports: to complement the actions completed during the previous project, the focus will be on the national organisation and procedures put in place by the beneficiaries to ensure full and correct implementation of the ISPS Code. Particular emphasis will be put on the Port security that is an important issue covered by the EU legislation (Directive 2005/65/EC on enhancing port security) which is in line with the 2005 ILO/IMO Code of Conduct for port security and that allows the competent authorities to have a coordinated and harmonised approach to the security measures in place in each port rather than on the security measures in place in each individual facility established in the port area. Information on the provisions of the Commission Recommendation of 11 March 2010 on measures for self-protection and the prevention of piracy and armed robbery against ships and its enforcement would also be beneficial. The programme should therefore deliver trainings both at regional and at national levels for the beneficiary countries. At national level it should address the central level of the administrations of the beneficiary countries and the local port level. Common trainings and exercises for the two last mentioned levels would create synergies.
- Port State Control: Cooperation and exchange of information between port States of the same region is of a paramount importance for an effective PSC activity. In the Black Sea port State work together in the Black Sea Memorandum on PSC while beneficiaries, coastal states of the Caspian Sea are performing PSC inspections without any cooperation or coordination between themselves. Therefore, the possibility of starting a possible cooperation in this area between Azerbaijan, Kazakhstan and Turkmenistan will be explored and incentivised.

2 RISKS AND ASSUMPTIONS

Political support from the partner countries' relevant ministries and governmental bodies not only at national, but also at regional level is needed to reach the project's objective. It is also assumed that governments will allocate the necessary resources to sustain the improved capacity for managing maritime safety and marine pollution by prevention, preparedness and response.

On a more concrete level, the following risks have been identified:

Risks	Risk level (H/M/L)	Mitigating measures
Political instability and security constraints	M	
Maritime safety and marine pollution caused by ships is not among the priorities of some of the partner countries' policies and cannot rely on abundant financial resources.	H	The risk could be mitigated by supporting beneficiaries to establish an organisational structure enabling them to make the best use of the limited resources available.
Lack of commitment to the reform process	M	Although some countries may show reluctance to implement some of the proposed reforms, this project is regional and some countries have shown already their willingness to implement reforms.
Insufficient human resources and technical expertise required from the attendants to activities of this programme	M	Partner countries will be asked at the inception phase of the project to commit enough resources for the implementation of the programme.
Various interpretations of rules and requirements	M	This will be mitigated by providing appropriate training and information on the experience of EU-Member States implementing these rules and requirements.
Complexity of the programme, involving the participation of a larger number of countries, beneficiary institutions and administrations	M	The implementing bodies will mitigate this risk by having a strong project monitoring system established.
Lack of coordination between similar simultaneous projects and initiatives of relevant regional organisations	M	To mitigate this risk a technical coordination mechanism will be integrated in the organisational set-up of the project (see below).
Insufficient cooperation between the beneficiary countries on the cross-regional level, and limited engagement of partner countries	M	To mitigate the risks the project will incentivise regional cooperation and initiatives aiming at sharing information and best practices in the region. The project provides a formula for flexible participation, which may be applied where there is a consensus to do so. This formula will allow the speed up of cooperation among the readied countries, rather than having to wait for all members to join all aspects of cooperation from the start.
Lack of sustainability of the action	M	The project will propose an exit strategy.

3 LESSONS LEARNT, COMPLEMENTARITY AND CROSS-CUTTING ISSUES

3.1 Lessons learnt

Experience during previous projects showed that most of the beneficiaries are committed for making the necessary improvements. This is demonstrated by the gradual progress in the implementation of the priority actions of the 2011 Regional Action Strategy on Maritime Safety and Security and Environmental Protection developed within the framework of the EU financed project SASEPOL. Turkmenistan ratified MARPOL Annex VI in 2014 and Georgia – the Ballast water management convention in 2015. Further ratifications are under way. Georgia completed an audit under the Voluntary IMO Member States Audit Scheme. Kazakhstan also intends to volunteer and currently prepares for audit.

However there are a number of factors that limit the achievements of assistance projects or cause delays in expected outputs. Whilst the ratification and proper implementation of international instruments related to maritime safety, security and environmental protection have been among the objectives of previous EU funded projects, the ratification process in the beneficiary countries takes a long time due to complex national procedures. The proper implementation requires the adoption and utilisation of operational procedures. In some cases it further requires additional resources – staff, equipment, etc. The complex institutional setting, the character of the decision making process (power to take decisions restricted to the very high level management) and the restricted resources have proven to be limitations to the achievements of even better results.

The complex structure of the maritime administrations and the associated decision making process also make more difficult the full and active participation of beneficiaries' experts to the technical actions organised in the framework of past and on-going projects.

Another obstacle to a more effective implementation of projects is the language used. The first months of implementation of the TRACECA II project have taught that translation from English to Russian and vice versa, both for meetings and very often for papers, help the project implementation.

Another important lesson is that the different state of development (legislative, institutional and administrative) of the beneficiary countries requires a differentiated approach to the assistance which is in line with the principles of the proposed renewed Neighbourhood Policy.

3.2 Complementary actions

Coordination is necessary with the following EU-funded programmes or projects in order to avoid overlapping and to create maximum synergies:

- ENI Cross-Border Cooperation programme Black Sea Basin 2014-2020, more specifically in relation to two of its programme priorities: 'improve joint environmental monitoring' (priority 2.1) and 'promote common awareness-raising and joint actions to reduce river and marine litter' (priority 2.2).
- For Azerbaijan, a twinning project “Support to the State Maritime Administration to improve liability in maritime transport in the Republic of Azerbaijan” started, aiming at ensuring a proper implementation and enforcement of maritime liability procedures foreseen in the international conventions on maritime safety, security and the prevention of the marine pollution in the related EU Acquis.
- For Ukraine,
 - ✓ national TA project is planned to cover Port state control harmonisation with the Dir 2009/16/EC and also Dir 2009/45/EC on safety rules and standards for passengers, assisting all the stages – transposition, implementation and enforcement. The project would also provide the design of the system for the establishment of SafeSeaNet;
 - ✓ project to support the implementation of the Association Agreement and the national strategy in the transport sector in Ukraine.

EMSA will be informed of further EU-funded actions in the beneficiary countries that might be launched after the start of the project in order to ensure proper coordination.

3.3 Donor coordination

The Integrated Technical Cooperation Programme of IMO is designed to assist Governments which lack the technical knowledge and resources that are needed to operate a shipping industry safely and efficiently. Priority is given to technical assistance programmes that focus on human resources development and institutional capacity-building. Due to limited funds the ITCP focuses on developing countries mainly in Africa. There are few events organised in the framework of the ITCP in the Black and Caspian Sea region. Nevertheless the IMO Secretariat will be requested to provide information of any planned actions in the region throughout the duration of the project to avoid overlapping and to ensure synergy.

Donor coordination at country level is ensured by the respective EU Delegations.

Although at the international (IMO) and supranational level (EMSA, European Commission, EU Delegations) several platforms on maritime transport exist, the experience of previous projects has identified the need for strengthening project coordination processes in order to avoid the risk of duplication in activities. To this end, a technical board will be established in addition to the steering committee of this project.

The “Technical Board” will be grouping representatives of the different EU-funded projects (including bilateral) involved in the domain, to maximise efficiency and planning and to ensure that there is no overlap and that project activities are known.

The Technical Board shall consist of EMSA’s appointed project management as well as the appointed project management of the aforementioned projects of the EU (such as Twinning/TAIEX etc.). The European Commission Programme Manager (DG NEAR C.2) will be invited.

3.4 Cross-cutting issues

The proposed action has direct bearing to cross-cutting issues like **illegal migration, transboundary pollution and safety**. Shipping is by nature international. Therefore a shortcoming in safety, security or environmental control in one region tends to spread globally, affecting foremost adjacent regions. The EU shares a common basin (the Black Sea) with the beneficiary countries and therefore has a high interest to ensure that their maritime administrations are capable to perform efficiently their functions as Flag State, Port State and Coastal State authorities, thus minimising the risks that sub-standard shipping, resulting from poorly functioning maritime administrations, may pose in its areas of interest (territorial waters).

Technically and operationally unsafe ships may cause accidents and incidents in EU waters and ports threatening human life and inflicting damage to property and to the environment.

A major pollution incident in the waters of beneficiary countries may lead to transboundary pollution with severe and costly consequences to the environment and the coastal economies of EU Member States.

Shortcomings in the area of maritime security increases the threat of illegal migration as well as of security incidents on board ships flying the flags of the beneficiary countries while in territorial waters and ports of the EU.

The activities of the proposed action aim to introduce **good governance** and thereby enhance the **capacity of the institutions** in the beneficiary countries to ensure improved levels of

maritime safety, security and environmental control thus minimising the risks described above.

Climate change mitigation is another cross-cutting issue that the proposed action addresses. The environmental protection component foresees support for the ratification and implementation of MARPOL, Annex VI which introduced inter alia mandatory measures to reduce emissions of greenhouse gases (GHGs) from international shipping.

4 DESCRIPTION OF THE ACTION

4.1 Objectives and results

The overall objectives of the project are:

- 1) Improved maritime safety
- 2) Improved security of ships and port facilities
- 3) Reduced pollution to the marine environment
- 4) Improved level of maritime training and qualification of seafarers
- 5) Improved living and working conditions on board ships

This will be achieved by addressing shortcomings, gaps and grey areas which may hamper the fulfilment of the related international obligations.

The project expects to achieve the following outcomes:

1. Improved capacity of the national maritime administrations to ensure that they effectively and consistently discharge their obligations as flag States.
2. Beneficiary countries have in place national laws transposing the mandatory instruments with approximation with the *acquis* in those areas where EU legislation exists.
3. Enhanced national capacity for implementation of international legislation.
4. Increased approximation to EU practises in these fields.
5. Improved cooperation among beneficiary countries competent authorities and with the EU Member States and EU institutions.
6. Enhanced harmonisation between MoUs as well as the harmonisation of PSC inspections in the Black Sea region.
7. Enhanced cooperation on PSC issues between Caspian Sea beneficiary countries.
8. Improved capacity of competent authorities of the beneficiary countries to monitor and control maritime traffic in the region.
9. Improved traffic-monitoring image of the waters of the beneficiaries, i.a. through the enhancement of their T-AIS national networks and that of the region.
10. Improved sharing of traffic information.
11. Improved capacity to prevent, detect and respond to marine pollution.
12. Improved control and response to marine environmental pollution.

13. Beneficiaries are incentivised to ratify and are able to give full implementation to the MLC 2006 requirements.
14. Enhanced implementation of the STCW convention requirements as well as the ISM Code.
15. Improved institutional capacity to give full implementation to the ISPS Code requirements.

4.2 Main activities

The project foresees a multitude of activities designed to help achieve the project's objectives, namely:

- Workshops, seminars and studies
- Operational support (on-site actions, provision of services including drafting of legislation, pilot projects)
- High-level seminars at national level with Parliament committees, to facilitate adoption/ratification of updated legal framework
- Targeted bilateral assistance

Some of these actions will be addressed to all beneficiary countries while others will be fine-tuned to their specific needs taking into consideration: i) the geopolitical situation of each beneficiary; ii) the commitment of each country to the achievement of the goals of the ENP in general; and iii) the TRAS in particular and their progress which is in line with the more-for-more principle introduced at the review of the European Neighbourhood Policy in 2010-2011.

The project foresees the following 7 components under which main activities are described.

Component 1: Flag State implementation

Comprehensive technical regulations and standards regarding the construction, equipment, manning and operation of ships have been developed and adopted by IMO in order to improve safety at sea and to minimize the adverse effect of shipping on the environment. The primary responsibility to ensure that ships comply with these standards rests with the Flag States. This can only be achieved through adequate implementation and effective enforcement of the standards laid down in the relevant conventions. Similarly working and living conditions of seafarers are ensured through the appropriate implementation of MLC 2006.

The activities under this component aim at supporting the beneficiaries' maritime administrations to promulgate legislation, establish and implement national procedures enabling them to effectively perform their obligations, and to exercise an effective Flag State jurisdiction in accordance with relevant instruments, thus contributing to the overall objective of the project to improve maritime safety, security and marine pollution prevention.

The activities will concentrate on the following major aspects of flag State implementation:

- Promulgation of laws and regulations to give to the instruments full and complete effect;
- flag State surveys and managing fleet performance;
- delegation of tasks to Recognized Organizations (RO) and monitoring of ROs' activities carried out on behalf of the Flag State;
- accident investigation.

Through fact finding missions and a consequent legal conformity check the level of compliance of national legislation for the beneficiary countries with the IMO Mandatory Instruments in their latest consolidated edition and other international instruments (such as MLC 2006) is to be identified. On the basis of the outcome of these check the necessary legislation transposing the mandatory instruments into national law of the beneficiaries to be drafted. Approximation with the *acquis* in those areas where EU legislation exists should be sought. The task could be complemented by appropriate training on the instruments as well as training of personnel to continuously monitor developments within IMO, identify when a new or an amended instrument has been accepted by the Organisation and timely transpose it into national legislation.

Through an ad-hoc questionnaire submitted to all beneficiaries EMSA will seek for additional detailed information complementing the general one collected through the “Overview of the maritime administrations”. The detailed information will be used to identify gaps and possible improvements of the national structure and procedures in place as well as those introduced when enacting new legislation in the beneficiaries to monitor the performance of fleets and Recognised Organisations (ROs). Beneficiaries with no procedures in place but willing to properly discharge their obligations as flag States will be supported to establish tailor-made measures for monitoring the fleets’ performance and the ROs. Beneficiaries could also be supported if they wish to develop, implement and maintain a quality management system for the operational parts of the flag State-related activities of their administrations.

Beneficiaries will continue to be supported, on regional and bilateral basis, to establish independent marine accidents investigative bodies and to carry out effective investigations on accidents occurred to vessels flying their Flags or occurred in the waters under their jurisdiction.

On request and in coordination with other existing projects for technical assistance, support can be provided to beneficiary countries willing to implement specific pieces of EU legislation such as the Directive 2009/45/EC on safety rules and standards for passenger ships.

These structural actions will be complemented by the provision of theoretical and practical trainings for beneficiaries’ maritime administration staffs working at the central administration and in-the-field with ships’ surveys.

The involvement of experts from the EU Member States will ensure the necessary exchange of experience and best practices in view of reducing the existing gaps between EU and neighbouring countries standards.

The actions in this component will support the beneficiary countries in their preparation for the mandatory audits under IMSAS.

Expected Outputs:

- Analyses/studies of current practices and institutional arrangements and identification of measures for eliminating gaps.
- Where statutory tasks have been delegated to Recognised Organisations (ROs) and appropriate relevant legislation exists, text for tailor-made written agreements with ROs in line with the international Code for Recognised Organisations will be proposed for implementation by the beneficiaries that have provided all needed information to finalise the action.
- Tailor-made national procedures for monitoring fleet and ROs performance will be proposed to those beneficiaries that accepted to implement them.

- Tailor-made national procedures for the ratification of newly adopted international legislation proposed for adoption.
- Provision of technical support to establish national marine accident investigative bodies in line with the relevant IMO Code.
- Provision of training for flag State inspectors on some selected topics (i.e. checking the compliance of vessels to MARPOL Annex VI or to the MLC).
- Provision of technical support to define minimum criteria for flag State inspectors.
- Provision of technical support to establish a quality system for maritime administrations according to the relevant ISO standards.
- Upon request beneficiaries will be supported with the preparation, execution and assessment of external emergency response plans to verify their compliance with the Directive 2013/30/EC as well as with the development of a catalogue of emergency equipment and services available.

Component 2: Port State Control in the Black Sea region

Port State Control activities are much more effective when organised on a regional basis. Therefore harmonised approach to PSC activities in the beneficiary countries will enhance the maritime safety standards in the region and will prevent distortion of the competition between operators and ports. The Black Sea littoral beneficiaries perform PSC within the framework of the BS MoU.

The activities under this component will be directed towards further improvement of the technical requirements, criteria and standards applicable in the BSMoU through practical training for the PSC officers and further enhancing the coordination and harmonisation between the BSMoU members. The harmonisation between BSMoU members will also be pursued through the proposal for the adoption of a mandatory training scheme for PSC Officers (PSCOs). Continuous support in the area of PSC is also necessitated by the ever-changing requirements set out in the relevant international instruments and the need to approximate practices with the other PSC memoranda (Paris MoU and MED MoU). Seminars and trainings in the field of Port State Control will be organised in the BS region with the participation of experts of the neighbouring MoUs. Tools developed and managed by EMSA, such as RuleCheck and MaCKs, on behalf of the European Commission will continue to be updated and provided to the BSMoU through its Secretariat. The exchange of information and the harmonisation of inspections within the region are of a paramount importance for the effectiveness of PSC activity. Therefore, under this component any possibility of enhancing the cooperation on PSC issues between beneficiaries that are Caspian Sea coastal States will be explored and beneficiaries will be supported to develop the necessary organisational and procedural framework to facilitate the cooperation. This can include the development of a dedicated information system to serve as platform for the exchange of PSC information between the cooperating Caspian Sea countries.

For those beneficiaries that will enact legislation with approximation with the acquis, technical and operational support would be provided for relevant PSC requirements deriving from this legislation. Particular emphasis could be given to Directive **2012/33/EU amending Council Directive 1999/32/EC as regards the sulphur content of marine fuels and Directive 2002/59/EC on Port Reception Facilities.**

Expected Outputs:

- Proposal to BSMoU Committee for the establishment for a mandatory training scheme for PSCOs.
- Following the adoption by the BSMoU Committee, implementation of the mandatory training scheme for BSMoU PSCOs through the project.
- Provision of EMSA tools (Rulecheck and MaCKs).
- Technical and operational support for the approximation to the acquis of related PSC legislation.

Component 3: Vessel Traffic Monitoring (VTS) and Information Systems (VTMIS) in the Black Sea region

Currently the Black and Caspian Sea coastal States operate VTS on a local level (port VTS) or on a national level (coastal VTS). Furthermore the state of development and deployment of such systems varies greatly from country to country.

The establishment of a per definition regional VTMIS in the Black and Caspian Sea regions will greatly supplement and enhance the national capacity for vessel traffic monitoring, PSC, and maritime pollution preparedness and response by allowing data exchange and thus creating better overall picture of the maritime traffic (improving maritime domain awareness). It will enable the individual States to forecast the dangers and the risks, to be in a position to know the situation outside the areas of responsibility of specific VTSs and to carry out risk analysis. It will create positive benefits for all coastal countries in terms of, for instance, search and rescue services and quality of the marine environment as a result of an enhanced capability of detecting potential polluters.

Although these benefits of establishing VTMIS seem to be widely known and acknowledged in the beneficiary countries, such infrastructure is still not commonly in place. The lack of exchange of AIS data between countries further reduces the worth of the available infrastructure.

In this respect it is important that beneficiaries:

- continue developing AIS shore based infrastructure in those coastal areas that are not already covered by AIS, and
- continue developing VTS and mandatory ship reporting systems in those areas where traffic volumes and risks justify it.

To enable all beneficiaries to share their AIS information, identified lack of infrastructure will be addressed by facilitating the donation of AIS infrastructures in good working order and dismissed by the EU Member States in the frame of a process of renewal of the existing stations. Should none of such AIS infrastructure be made available by the EU Member States, the possibility to support beneficiaries to establish or enhance their national network will be explored by buying on the market and providing them with the necessary AIS stations to cover the national coastline.

Through this task training for VTS operators will be also provided upon request by the beneficiaries.

Furthermore workshops will be organised to explore beneficiaries' willingness to share AIS information and to implement a pilot project bringing them to share AIS information through the Mediterranean Server (MAREΣ), firstly between themselves and, as a second step, with the Black Sea EU Member States. The T-AIS information shared shall be enriched with the

provision of SAT-AIS information to provide a better picture of the maritime traffic in the Black and Caspian Sea.

Expected Outputs:

- Pilot projects on AIS sharing through IMDatE.
- Provision of SAT-AIS information through IMdatE
- Training of IMDatE operators
- Donation of lacking AIS infrastructure.
- Training for VTS operators.

Component 4: Protection of the marine environment of the Black Sea

The activities under this component will focus in two directions, namely: first to raise awareness of the need of the beneficiaries to accede to and implement those international conventions to which they are still not parties, to fully implement those to which they are already Parties and to enact legislation with approximation to the EU acquis and to provide them with the necessary technical assistance and support in the process; and second, to provide the beneficiaries with operational support in the area of marine environmental protection.

To that end the provision of the CleanSeaNet service (the European oil spill monitoring and vessel detection service, which was set up to support EU Member States actions to combat deliberate or accidental pollution in the marine environment) through the IMDatE services launched within TRACECA II will be continued to facilitate better environmental law enforcement. The beneficiaries bordering the Black Sea will also be provided with additional support to “top-up” their capacities to combat ship-sourced (Oil, Hazardous and Noxious Substances (HNS), generation of marine litter in connection to implementation of MARPOL Annex V), marine pollution through the EU Network of Stand-by Oil Spill Response Vessels, in line with the revised mandate of the EMSA funding Regulation. In addition, through workshops, seminars and provision of technical assistance (including external consultants) awareness will be raised and support provided to enhance the enforcement and implementation of environment related international and European legislation in order to approximate the beneficiaries’ standards to the European ones. Some of the areas covered will be air emissions from ships; ships recycling and green-house-gases.

The technical assistance provided in the field of air emissions from ships will focus on sulphur emissions and will support the beneficiaries to be ready to implement the current international regulations, future stricter requirements that may come into force on 2020 as well as compliance of ships flying the flag of the beneficiaries calling EU ports. In this respect beneficiaries can benefit:

1. of the EU Member States experience with the implementation of the Directive 99/32/EC as amended and the related provision for inspections and sampling that are not included the relevant international legislation (Guidance for Sulphur Inspectors and relevant training);
2. of the development of national legislation on the Sulphur content of marine fuels used by ships with approximation to Directive 99/32/EC as amended and the use of THETIS EU, with the possibility of assistance to the beneficiaries if they opt to use remote sensing technology for reporting potential violations of Sulphur emission limits;

3. of improved Port Reception facilities and better enforcement of MARPOL V, leading to reduced illegal waste discharges at seas.

In field of ships recycling the beneficiaries will be supported to give proper and complete implementation to the Hong Kong Convention. In addition support could be given for implementation of Regulation (EU) 1257/2013 by:

1. the criteria set up by the Ship Recycling Regulation to have their recycling facilities included in the EU list in order to be able to recycle EU flagged ships;
2. assisting them in relation to the provisions of the Ship Recycling Regulation on ships flying a non-EU when calling in a port of the EU;
3. Developing a module in MackS for Flag State Surveyors.

In the field of ballast water management the beneficiaries will be supported to implement the relevant IMO Convention, as appropriate.

In the field of marine litter, the beneficiaries will be supported to implement Port Reception Facilities Directive, or at least its principles/methods. Marine litter is a major environmental challenge in the Black Sea and a topic which is receiving increasing international attention³. A system of notification to a vessel's next port of call of the status of its on board retention of bilge waters, oily wastes, HNS residues, sewage, garbage, ozone-depleting substances and exhaust gas cleaning residues could be developed or facilitation of the dedicated module of THETIS-EU which caters requirements stemming out the Port Reception Facilities Directive (2000/59/EC) could be investigated.

Technical support will also be provided to enable owners and managers of ships flying the flag of beneficiaries' to comply with the Regulation (EU) 2015/757 on monitoring, reporting and verification of carbon dioxide emissions from maritime transports.

Expected Outputs:

- Technical support to beneficiaries in order to boost and the appropriate implementation of the most updated international instruments on marine environmental protection.
- Reduction of marine litter from shipping in the Black Sea
- Operational support to beneficiaries by continuing the provision of an access to EMSA's network of Oil Spills Recovery Vessels.
- Provision of CleanSeaNet service through IMDatE,
- Operational support to beneficiaries by providing access to THETIS EU and appropriate training to Inspectors for implementation of EU requirements in the area of Port Reception Facilities and Content of Sulphur in Marine Fuel, provided that they enact relevant legislation with approximation with the acquis in those areas
- Technical support to comply with the regulation (EU) 2015/757, provided that they enact relevant legislation with approximation with such Regulation

Component 5: Human Element

³ The beneficiaries (together with the other UN countries) to the Rio+20 Conference committed to take action to, by 2025, achieve significant reductions in marine litter to prevent harm to the coastal and marine environment.

The human element is an important factor in maritime safety. It is a complex multi-dimensional issue that affects maritime safety, security and marine environmental protection involving the entire spectrum of human activities performed by ships' crews, shore based management, regulatory bodies and others. 80% of maritime accidents can be attributed in some way to human element failures. The project will address the human element with the aim of achieving an effective enhancement of the maritime safety standards. This will be done by providing beneficiaries with the opportunity of sharing best practices with some selected EU Member States on the implementation of the MLC 2006 and providing them also with training activities for Flag and Port State inspectors to support the effective implementation of the relevant IMO and ILO legislation such as the Convention on Minimum Standards of Training and Certification and Watch-keeping (STCW), the MLC and the International Safety Management (ISM) Code made mandatory through the SOLAS convention.

Expected Outputs:

- Training and sharing best practices on the implementation of the MLC 2006 and related human element - IMO and ILO legislation.

Component 6: Security of ships and port facilities

Security, and more so measures to improve it, is becoming an issue of increasing importance especially taking into account the growing political instability in the area and the vulnerable strategic infrastructure in the ports of the beneficiary countries. This activity aims to improve the implementation of the mandatory SOLAS maritime security requirements together with a progressive alignment of the beneficiaries' national performances to the EU standards by focussing on two main pillars: awareness and knowledge.

The Guidance for the development of national maritime security legislation to be adopted by the IMO in May 2016 should also be used in the programme to increase the adequacy of the national legislation of the beneficiary countries with the international requirements.

The objective will be achieved by addressing the institutional capacity of the relevant administrations and through training sessions both about ship, port facility and port security. The programme should therefore deliver trainings both at regional and at national levels for the beneficiary countries. At national level it should address the central level of the administrations of the beneficiary countries and the local port level. Common trainings and exercises for the two last mentioned levels would create synergies. Through practical training events and sharing best practices with the EU Members States beneficiaries will be actively supported to implement their obligations both as port State and as Flag State and to monitor the activity performed by Recognised Security Organisations on their behalf (if any).

Expected Outputs:

- Improved security of ships and port facilities
- Improved institutional capacity to give way for full implementation to the ISPS Code requirements
- Increased approximation to EU practises in the field of maritime security.

Component 7: Bilateral activities

Beneficiary countries have different characteristics. The length of their coast line, the size and composition of their fleets, their maritime industry and their administrations, the number of

seafarers, and the number of international conventions on maritime safety ratified and implemented vary considerably from country to country. For this reason they can have different and specific priorities which will be identified during an inception phase which will include an interactive dialogue with each beneficiary country. As an outcome bilateral actions will be designed to best address the needs identified taking also into account their relevance to the achievement of the goals of the TRAS and the commitment of each beneficiary to implement the reforms supported by the project.

The bilateral actions will be identified by analysing the outcome of the regional actions implemented as well as on the basis of specific requests coming from the beneficiaries. All identified bilateral needs will be evaluated from the technical point of view by EMSA before being submitted for approval to the Contracting Authority together with an indication of the budget to be allocated.

Expected Outputs:

- as a complement to the regional activities planned, specific needs of each beneficiary will be addressed to enhance their capacity to give full implementation to international legislation and to further enhance maritime safety, maritime security and marine pollution prevention standards in the countries.

Component 8: Communication and visibility

This component will ensure the required publicity and visibility to the project and its results. The objective will be pursued inter alia through newsletters and the publication of all material and news about the project on the EMSA website and other relevant websites as indicated by the Contracting Authority, through regular updates.

Expected Outputs (minimum):

- two newsletters per year will be prepared, published on the web and made available to all interested parties in the project; activities undertaken and related outcome will be publicised on the implementing body's website.

5 IMPLEMENTATION

5.1 Financing agreement

In order to implement this action, it is not foreseen to conclude a financing agreement with the partner country, referred to in Article 184(2)(b) of Regulation (EU, Euratom) No 966/2012.

5.2 Indicative implementation period

The indicative operational implementation period of this action, during which the activities described in section 4.1 will be carried out and the corresponding contracts and agreements implemented, is 60 months from the date of adoption by the Commission of this Action Document.

Extensions of the implementation period may be agreed by the Commission's authorising officer responsible by amending this decision and the relevant contracts and agreements; such amendments to this decision constitute technical amendments in the sense of point (i) of Article 2(3)(c) of Regulation (EU) No 236/2014.

5.3 Implementation modalities

5.3.1 Grant: direct award to the European Maritime Safety Agency (EMSA)

(a) Objectives of the grant, fields of intervention, priorities of the year and expected results.

See section 4.

(b) Justification of direct grant.

Article 190(1) (f) of Commission Delegated Regulation (EU) No 1268/2012 authorises that grants be awarded without a call for proposals for actions with specific characteristics that require a particular type of body on account of its technical competence, its high degree of specialisation, on condition that the actions concerned do not fall within the scope of a call for proposals. On this basis and under the responsibility of the Commission's authorising officer responsible, the grant may be awarded without a call for proposals to a specialised entity having relevant specific experience and capacities in the fields of intervention. For the reasons detailed below, EMSA has been identified as the most suitable entity.

EMSA, as Agency of the European Union, was given specific regulatory and executive tasks in the field of maritime safety, security and marine environmental protection.

Regulation 1406/2002 establishing EMSA was adopted by the European Parliament and the Council on 27 June 2002 and entered into force in August of the same year. EMSA provides technical and scientific assistance to the Commission in the fields of maritime safety, maritime security, prevention of pollution, and response to pollution caused by ships. Following an initiative of the IMO regarding LRIT, the EU Member States decided in 2007 to set up an EU LRIT data centre managed by the Commission, in cooperation with EU Member States.

In addition, a major component under this project is related to PSC, i.e. the upgrade and harmonization of the relevant procedures, and the need to approximate practices with the other PSC memoranda, i.e. the Paris and MED MoU. As foreseen by Directive 2009/16/EC as amended, the European Maritime Safety Agency (EMSA) provides the necessary support to ensure the convergent and effective implementation of the port State control system. EMSA in particular contributes to the development and implementation of the inspection database set up in accordance with this Directive and of a harmonised scheme for the training and assessment of competences of port State control inspectors by Member States. In addition the Agency provides technical assistance to the European Commission thus participating and often representing the latter in various meetings of the Paris MoU. Therefore, it is the most suited to achieve the necessary results.

Further related to PSC, tools developed and managed by EMSA, such as RuleCheck and MaCKs, on behalf of the EC will continue to be updated and provided to the beneficiary countries through the Secretariat of the BSMoU. These tools contribute to achieve the necessary quality of the related control tasks to be performed by the beneficiary countries.

Above elements give evidence to the specific experience, capacities and mandate in the fields of intervention justifying the direct award.

To be noted also that, based on the budget of a current project EMSA is implementing on behalf of the EC, the cost of the activities is demonstrable lower than compared to average private consortium prices, e.g. salaries of staff engaged by EMSA under the project are in total significantly lower than the total amount of average consultancy fees that would be

expected for implementing same kind of activities, whilst EMSA as an EU-Agency is also not claiming any indirect costs on the project budget.

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

Under the responsibility of the authorising officer by delegation, the recourse to an award of a grant without a call for proposals is justified because of EMSA unique mandate and specific technical expertise to execute the tasks of the project.

(c) Eligibility conditions

Not applicable.

(d) Essential selection and award criteria

The essential selection criteria are financial and operational capacity of the applicant.

The essential award criteria are relevance of the proposed action to the objectives of the action as described in this action document: design, effectiveness, feasibility, sustainability and cost-effectiveness of the action.

(e) Maximum rate of co-financing

The maximum possible rate of co-financing for this grant is 100 % in accordance with Articles 192 of Regulation (EU, Euratom) No 966/2012 if full funding is essential for the action to be carried out. The essentiality of full funding will be justified by the responsible authorising officer in the award decision, in respect of the principles of equal treatment and sound financial management.

(f) Indicative trimester to contract the potential direct grant beneficiary

2nd trimester of 2016.

5.4 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.

In accordance with Article 16 of Regulation (EU) No 232/2014 and with regard to the aim of ensuring coherence and effectiveness of EU financing, and fostering regional and trans-regional cooperation, the Commission decides that natural and legal persons from the following countries, territories or regions shall be eligible for participating in procurement and

grant awarded procedures: Iran, Kazakhstan, Turkey and Turkmenistan. The supplies originating there shall also be eligible.

The Commission's authorising officer responsible may extend the geographical eligibility in accordance with Article 9(2)(b) of Regulation (EU) No 236/2014 on the basis of urgency or of unavailability of products and services in the markets of the countries concerned, or in other duly substantiated cases where the eligibility rules would make the realisation of this action impossible or exceedingly difficult.

5.5 Indicative budget

	EU contribution (amount in EUR)	Indicative third party contribution
Direct award of a grant to EMSA (direct management)	4 000 000	N.A.
TOTAL	4 000 000	N.A.

5.6 Organisational set-up and responsibilities

The project will be managed by the European Commission, Directorate General for Neighbourhood and Enlargement Negotiations (DG NEAR) Unit C.2 – Regional Programmes Neighbourhood East.

EMSA will implement the project. The daily management of the project will be done in close cooperation with counterpart institutions, national regulatory institutions and administrations and with other relevant national authorities. EMSA shall closely coordinate with the relevant EU Delegations, in consultation with DG NEAR C.2.

5.7 Performance 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 results (outputs and direct outcomes) as measured by corresponding indicators, using as reference the logframe matrix (in annex). The report shall be laid out in such a way as to allow monitoring of the means envisaged and employed and of the budget details for the action. The final report, narrative and financial, will cover the entire period of the action implementation.

It is also foreseen that the progress and work plan of the project will be monitored and discussed by a steering committee composed of EMSA, the maritime administrations/agencies of the beneficiary countries and the European Commission (the Directorate-General Mobility and Transport (DG MOVE), the Directorate-General Maritime Affairs and Fisheries (DG MARE) and the Directorate-General for Neighbourhood and Enlargement Negotiations (DG NEAR)). It shall convene minimally once a year, in a place to be agreed with the contracting authority.

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).

5.8 Evaluation

Having regard to the nature of the action, a final evaluation will be carried out for this action or its components via independent consultants contracted by the Commission.

It will be carried out for accountability and learning purposes at various levels (including for policy revision).

The Commission shall inform the implementing partner at least two months in advance of the dates foreseen for the evaluation missions. The implementing partner shall collaborate efficiently and effectively with the evaluation experts, and inter alia provide them with all necessary information and documentation, as well as access to the project premises and activities.

The evaluation reports shall be shared with the partner countries and other key stakeholders. The implementing partner and the Commission shall analyse the conclusions and recommendations of the evaluations and, where appropriate, in agreement with the partner country, jointly decide on the follow-up actions to be taken and any adjustments necessary, including, if indicated, the reorientation of the project.

The financing of the evaluation shall be covered by another measure constituting a financing decision.

5.9 Audit

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

The financing of the audit shall be covered by another measure constituting a financing decision.

5.10 Communication and visibility

Communication and visibility of the EU is a legal obligation for all external actions funded by the EU, and will be given high importance during the implementation of the action.

This action shall contain communication and visibility measures which shall be based on a specific Communication and Visibility Plan of the Action, to be elaborated at the start of implementation and supported with the budget indicated in section 5.5 above. The implementation of the communication activities shall be mainly the responsibility of the grant beneficiary.

In terms of legal obligations on communication and visibility, the measures shall be implemented by the Commission, the partner countries, and/or the grant beneficiary. Appropriate contractual obligations shall be included in the grant contracts.

The Communication and Visibility Manual for European Union External Action shall be used to establish the Communication and Visibility Plan of the Action and the appropriate contractual obligations. Additional visibility guidelines developed by DG NEAR will be followed where appropriate. Visibility and communication actions shall demonstrate how the intervention contributes to the agreed programme objectives and the accession process. Actions shall be aimed at strengthening general public awareness and support of interventions financed and the objectives pursued. The actions shall aim at highlighting to the relevant target audiences the added value and impact of the EU's interventions. Visibility actions should also promote transparency and accountability on the use of funds.

It is the responsibility of the beneficiary to keep the EU Delegation fully informed of the planning and implementation of the specific visibility and communication activities.

The beneficiary shall report on its visibility and communication actions in the report submitted to the ENI monitoring committee and the sectoral monitoring committees.

ANNEX I - INDICATIVE LOGFRAME MATRIX

The activities, the expected outputs and all the indicators, targets and baselines included in the logframe matrix are indicative and may be updated during the implementation of the action, no amendment being required to the financing decision. When it is not possible to determine the outputs of an action at formulation stage, intermediary outcomes should be presented and the outputs defined during inception of the overall programme and its components. The indicative logframe matrix will evolve during the lifetime of the action: new lines will be added for including the activities as well as new columns for intermediary targets (milestones) for the output and outcome indicators whenever it is relevant for monitoring and reporting purposes. Note also that indicators should be disaggregated by sex whenever relevant.

	Results chain	Indicators	Baselines (incl. reference year)	Targets (incl. reference year)	Sources and means of verification	Assumptions
Overall objective: Impact	<ul style="list-style-type: none"> Improvement of maritime safety Improved security of ships and port facilities Reduced pollution to the marine environment Improved level of maritime training and qualification of seafarers Improved living and working conditions on board ships 	<ul style="list-style-type: none"> # of marine accidents to beneficiaries' vessels # and volume of accidental and deliberate discharges # of notifications to ILO on MLC deficiencies identified during PSC inspections 	<ul style="list-style-type: none"> 2015: 	2020	<ul style="list-style-type: none"> Statistics on maritime accidents and incidents National statistical information ILO secretariat 	
Specific objective(s): Outcome(s)	<ul style="list-style-type: none"> Improved capacity of the national maritime administrations to ensure that they effectively discharge their obligations as flag States. Increased approximation to EU practises in these fields. Enhanced harmonisation of inspections between MoUs on PSC; 	<ul style="list-style-type: none"> Performance of Flag States under PMoU on PSC Ratification of international conventions and adoption of national procedures National legislation and procedures in place 	<ul style="list-style-type: none"> Flag State Performance in 2015: AZ (N/A fleet operating only in the Caspian Sea) GE: currently not 	<ul style="list-style-type: none"> Flag State Performance in 2020: - improved flag performance for all 	<ul style="list-style-type: none"> PMoU database and statistics BS MoU statistics IMO audit 	<ul style="list-style-type: none"> The Beneficiary Countries governments maintain their commitment to implement changes at

	<ul style="list-style-type: none"> • Improved cooperation among beneficiary countries competent authorities, EU Member States and EU institutions. • Enhanced cooperation on PSC issues between Caspian Sea coastal states. • Improved traffic monitoring of the beneficiaries' waters through the enhancement of the national T-AIS networks • Improved traffic monitoring in the Black and Caspian sea through the provision of SAT-AIS information • Improved capacity to prevent, detect and respond to marine pollution; • Beneficiaries incentivised to ratify and are able to give full implementation to the MLC 2006 requirements. • Enhanced implementation of the maritime labour standards, the STCW convention requirements as well as the ISM Code. • Improved institutional capacity to give full implementation to the ISPS Code requirements. • Increased approximation to EU practises in the field of maritime security. 	<ul style="list-style-type: none"> • Reduced number of sub-standard ships operating in the region • Independent accident investigation bodies established • Concluded written agreements with Recognised organisations and monitoring reports • # of beneficiary countries undergoing audits under the IMSAS • Strategies and/or plans devised for the development and deployment of VTMIS in the beneficiary countries • Introduction of VTMIS systems • # of beneficiaries sharing AIS information • Countries enabled to cover the entire coastline with an AIS network • Cooperation agreements on AIS sharing • Mandatory reports under MARPOL 	<p>on Paris MoU flag performance list IR: on Paris MoU White list (excess factor -0.90) KZ: on Paris MoU White list (excess factor -0.79) MD: on Paris MoU Black list (excess factor +2.43) UA: on Paris MoU Grey list (excess factor +0.10) TU: on Paris MoU White list (excess factor - 0.65) TM: (N/A fleet operating only in the Caspian Sea)</p> <ul style="list-style-type: none"> • Conventions ratified and procedures adopted on 2015: AZ: 15 GE: 21 IR: 22 KZ: 10 MD: 10 UA: 17 TU: 18 	<p>countries on the Grey and Black Lists of the Paris MoU - upholding of the position on the White list -</p> <ul style="list-style-type: none"> • Conventions ratified and procedures adopted on 2020⁵: AZ GE: IR: KZ: MD UA: TU: TM: • National legislation and procedures 	<p>reports</p> <ul style="list-style-type: none"> • IMO GISIS • ILO database • 	<p>legislative, institutional and operational levels.</p> <ul style="list-style-type: none"> • Beneficiary Countries and EU allocate the resources necessary to implement and sustain the reforms. • Some of the tasks imply a request from the beneficiaries and their close cooperation for fulfilling them. It is assumed that the budget available and the duration of the Grant (4 years) shall be sufficient to fulfil all
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		<ul style="list-style-type: none"> • response rate (%) of the Coastal States to pollution incidents • # of beneficiary countries on the STCW White list of IMO • % of fleet (to which the MLC requirements apply) certified under MLC Convention • recognition of the BC maritime training and certification systems by the EU • # of ports covered by port facility security plan (PFSP) • % of fleet (to which the ISPS requirements apply) certified under ISPS Code - • 	<p>TM: 10</p> <ul style="list-style-type: none"> • National legislation and procedures in place on 2015⁴: AZ GE: IR: KZ: MD UA: TU: TM: • Number of beneficiaries undergone to (V)IMSAS on 2015: - 1 (GE) • # of countries sharing T-AIS data in 2015: none 	<p>in place on 2020³: AZ GE: IR: KZ: MD UA: TU: TM:</p> <p>Number of beneficiaries undergone to (V)IMSAS on 2020:- 4 (AZ, KZ, UA and TM)</p> <ul style="list-style-type: none"> • # of countries sharing T-AIS data in 2020: 3 		<p>requests however the latter will be reassessed during the lifetime of the action</p>
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⁵ to be defined after the start of the project together with the beneficiary countries, depending on the national legislative procedures and priorities

⁴ to be defined after the start of the project through Fact-finding missions

Outputs	<ul style="list-style-type: none"> • Analyses/studies of current practices and institutional arrangements and identification of measures for eliminating gaps. • Written agreements with ROs signed where not existing or aligned to ROs Code where existing • Tailor-made procedures for monitoring fleet and ROs performance proposed to beneficiaries that accepted to implement them • Tailor-made national procedures for the ratification of newly adopted international legislation proposed for adoption. • Provision of technical support to establish national marine accident investigative bodies in line with the relevant IMO Code; • Provision of training for flag State inspectors on some selected topics (i.e. checking the compliance of vessels to MARPOL Annex VI or to the MLC); • Provision of technical support to define minimum criteria for flag State inspectors; • Provision of technical support to establish a quality system for maritime administrations according to the relevant ISO standards • Support with the preparation, execution and assessment of external emergency response plans to verify their compliance with the Directive 2013/30/EC as well as with the development of a catalogue of emergency equipment and services available. • Proposal for a mandatory training scheme for PSC Officers to the BSMoU Committee; • Implementation of the mandatory training scheme 	<ul style="list-style-type: none"> • # analyses/studies • # of trainings delivered • # of experts trained • # written agreements aligned to ROs Code • # procedures for monitoring fleet and ROs performance drafted • # national procedures for the ratification of newly adopted international legislation • # countries supported to establish a marine accidents investigation body • # procedures for the continuous and systematic training of Port State Control officers • # countries supported to establish a quality management system for maritime administration • # of countries supported to prepare, execute and assess external emergency plans according to Dir 2013/30/EC • # of seminars for PSCOs organised • # signed CSN Conditions of 				
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	<p>for BSMoU PSCOs as adopted by the BSMoU committee</p> <ul style="list-style-type: none"> • Provision of tools for PSCOs (Rulecheck and Distant Learning Package-MaCKs) • Technical and operational support for the approximation to the acquis of related PSC legislation • Pilot project on T-AIS data sharing through IMDatE • Donation of lacking AIS infrastructure (AIS stations) • Training for VTS operators • Technical support for the implementation of the most updated international instruments on marine environmental protection. • Training of Integrated Maritime Data Environment (IMDatE) operators • Operational support by continuing the provision of access to EMSA's network of Oil Spills Recovery Vessels. • Pilot project on provision of CSN services through IMDatE • Access to THETIS EU and training to Inspectors for implementation of EU requirements in the area of Port Reception Facilities and Content of Sulphur in Marine Fuel, provided that they enact relevant legislation. • Technical support to comply with the EU regulation 2015/757 • Training and sharing best practices on the implementation of the MLC 2006 and related human element - IMO and ILO legislation. 	<p>Use</p> <ul style="list-style-type: none"> • # CleanSeaNet images • # of users for RuleCheck and MaCKs • # of AIS stations donated • # of trained IMDatE operators • # of VTS operators trained • # of images provided to beneficiaries which have signed the CSN CoU • # of access to THETIS EU • # of countries supported to comply with EU Regulation 2015/757 • # external emergency response plans • # catalogue of emergency equipment and services 				
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	<ul style="list-style-type: none"> • Training on periodical reviews of security assessments and of security plans (ship, port facility and port) • Training of internal and external auditors with practical demonstration of security audit (port facilities, ports and maritime companies) • Table top exercises on conducting security assessments and drafting security plans (mainly but not restricted to port facilities and ports) • Training on guidance and supervision of Recognised Security Organisations 					
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ANNEX II: Ratification of conventions by the beneficiary countries⁶

	AZ	GE	IR	MD	TM	TR	UA	KZ
International Maritime Organisation Convention	X	X	X	X	X	X	X	X
Convention for Safety of the Life at Sea (SOLAS) 1974	X	X	X	X	X	X	X	X
SOLAS - Protocol 1978			X			X	X	X
SOLAS - Protocol 1988	X	X	X	X			X	X
SOLAS - Agreement 1996								
Convention on Load Lines 1966	X	X	X	X	X	X	X	X
Convention on Load Lines - Protocol 1988	X		X	X		X		X
Convention on Tonnage Measurement of Ships	X	X	X	X	X	X	X	X
Convention on the International Regulations for Preventing Collisions at Sea (COLREG)	X	X	X	X	X	X	X	X
Convention for Safe Containers (CSC)		X	X			X	X	X
Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW)	X	X	X	X	X	X	X	X
Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessels (STCW-F)							X	

⁶ The fact that countries have ratified a convention does not necessarily mean that they have updated their legislation to align it with the up to date version of the instrument. Hence fact finding missions to establish the level of alignment remains necessary.

	AZ	GE	IR	MD	TM	TR	UA	KZ
International Mobile Satellite Organization (IMSO)		X	X			X	X	
International Convention on Maritime Search and Rescue		X	X			X	X	
Operating Agreement on the International Maritime Satellite Organisation (INMARSAT)			X			X	X	
Convention on Facilitation of International Maritime Traffic	X	X	X				X	
Convention for the Prevention of Pollution from Ships (MARPOL) - Annex I through Annex V	X	X	X	X	X	X	X	X
MARPOL - Annex VI	X		X		X	X	X	
Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter (London Convention) 1972	X		X				X	
Protocol to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter (London Protocol) - 1996		X						
Convention Relating to Intervention on the High Seas in Cases of Oil Pollution Casualties (INTERVENTION) - 1969		X	X				X	
INTERVENTION – Protocol 1973		X	X					
International Convention on Civil Liability for Oil Pollution Damage (CLC) 1969	X	X			X			X
CLC - Protocol 1976	X	X						
CLC - Protocol 1992	X	X	X	X	X	X	X	
Protocol to amend the Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage (FUND PROT) - Protocol 1992		X	X			X		

	AZ	GE	IR	MD	TM	TR	UA	KZ
Supplementary Fund to FUND PROT (Protocol 1992) - 2003						X		
Athens Convention relating to the Carriage of Passengers and their Luggage by Sea (PAL) 1974 and Protocol 19976		X	X				X	
Convention on Limitation of Liability for Maritime Claims (LLMC) 1976	X	X	X			X		
LLMC – Protocol 1996			X			X		
Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation including Protocol (SUA) 1988	X	X	X	X	X	X	X	X
SUA - Protocol 2005						X		
International Convention on Salvage (SALVAGE)	X	X	X			X		
Convention on Oil Pollution Preparedness, Response and Co-operation (OPRC) 1990	X	X	X			X		
Protocol on Preparedness, Response and Co-operation to pollution Incidents by Hazardous and Noxious Substances (OPRC-HNS Protocol) 2000			X			X		
International Convention on Civil Liability for Bunker Oil Pollution Damage (BUNKER)	X		X			X		
Ballast Water Management Convention (BWM)		X	X			X		
United Nations Convention on the Law of the Seas (UNCLOS)		X		X			X	
ILO Maritime Labour Convention (MLC)			X					