1. Background and justification

The EU maritime safety and pollution prevention policy consists of a large number of legal measures, which cover the key aspects of the International Maritime Organization (hereinafter – IMO) Conventions in force. The main objective is to ensure the efficient and uniform application of the international rules within the European Union. In order to be effective, such legislation must be applied in a proper and uniform manner throughout the Community. It is indeed the rigorous implementation of the existing rules which may enhance safety at sea and pollution prevention in the Community waters, and its harmonised application which may ensure a level playing field, reduce the distortion of competition resulting from the economic advantages enjoyed by non-complying ships and reward the serious maritime players.

In this context, Lithuanian Maritime Safety Administration (hereinafter - LMSA) was established in June 2002 in order to pursue the implementation of the requirements of legal acts of the Republic of Lithuania and international legislation on maritime safety and to ensure the state supervision of the fulfilment thereof. In order to harmonise the conditions for enforcement, in respect of shipping using Community ports and sailing in the EU waters, of international standards for ship safety and pollution prevention Council Directive 95/21/EC on Port State Control was adopted on 19 June 1995. This directive, together with its later amendments incorporates Paris Memorandum of Understanding on Port State Control (hereinafter – Paris MOU) standards and procedures on Port State Control within EU.

In October 2003, the Secretariat of Paris MOU performed an audit in the LMSA to verify how port state control activities comply with the requirements of Paris MOU. LMSA was assessed positively, although some recommendations were proposed (e.g. PSC officers of LMSA should gain more experience in systematic Port State Control inspections, including ILO (International Labour Organization) requirements, preferably by establishing an exchange program with other MOU Members.). In May of 2003, Lithuania became an associated member of Paris MOU. The Lithuania gained full membership of Paris MOU in 2006. In order to perform Port State Control in accordance with the requirements of the EU and national legislation and fulfil international maritime safety requirements, the Maritime Safety Department of the LMSA has been strengthened by employing competent experts, improving employees’ professional skills. However, newly employed staff due to lack of experience on enforcement of EU legislation, needs training and on-hands experience, with key attention on inspecting of certain types of ships (e.g. product carriers, chemical tankers). To this end and with a clear focus on harmonised application of relevant EU legislation LMSA is seeking on-job training of its staff in other Member State’s Maritime authority. Due to recent retirement of experienced Port State Control (PSC) officers and lack of experienced PSC officers within LMSA, on the job training of new Port State Control (PSC) officers within LMSA are limited. It should be noted, that specific inspection requirements set by Paris MOU and EU that requires ships to be inspected in EU ports every six months (once inspected ship normally can not be inspected six months in ports of other EU Member States, because ships would be unduly delayed) and taking into account the fact, that vessel traffic in Klaipėda seaport is not intense enough (especially some types of ships - chemical tankers, etc) on the job training should be given
in Member State with large numbers of ships entering its ports, where well established PSC system, procedures and resources are available.

The project is in line with the provisions of Article 34 of Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded, which states that Union shall provide temporary financial assistance, (Transition Facility), to the new Member States to develop and strengthen their administrative capacity to implement and enforce Community legislation and to foster exchange of best practice among peers (para 2 clause 10 - strengthening public administration according to needs identified in the Commission's comprehensive monitoring report which are not covered by the Structural Funds).

Commission’s comprehensive monitoring report on Lithuania’s preparations for membership stated, that in the area of maritime transport, Lithuania needs to adopt implementing legislation and further reinforce its administrative capacity. The report also states, that the Lithuania Maritime Safety Administration needs further strengthening. The project is also in line with findings and recommendations of Paris MOU monitoring team, adopted after visit to Lithuania in October 2003. One of recommendations states, that PSC officers of LMSA should gain more experience in systematic Port State Control inspections, including ILO requirements, preferably by establishing an exchange program with other MOU Members.

Paragraph 61 of Long-Term Development Strategy of Lithuania’s transport system (until 2025), as approved by Resolution No. 692 of June 23, 2005 of the Government of the Republic of Lithuania sets tasks of further development of maritime safety legislation and strengthening of monitoring and control of shipping.

Linked activities

1. This project is linked to PHARE Project LT0005-01 “Maritime Safety and Development of a Port Information System” (0.7 M Euro), which took place in years 2001-2003. Finnish and Swedish maritime administrations have been involved in this Twinning project, with the aim of enhancing administrative capacities of Lithuania to meet EU requirements. This 2 year Project was aimed to establish Port information system (PIS), in order to facilitate collection, storage and exchange of information available in order to minimise dangers for human life at sea and for marine environment, and to facilitate Search and Rescue, as well as through Port State inspection, eliminate substandard shipping. It included following components:

   • Designing of a system with regards to passenger registration and ships reporting,
   • Designing of a system with regards to Port State Control,
   • Training of Maritime Search and Rescue Co-ordination Centre operators and Port State Control inspectors.

2. In 2003 European Institute (Denmark) with Lithuanian Maritime Safety Administration and Ministry of Transport and Communications of the Republic of Lithuania implemented the project “Strengthening Maritime Safety in Lithuania”. The overall objective of the project was to assist the Lithuanian authorities in transposing and enforcing the acquis related to maritime safety in particular to:

   • the remaining areas as highlighted in the Commission Regular Report on Lithuania's Progress Towards Accession from October 2002 and;
   • the new proposals from the Commission as a consequence of the conclusion in the European Council in Copenhagen on December 2002 - due to, among others, the accident of the oil tanker Prestige.

The project included following components:
• Strengthening administrative capacity for drafting legislation;
• The EU maritime negotiations and co-operation process;
• Port State Control (PSC) and Flag State Control (FSC);
• Safety of navigation in Lithuanian waters;
• Fishing vessels.

The envisaged Twinning project has to base on the achieved benchmarks and results in the frames of previous above mentioned activities with a view to further strengthening of administrative capabilities of the LMSA in maritime administration, maritime safety and environment protection.

2. **Description of the Assignment**

2.1. **The beneficiaries**

The beneficiary is Lithuanian Maritime Safety Administration. Lithuanian Maritime Safety Administration, an independent maritime state institution, started its activity in 2002, implementing the set of tasks: implementation of the compliance with the provisions of laws and other legal acts of the Republic of Lithuania, international maritime legal acts which regulate maritime safety, in navigation enterprises, ships and sea ports, as well as State control of the compliance with the provisions of laws and other legal acts of the Republic of Lithuania, international maritime legal acts which regulate maritime safety and prevention of pollution from ships.

Two structural units of the LMSA will be directly involved in the project, namely: Maritime Safety Department (Flag and Port State Control division) and International Relations Department. Flag and Port State Control division of Maritime Safety Department is directly responsible for fulfilment of Port State and Flag State Control duties in ports and offshore terminals of Republic of Lithuania and Flag State Control duties in respect of ships flying the flag of Republic of Lithuania. The total staff of the Maritime Safety Department amounts to 16 persons (Flag and Port State Control division employs 11 persons). In order to build up its technical and operational competence, the LMSA has increased its staffing level and provided initial training relating to port state control (3 PSC/FSC officers were employed). These efforts however need to continue to be further augmented through further recruitment and additional training as well as through strong networking with organisations similar or relevant to the LMSA.

Taking into account this fact, training should be given within other Member State’s Maritime authority, what will allow newly employed staff get familiar with full process of Port State Control procedure (selection, targeting ships for inspection, inspection procedures of specific types of ships). Afterwards, trained staff will be involved in training as trainers.

International Relations Department is directly responsible for implementation of EU legislation and coordinates Quality management system within LMSA.

The nominated Project Leader from the Lithuanian side is:

Mr. Robertinas Tarasevičius,
Deputy Director
Lithuanian Maritime Safety Administration,
Janonio str. 24, LT-92251 Klaipėda, Lithuania
Ph. +37046469603,
Fax +370 46 469600,
e-mail: robertinas.tarasevicius@msa.lt
The contact point will be:
Mr. Mindaugas Ėsnauskis,
Lithuanian Maritime Safety Administration,
Janonio str. 24, LT-92251 Klaipėda, Lithuania
Ph. +370 46 469640,
Fax +370 46 469600,
e-mail: info@msa.lt.

2.2. Global and Specific Objectives

Overall Objective(s): further strengthening of administrative capabilities of the LMSA in maritime administration, maritime safety and environment protection measures through exchange of experts and introduction of EU best practices in order to ensure efficient and effective Port State Control in Lithuanian ports and offshore terminals. The specific objectives of the project are as follows:

- support for the Lithuanian Maritime Safety Administration in preparation and performance of training programme and materials for new PSC officers (theoretical and practical), with key attention on inspecting of certain types of ships (e.g. product carriers, chemical tankers).
- preparation of recommendations on the further actions, including corrective and preventive steps or measures for Port State Control procedures applied by Lithuanian Maritime Safety Administration.

2.3. Requested services

The assistance required from the Member State is:
- expert advice to carry out the activities mentioned hereunder on the basis of transferring the best practice approach;
- “on-job training” of its staff in other Member State’s Maritime authority;
- organization of seminars/workshops covering both legal and practical aspects related to Port State Control functions, required by Community acquis.

Required Input
A team of Twinning-Light/Short-term Advisers will provide advice to the LMSA. It is expected that it will involve one Project Leader (PSC affairs) who will be involved for 4 months over a 6 month period, with additional specialist advisers used for shorter periods.

Assessment of existing procedures on PSC inspections, their compliance with EU requirements (fact finding mission in the LMSA) and preparation of recommendations on further actions - corrective or steps or measures, with respect to the existing Port State Control activities including quality management system (Port State Control procedures) is required.


Indicative topics of the seminars would be as follows:
• EU legislation on Port State Control;
• Inspection of specific types of ships - oil tankers, product carriers;
• EU legislation on port state control (specific issues – surveys of ro-ro ferries, ISPS and ILO matters).

In addition, organization of 2 weeks “on job” training for 3 LMSA PSC officers is required. It should be noted, that according to the provisions of EU Directive 95/21/EC and procedures of Paris MOU, in order to avoid undue delays of vessels, ships may be selected for Port State Control inspection only if 6 months passed from their previous inspection within Paris MOU region. In order to gain sufficient experience and knowledge sufficient number of inspections should be performed (5-7 inspections per visit). Dynamics of ships movements within Paris MOU region, shows that such numbers of inspections in average EU port may be performed in two weeks.

Indicative work plan:

<table>
<thead>
<tr>
<th>Activities</th>
<th>Input, man days</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Leader and project management</td>
<td>15</td>
</tr>
<tr>
<td>Assessment of activities, functions, facilities and documentation related to port state control performed by LMSA.</td>
<td>3 7</td>
</tr>
<tr>
<td>Preparation of training materials and programme for seminars on PSC matters. Seminars/workshops on PSC matters</td>
<td>15 3</td>
</tr>
<tr>
<td>Assistance in carrying out activities as inspection of various types of ships, implementation of EU legislation.</td>
<td>3 1</td>
</tr>
<tr>
<td>“on job” training of PSC officers</td>
<td>30</td>
</tr>
<tr>
<td>Preparation of recommendations on further actions, including corrective or steps or measures, with respect to the existing Port State Control activities including quality management system (Port State Control procedures)</td>
<td>2 2</td>
</tr>
<tr>
<td>TOTAL</td>
<td>23 24 34 81</td>
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</tbody>
</table>

2.4. Expected results:

The project is expected to deliver the following results:
- Activities, functions, facilities and documentation related to port state control functions evaluated and documented;
- quality of the PSC inspections performed evaluated and documented;
- LMSA personnel (3 PSC officers) are trained on specific PSC duties e.g. inspection of specific types of ships, as follow-up, these officers will be able to perform training of other PSC officers in Lithuania („train the trainer“);
- recommendations on the further actions, including corrective steps or measures, with respect to the existing port State activities including quality management system (Port State Control procedures) (provided and, as follow-up, the quality management system (Port State Control procedures) amended (if necessary);
- Efficiency of inspection of foreign ships (certain types) in Lithuanian ports raised with the aim to reach to the standards of the Paris MOU.
3. Experts profile

**General profile of the Advisers:**
All advisers should ideally have a minimum 5 years of relevant experience of working in national authorities, dealing with maritime and EU matters. They are required to provide/contribute to the project activities in fluent spoken and written English.

**Project Leader** (Twinning-Light Adviser):
He/she should have university degree in maritime field, expertise in project management, especially previous experience in other twinning projects and in maritime transport sector. He/she should be official from relevant national Member State administration. He/she must be well acquainted with the mechanisms of institution building and the EU acquis on maritime safety as well on maritime administration and survey (PSC experience). Organisation and implementation of training programmes on maritime safety matters is an asset. Having good management skills is essential.
In order to maximise on the cost element, it is expected that the Project Leader also serves as an Maritime Expert.

**Expert 1: Maritime Expert**
He/she should have university degree in maritime field, mariner background with experience relating the operations of national maritime administration, including sound knowledge of PSC activities. Experience in implementation of relevant EU maritime safety legislative provisions and operational procedures is essential.

**Expert 2: PSC Expert**
Experienced Port State Control officer, having university degree in maritime field and working within maritime administration of a Member State. Experience in implementation of relevant IMO and EU maritime safety legislative provisions and operational procedures is essential. Knowledge of databases on ships inspection reports such as Sirenac, Equasis and others is highly desirable. Broad knowledge of maritime safety legislation and policy is an asset. This expert is expected to be the “trainer” while performing “on-job” training of LMSA PSC officers.

4. Location and duration

The project will commence on April 2007 and will end on September 2007. The project duration will be of 6 months.

<table>
<thead>
<tr>
<th>No.</th>
<th>Activities</th>
<th>Input, man days</th>
<th>Apr</th>
<th>May</th>
<th>Jun</th>
<th>Jul</th>
<th>Aug</th>
<th>Sep</th>
</tr>
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<tbody>
<tr>
<td>1.</td>
<td>Project Leader and project management</td>
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<tr>
<td>2.</td>
<td>Assessment of activities, functions, facilities and documentation related to Port State Control functions performed by LMSA.</td>
<td>10</td>
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<tr>
<td>3.</td>
<td>Assistance in carrying out PSC activities as inspection of specific types of ships</td>
<td>4</td>
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<tr>
<td>4.</td>
<td>“on job” training of PSC officers</td>
<td>30</td>
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<tr>
<td>5.</td>
<td>Preparation of training materials and programme for seminars PSC matters. Seminars/workshops on PSC matters:</td>
<td>18</td>
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<tr>
<td></td>
<td>• EU legislation on Port State Control</td>
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<tr>
<td></td>
<td>• Inspection of specific types of ships - oil tankers, product carriers.</td>
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<tr>
<td></td>
<td>• EU legislation on Port State Control (specific issues – surveys of ro-ro ferries, ISPS and ILO matters)</td>
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<tr>
<td>6.</td>
<td>Preparation and provision of recommendations on further actions, including corrective steps or measures, with respect to the existing Port State Control activities including quality management system (Port State Control procedures).</td>
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<td></td>
<td><strong>TOTAL</strong></td>
<td><strong>81</strong></td>
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</tbody>
</table>
The project shall be carried out in Klaipėda. The twinning team will be located at the LMSA. The experts will be provided with the office space etc.

5. Reporting and monitoring

This Twinning light project is subject to the same monitoring procedures as standard Twinning. The Start-up report and a Final Report shall be prepared and submitted as defined in the Twinning Manual.

The start-up report covering the first two months of the contract should be submitted during the third month. EU experts shall prepare the detailed information about their findings respectively reviewing during the inception phase with the complex work plan for the project;

*Final report* shall be prepared, co-signed and submitted to the CPMA. The final report shall be forwarded no later than 3 months after the implementation period. The final report shall summarize and evaluate the outcome, experience and problems encountered and prepare recommendations for the further development.

All reports must be written in the standard (EU-PHARE) format in English. This report will describe the results of the project, compare these with the original objectives and assess the success of the project. It shall highlight any lessons learnt.

All these reports shall be submitted to the Central Project Management Agency. One copy should be sent at the same moment to the European Commission.

*For the coordination and monitoring of the project a Steering Committee will be established with the members from the following institutions:*
  Lithuanian Maritime Safety Administration;
  Ministry of Transport and Communications;
  Central Project Management Agency (CPMA);
  Ministry of Finance: EU Assistance Co-ordination Division within EU Programme Management Department.

The Steering Committee will meet once per three months or more frequently when necessary.

Project language - English.

6. Total budget of the project

Expecting value of Twinning is 100 000 Euros. 2 000 EUR will be meant for audit costs, 5 000 EUR – for translation/interpretation taking into account previous experiences and the number of documents should be translated and 3 900 EUR will be intended to cover other incidental expenses („contingency costs”).
LOGFRAME PLANNING MATRIX FOR THE PROJECT:
Strengthening of administrative capacity of the Lithuanian Maritime Safety Administration in application of European Union maritime safety legislation

<table>
<thead>
<tr>
<th>Programme name and number</th>
<th>Contracting period expires: 4Q/07</th>
<th>Disbursement period expires: 4Q/08</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Budget: 0.1 MEUR</td>
<td>TF budget: 0.1 MEUR</td>
<td></td>
</tr>
</tbody>
</table>

### Overall objective
- further strengthening of administrative capabilities of the LMSA in maritime administration, maritime safety and environment protection measures through exchange of experts and introduction of EU best practices and standards in the field of maritime safety and prevention of pollution from ships.

### Objectively verifiable indicators
- Port State Control activities (inspecting of certain types of ships) operates in accordance with the EU requirements

### Sources of Verification
- LMSA, MoTC documents;
- Paris MOU and EU reports;
- Project Monitoring and Evaluation reports.

### Project purpose
- support for the Lithuanian Maritime Safety Administration in preparation and performance of training programme and materials for new PSC officers (theoretical and practical), with key attention on inspecting of certain types of ships (e.g. product carriers, chemical tankers).
- Preparation of recommendations on the further actions, including corrective and preventive steps or measures for Port State Control procedures applied by Lithuanian Maritime Safety Administration.

### Objectively verifiable indicators
- LMSA personnel (15 persons) trained and qualified on specific PSC activities (inspecting of certain types of ships) and on PSC acquis.
- Final documents with written recommendations presented
- Procedures for Port State Control of quality

### Sources of Verification
- Project documentation.
- Visit reports and follow-up actions.

### Assumptions
- Project management (implementation, monitoring and assessment) is efficient and effective.
- Coordination and cooperation among contractors, beneficiary, other involved institutions is effective and efficient.
### Results

- Recommendations on the further actions, including corrective steps or measures, with respect to the existing port State activities including quality management system (Port State Control procedures) (provided and, as follow-up, the quality management system (Port State Control procedures) amended (if necessary)

- LMSA personnel (3 PSC officers) are trained on specific PSC duties e.g. inspection of specific types of ships. LMSA staff trained on PSC acquis.

  - EU legislation on Port State Control;
  - Inspection of specific types of ships - oil tankers, product carriers;
  - EU legislation on Port State Control (specific issues – surveys of ro-ro ferries, ISPS and ILO matters).

- Assessment conducted of activities, functions, facilities and documentation related to Port State Control functions performed by LMSA and recommendations prepared.

### Objectively verifiable indicators

- Written recommendations provided and procedures for Port State Control of quality management system (Port State Control procedures) has been amended and approved by the Order of Director General of LMSA (accordingly to recommendations presented).

- 3 PSC inspectors trained in a Maritime administration of a Member State on PSC duties

- LMSA personnel (up to 15 civil servants) trained and qualified.

- Written recommendations provided on Port State Control functions performed by LMSA.

### Sources of Verification

- Project documentation.
- Visit reports and follow-up actions.
- Project Monitoring and Evaluation reports.
- Interviews, valuation of seminars.
- Manuals of training.

### Assumptions

- Project management (implementation, monitoring and assessment) is efficient and effective.
- Coordination and cooperation among contractors, beneficiary, other involved institutions is effective and efficient.
<table>
<thead>
<tr>
<th>Activities</th>
<th>Means</th>
<th>Assumptions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assistance in carrying out activities as inspection of specific types of ships, implementation of EU legislation and “on job” training of PSC officers;</td>
<td>TWL 6 month</td>
<td>Successful start and smooth implementation of the project.</td>
</tr>
<tr>
<td>Preparation of training materials and programme for seminars on EU and PSC matters;</td>
<td></td>
<td>Potential project applicants capable to prepare and implement projects in sufficient and good quality.</td>
</tr>
<tr>
<td>Seminars/workshops on PSC matters;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assessment of activities, functions, facilities and documentation related to Port State Control functions performed by LMSA.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Production of recommendations on further actions, including corrective or steps or measures, with respect to the existing Port State Control activities including quality management system (Port State Control procedures).</td>
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</tbody>
</table>

**Preconditions**
- Suitable twinning partner can be found.