

STANDARD TWINNING LIGHT PROJECT FICHE

ABBREVIATIONS

| | |
|---------|---------------------------------------------------|
| BC | Beneficiary Country |
| BCPL | Beneficiary Project Leader |
| EC | European Commission |
| ENI | European Neighbourhood Instrument |
| ENP | European Neighbourhood Policy |
| ENPI | European Neighbourhood and Partnership Instrument |
| EUD | European Union Delegation in Moldova |
| EU | European Union |
| ILO | International Labour Organisation |
| IMO | International Maritime Organisation |
| MOU | Memorandum of Understanding |
| MTRI | Ministry of Transport and Road Infrastructure |
| MS | Member State of the European Union |
| MSPL | Project Leader from the Member State |
| PL | Project Leader |
| RO | Recognised Organisations |
| RM | Republic of Moldova |
| STE | Short term expert |
| TNA | Training Needs Analysis |
| ToR | Terms of Reference |
| TRACECA | Transport Corridor Europe Caucasus Asia |
| WB | World Bank |

1. Basic Information

1.1 Programme: 2013/024-403 Framework Programme in support of EU – Republic of Moldova Agreements 2013

1.2 Twinning Number: MD 13 ENPI TR 01 16 TWL

1.3 Title: Implementation of the Maritime and Inland Waterways Transport Acquis, Strengthening of the Institutions and Compliance with the flag and port State duties of the Republic of Moldova

1.4 Sector: Maritime and Inland Waterways Transport

1.5 Beneficiary Country: Republic of Moldova

2. Objectives

2.1 Overall Objectives:

Restructuring of the Moldovan institutions for Maritime and Inland Waterways by the establishment of an adequate organization that will promote the governance of this sector, compliance with international conventions and harmonization with the EU *Acquis Communautaire*, as well as developing and improving their performance and operational capabilities, especially in terms of ship registration, flag and port State control and interaction with the Recognized Organizations (RO)

2.2 Project purpose:

To support the administration and the institutions of Maritime/Inland Waterways in:

- Establishment of a new organization of Maritime/Inland waterways including the creation of the Waterborne Agency (through reorganisation of Giurgiulesti Port Harbour Master Service) and clarifying the role of each stakeholder and their complementarity
- Compliance of the Moldovan regulatory framework with the provisions of international conventions and harmonization with the EU *Acquis Communautaire*;
- Development and implementation of practices (rules and procedures) for strengthening the technical and operational capacities of the Maritime/Inland Waterways institutions, particularly in terms of ship registration, flag and port State control and interaction with the Recognized Organizations;
- Fulfilling all the conditions to be removed from the Black List of the Paris Memorandum of Understanding;
- Development and implementation of a plan for training and skills transfer.

2.3 Contribution to National Development Plan/Cooperation agreement/Association Agreement/Action Plan

Approval and execution of the assistance project to the Maritime/Waterways Administration of the Republic of Moldova will contribute to the implementation of the provisions of 11 EU directives and regulations stipulated in the EU-Moldova Association Agreement.

This project will also help Moldova to comply with requirements from the **National Action Plan for the implementation of the RM-EU Association Agreement 2014-2016** (*approved by Government Decision on - 07 October 2014*), especially with the Chapter 15 Transport and the articles 74 and 75 of the Chapter 13 Fisheries and Maritime Policy of the Association Agreement.

This project is compliant with the Order of the Government of the Republic of Moldova n° 38, on February 1st 2016, about the approval of the National Plan of Harmonisation of the Legislation for 2016.

3. Description

3.1 Background and justification:

Republic of Moldova is a land-locked country and as such does not have long Maritime traditions. Recent years, however, have seen a significant increase of Maritime activities due to the adoption of open registration policies and the development and operation of the port of Giurgiulesti (430 meters long stretch of the River Danube). The Moldovan registered merchant fleet (370 ships) is continuously in the **black list of the Paris Memorandum of Understanding on Port State Control** (Paris MOU) as a result of insufficient flag state control under the IMO conventions to which it is a party.

By signing of Association Agreement with EU, Republic of Moldova has **to implement 23 EU legislative acts in Maritime/Waterways sector**. Some assistance regarding implementation of requirements for Flag State Control and Port State Control was received during one short-term Technical assistance project in summer 2014. Some proposals for amendments to the legislative acts and many procedural documents were drafted. After, a plan for getting out of the black list of the Paris Memorandum of Understanding on Port State Control was elaborated. But, though there are certain legal acts that may assist the implementation of the requirements of international conventions to which Moldova is a party, most deficiencies are caused by failure to implement and enforce existing commitments.

Functions of a maritime administration today are performed by Public Institution Giurgiulesti Port Harbor Master. The Ministry of Transport and Road Infrastructure plans to reorganize this public institution and set up a Governmental Agency. In this context, there is a need to establish well documented processes for the future reorganized Agency and draft a strong legislative framework necessary for the implementation and enforcement of relevant EU Directives and Regulations.

Therefore this project is envisaged for assistance in preparation of reorganization by establishing of a legal and operational framework and training of staff so that reorganized institution can meet requirements of international conventions and relevant EU legislative acts and perform functions of a maritime/waterways administration.

3.2 Linked activities (*other international and national initiatives*):

The EU-funded TRACECA Maritime Safety & Security II Project was designed to develop co-operation in the field of maritime safety, security and protection of the marine

environment by providing technical expertise and support to the countries members of the TRACECA organization.

Direct beneficiary countries are Eastern Partnership partners: Armenia, Azerbaijan, Georgia, Moldova, Ukraine; and the Central Asia TRACECA countries: Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan. Indirect beneficiaries are Bulgaria, Romania and Turkey.

The overall objectives of the project are to approximate the partners' legislations with the EU regulatory framework, support the further ratification and implementation of international maritime safety and security conventions of the International Maritime Organization (IMO) and International Labour Organization (ILO) as well as improving the level of quality and coordination of maritime administrations in the Black Sea and Caspian Sea partner countries.

3.3 Results:

Result A:

A new organisation for the Inland Waterways/Maritime institutions is approved

Mandatory Result:

- Legal framework and structure of the new Agency are designed

Result B:

The Moldovan legal framework for Inland Waterways/Maritime is drafted in compliance with international conventions and harmonized with EU Acquis Communautaire, according to the Association Agreement

Mandatory Result:

- Relevant legal framework is prepared and in line with International conventions and EU acquis

Result C:

Moldovan ships' registration procedures and Flag state control is compliant with international standards and EU requirements

Well-designed procedures, guidelines and methodologies for working with the RO are established

Mandatory Results:

- Procedures related to ship inspection drafted
- Procedures related to Flag and Port State control drafted
- Database designed
- Guidelines and methodology for working with the RO designed

Result D:

A training plan is developed and implemented and the transfer of skills regarding EU best practice is on the way. Training sessions are performed and study visits are conducted.

Mandatory Results:

- Training plan developed and approved
- Training sessions (3) performed
- Study visits (2) conducted and participants are aware about best practice for ship registration and flag and port controls

3.4 Activities

Activity 0.1 Opening Conference

A half day Opening Conference (about 20 participants) will be organized in the first month after the project start aiming at launching and presenting the project to the stakeholders, the media and the public at large. In order to guarantee large public information about the start of the project, the meeting will be concluded with a press release.

The Conference will be organized by MTRI and Harbour Master of Giurgiulesti Port in cooperation with the EUD and the embassy (ies) of the country (ies) involved.

Results: Stakeholders, media and public informed about the start and content of the project by beginning of month 1.

Resources: PL 1 mission, interpretation.

Activity 0.2 Steering Committee Meetings

Regular Steering Committee meetings to promote effective management and monitoring of project activities shall be organised. The Steering Committee shall meet at least once every three months. Progress in the areas of the project's interventions will be discussed with the beneficiary and the members of the Steering Committee. The interim progress report will be approved within the Steering Committee meetings.

The Steering Committee meetings will be organized and hosted by MTRI and Harbour Master of Giurgiulesti. Beneficiary shall also provide the Secretariat of the Steering Committee. Final Steering Committee will be held following the Closing Conference.

Resources: PL 1 mission, interpretation.

Activity 0.3 Closure Conference

A closing conference (wrap up meeting) will be held during the last month of the project at which the results and impact of the project will be presented. The Conference will present recommendations for possible follow-up and lessons learned for similar projects. Project will invite the beneficiary, Moldovan Government, interested parties in accreditation, civil society, other donors and media to the closing conference. The Closing conference will be followed by the final Steering Committee.

The Closing Conference will contain a press release.

Results: Closing conference organized, recommendations and lessons learned formulated and discussed. Stakeholders, media and public informed about the results of the project at its end.

Resources: PL 1 mission, interpretation.

- **Activities in connection with Result A (Component A: Restructuring of the inland waterways/ maritime institutions and strengthening their administrative and technical capacities:**
- **Activity A.1.** Expert missions for analysis of practical aspects of reorganization of Giurgulesti Harbour Master Services into a state agency, performing functions of a maritime administration.
Two experts will come for assessing the existing organisation, will share their experience and will propose the best practice for transforming this organisation into a state agency in full accordance with the EU requirements. They will identify the gaps in the existing organisation and will propose recommendations and a new structure for the maritime administration.
- Benchmark: The output of this activity will be a report indicating the gaps and weaknesses of the current organisation and describing the recommendations for the proposed new organisation, including structure and organigram.
Resources: 2 experts, 1 mission 5 WD each one, interpretation, translation.
- **Activity A.2.** Workshop on the EU best practice and definition of a relevant organisation for Moldova.
One expert will come for organising a workshop on the EU best practice. The aim of this activity is to present the different organisations of maritime/waterways administration within the MS, including plus and minus, and to propose the most adequate structure for Moldova, taking into account local specificities and resources available.
- Benchmark: The output of this activity will be a workshop describing the EU best practice and the proposed organisation for Moldova.
Resources: 1 expert, 1 mission, 5 WD, interpretation, translation.
- **Activity A.3.** Expert missions for development and improvement of instruments and internal procedures within the waterborne agency.
Two experts will come for drafting the legal framework and the internal rules and functioning procedures of the new agency.
- Benchmark: The output of this activity will be a report describing amendments to the existing legal framework, the internal rules and the functioning procedures of the proposed structure.
Resources: 2 experts, 1 mission 5 WD each one, interpretation, translation.
- **Activity A.4.** Elaboration of procedures/rules to attract external inspectors, outsource inspections and create network of independent flag State inspectors in other ports.
Two experts will come for drafting rules and procedures for attracting external inspectors. Moldova is currently facing huge difficulties in recruiting inspectors and needs new ideas, incentives for attracting young and educated people. The aim of this

activity is to create a network of independent inspectors through new ideas for attracting them in maritime administration, sharing experience from other MS.

- Benchmark: The output of this activity will be a report describing the proposed measures for attracting new inspectors and creating this network.

Resources: 2 experts, 1 mission 5 WD each one, interpretation, translation.

- **Activities in connection with Result B (Component B: Updating the Legal framework for Inland Waterways / Maritime in Moldova in compliance with international conventions and harmonization with the EU Acquis):**

- **Activity B.1.** Analysis of existing and planned (drafted) legislation regarding Inland Waterways/Maritime, identifying gaps from the existing national legislation and elaboration of proposals for modifications of legislative acts.

One expert will come two weeks for assessing the existing legislation, will share his experience in the transposition of the EU Acquis and will propose the necessary amendments to the existing legal framework, to be compliant with the EU requirements.

- Benchmark: The output of this activity will be the draft amendments to the existing legislation.

Resources: 1 expert, 2 missions 5 WD each, interpretation, translation.

- **Activity B.2.** Expert missions for elaboration of proposal for the system of non-compliance sanctions and related amendments to the legislative acts.

One expert will come for two weeks for drafting a system of sanctions for non-compliance with the international standards, sharing his experience in this domain. He will also have to propose the necessary amendments to the existing legal framework of sanctions and to make it compliant with the EU requirements.

- Benchmark: The output of this activity will be a system of sanctions (and its legal framework) compliant with the EU *Acquis Communautaire*.

Resources: 1 expert, 2 missions 5 WD each, interpretation, translation.

- **Activity B.3.** Expert missions for advice on other necessary activities to implement requirements of related EU legislative acts.

One expert will come for two weeks for providing assistance in the implementation of the relevant legal acts. Moldova is regularly facing problems with the implementation of the new drafted legal acts, due to administrative problems. The aim of this activity is to identify the bottle necks, the absorption capacity and to propose recommendations for a better implementation.

- Benchmark: The output of this activity will be a report identifying bottle necks/problems in the implementation of the new legal acts and recommendations for solving these issues.

Resources: 1 expert, 2 missions 5 WD each, interpretation, translation.

- **Activity B.4.** Expert missions for analysis of updated legal framework and procedures for inspection of ships, paid by ship owners.

One expert will come for two weeks for working on ship inspections paid by ship owners. He will present the EU best practice and will propose some adjustments to the related legal framework. He will also improve the existing procedures for these inspections paid by ship owners and will draft the missing ones.

- Benchmark: The output of this activity will be a report proposing adjustments to the legal framework and recommendations for improving the procedures for inspections paid by ship owners.

Resources: 1 expert, 2 missions 5 WD each, interpretation, translation.

- **Activities in connection with Result C (Component C: Elaboration and implementation of practices (rules and procedures) for improving Ship Registration (i), quality and efficiency of the Flag State Control (ii) and interaction with Recognized Organizations (iii)):**

- **Activity C.1.** Critical analysis of existing management practices, elaboration of recommendations, procedures and operational documents regarding ships registration. One expert will come for two weeks for assessing the current practice of ship registration. He will present the EU best practice, propose some improvement to the existing procedures and will submit a methodology to be more efficient and structured.

- Benchmark: The output of this activity will be the amendments to the existing procedures for ship registration and the methodology to be used for a compliant and efficient registration.

Resources: 1 expert, 2 missions 5 WD each, interpretation, translation.

- **Activity C.2.** Assistance in elaboration of integrated and accessible for external users Ships Data Base for registration of ships and registration of all necessary information regarding each ship (owners, agents, managers, Recognized Organizations, data about certificates and other documents issued by the flag State, including confirmation of the Diplomas for seafarers and validity of certificates, data about port State inspections, findings, responsible RO, sanctions etc.), elaboration of Terms of Reference to establish such data base, advice on implementation.

Two experts will come for two weeks each one for designing the frame and the main functionalities of a database in which will be registered all necessary data to follow each ship (owners, agents, managers, Recognized Organizations, data about certificates and other documents issued by the flag State, including confirmation of the Diplomas for seafarers and validity of certificates, data about port State inspections, findings, responsible RO, sanctions...).

The aim of this activity is to have a clear idea about the functionalities of this database, the main users, and the working procedures and to prepare the terms of reference for a future implementation.

- Benchmark: The output of this activity will be the terms of reference of the future database.

Resources: 2 experts, 2 missions 5 WD each one, interpretation, translation.

- **Activity C.3.** Assistance in elaboration of procedures to issue certificates in respect of the relevant IMO Conventions.

The Moldovan registered merchant fleet (370 ships) is continuously in the black list of the Paris Memorandum of Understanding on Port State Control (Paris MOU) as a result of insufficient respect of the IMO conventions to which it is a party.

Three experts will come, one week each one, for drafting the procedures for issuing certificates under the IMO conventions.

- Benchmark: The output of this activity will be the procedures for issuing certificates in respect of the IMO conventions.

Resources: 3 experts, 1 mission 5 WD each one, interpretation, translation.

- **Activity C.4.** Expert missions for verifying the introduction of risk-assessment procedures for compliance of ships' inspections, including selection criteria for ships to be inspected.

There is currently a lack of experience and competences in the field of inspections of ships. Moreover, the notion of risk assessment is not taken into account in the existing procedures.

Two experts will come, two week each one, for introducing the risk assessment within the existing procedures, for improving them as needed and for defining the criteria and the indicators to be used in the inspections and controls.

- Benchmark: The output of this activity will be the draft risk assessment procedures, a list of criteria and indicators to be used in the inspections and controls and a guidance for a better implementation of these new procedures.

Resources: 2 experts, 2 mission 5 WD each one, interpretation, translation.

- **Activity C.5.** Expert missions for elaboration of procedures for working with Recognized Organizations (conditions of contracts, supervision, performance evaluation etc.);

- Moldova is not so experience in working with the Recognized Organizations and this situation has to be improved to allow the maritime administration to ensure its responsibilities and duties in a proper way.

Three experts will come, one week each one, for developing and implementing new practices (rules and procedures) for strengthening the technical and operational capacities of the Maritime/Inland Waterways institutions, particularly in terms of ship registration, flag and port State control and interaction with the Recognized Organizations. A specific focus will be put on the elaboration of the contracts, the supervision and the follow up and the performance evaluation. A guidance will be elaborated.

- Benchmark: The output of this activity will be to fine-tune procedures for working with the recognised organisations, guidelines and methodologies for using these procedures.

Resources: 3 experts, 1 mission 5 WD each one, interpretation, translation

- **Activity C.6.** Expert missions for preparation of post-detention procedures and follow-up activities.

Three experts will come, one week each one, for drafting the post-detention procedures. Currently, several Moldovan ships are detained for technical and/or safety reasons. After the detention period, some obligations have to be fulfilled before restarting the activities and the procedures for fulfilling these obligations are not so clear within the Moldovan maritime administration. Advice and assistance are needed in drafting these post-detention procedures and in knowing the EU best practice in this domain.

- Benchmark: The output of this activity will be the procedures for post-detention.

Resources: 3 experts, 1 mission 5 WD each one, interpretation, translation

- **Activity C.7.** Expert missions for analysis of quality and quantity aspects of the fleet in order to improve performance indicators within Paris MOU.

Currently Moldova is black listed from the Paris MOU, which is fixing the international rules for flag state and port controls. One expert will come for one week for analysing the fleet and providing recommendations to be applied in Moldova in a way to be accepted back in the Paris MOU.

- Benchmark: The output of this activity will be a list of recommendations (to improve our performance) to be implemented in Moldova for returning in the Paris MOU.

Resources: 1 expert, 1 mission 5 WD, interpretation, translation

- **Activity C.8.** Expert missions for preparation of procedures for fleet supervision, including check of validity of documents for crew.

Three experts will come, one week each one, for drafting the procedures for fleet supervision. Currently, these procedures do not exist in Moldova and this absence is the source of numerous problems. The experts will share the EU best practice and will draft the relevant procedures for the supervision of the Moldovan fleet with a focus on the validity of the crew documents.

- Benchmark: The output of this activity will be the procedures for the supervision of the Moldovan fleet.

Resources: 3 experts, 1 mission 5 WD each one, interpretation, translation

- **Activity C.9.** Expert missions for preparation of working procedures with captains/ ship owners in order to prevent detentions, taking into account EU best practices. One expert will come for one week for drafting the working procedures in order to prevent detentions. Currently, due to a lack of such procedures, several Moldovan ships are detained and cannot move anymore. We do need advice and assistance in drafting a working method to avoid such detentions. The expert will share the EU best practice and will draft the relevant working procedures.
- Benchmark: The output of this activity will be the procedures for the supervision of the Moldovan fleet.

Resources: 1 expert, 1 mission 5 WD, interpretation, translation

- **Activities in connection with Result D (Component D: Elaboration of a training plan, training of staff, exchange of experience, transfer of skills, study visits):**

- **Activity D.1:** Expert missions for elaboration of a training needs analysis (TNA).

The Training Needs Assessment will identify past and present problems and future challenges to be met through training and development. The objective of this TNA will be to gain knowledge of existing situation and of existing or future gaps. It will be carried out into two steps:

- Analysis of past training programmes that have been carried out in each sector concerned since 2014: programmes and subjects delivered, assistance and groups targeted, review of the evaluations when available.
- Interviewing a selection of managers in order to assess results and efficiency – or drawbacks - of previous or current programmes, evaluate direct impact on the daily work, identify difficulties faced in current working and challenges to be met.
- Benchmark: The output of this activity will be the TNA and its recommendations.

Resources: 1 expert, 1 mission 5 WD, interpretation, translation

- **Activity D.2.** Expert missions for preparation of a mid-term training plan for Inland Waterways/Maritime institutions. Thanks to the initial assessment, the interviews, the exchanges between the twinning team and the local specialists, the main expectations and priorities will be defined. According to this expectations and priorities, one expert, coming for one week, will elaborate a midterm training plan, taking into consideration the findings from the TNA. This plan will fix the deadlines of the foreseen trainings, seminars and/or workshops, the main issues to be raised and the necessary resources.
- Benchmark: The output of this activity will be the Mid Term Training Plan.

Resources: 1 expert, 1 mission 5 WD, interpretation, translation

- **Activity D.3.** Capacity building activities of Inland Waterways/Maritime institutions regarding ship registration, Flag and Port State control and interaction with Recognized Organizations.

Three specific seminars for the personnel of the maritime administration (and the main stakeholders), according to the needs from sensitive areas (ship registration, flag and state port controls and interaction with the RO) will be performed according to the relevant IMO standards and EU requirements.

- Benchmark: seminars conducted and training materials to enhance skills and knowledge delivered.

Resources: 2 experts, 1 mission 3 WD each one, and 1 expert, 1 mission 4 WD, translation and interpretation.

- **Activity D.4.** Organization of two study visits in Member States for discovering relevant organizations. These two study visits will be mainly dedicated to ship registration and flag and port controls.

Each Study visit is envisaged for up to 5 persons and 1 interpreter for a maximum of 5 days.

The study visits will cover all relevant aspects of the activity of the maritime/waterways administration (focusing on ship registration and flag and port controls) and will include a mixture of methods, including seminars, site visits, observed assessments and other useful methods.

The aim of these two study visits is to share experience of some MS, to discover different organisations, rules and procedures and to share EU best practice.

3.5 Means/ Input from the MS Partner Administration:

The project will be implemented in a form of a Twinning Light contract which envisages to provide exchange of experience and know-how with a MS Institution with good practice in the specified project activities.

3.5.1 Profile and tasks of the Project Leader

The Project Leader from the EU Member State must be a high-ranking civil servant or equivalent staff of a Member State administration, who works in the field relevant to this project and has been at least three years in a management position within the institution.

The PL will be responsible for achievement of project results, ensuring the activities for the co-operation and information exchange between EU MS side and Beneficiary side and ensuring that all the required support of the management and staff of the EU side are available. He will coordinate the Project Steering Committee (PSC) meetings on the EU MS side. The MS Project Leader will manage the implementation of the project with the Project Leader from the Moldovan Maritime/Waterways Administration. The Project Leader will ensure their ability to mobilize the necessary staff in support of the efficient implementation of the project. In addition, the Project Leader from the Member State should coordinate, on

the Member State side, the Project Steering Committee (PSC).

The PL shall devote a minimum of three working days per month in his home administration, with an on-site visit to the Republic of Moldova at least every 3 months to participate in the PSC meetings.

Profile of the Project leader:

- University level education in Public Administration, Transport, Economy,
- Business Administration or equivalent professional experience of 7 years in these fields
- Strong written, verbal and inter-personal communication skills
- Excellent command of English
- Sound knowledge of the relevant EU legislation and best practice in this area of transport,
- Experience in the management of twinning projects and/or similar projects is an asset
- Experience in preparation of major strategic documents

The Project Leader will have the following tasks Conceive, supervise and coordinate the overall thrust of the project;

- Ensure the attainment of the projected outputs;
- Co-manage the implementation of the project with the Beneficiary Country Project Leader;
- Co-ordinate MS experts' work and availability;
- Communicate with the beneficiary and EUD;
- Ensure the backstopping functions and financial management;
- Co-chair the Project Steering Committee Meetings;
- Where necessary, provide technical assistance and advice under the Project.

3.5.2 Profile and tasks of the RTA

N/A

3.5.3 Profile and tasks of the short term experts

A pool of short term experts is required to implement the activities as outlined in the section 3.4.

The STEs will have the following profile:

- ✓ At least University degree education in law, public administration, transport or equivalent field,
- ✓ At least 4 years of professional experience in the fields of harmonisation with EU transport Acquis.
- ✓ Experience in training and monitoring in the fields relevant to the project

- ✓ Preferably a comparative knowledge of other Member States and candidate countries systems of transport legislation
- ✓ Strong written, verbal and inter-personal communication skills in English
- ✓ Knowledge of Romanian / Russian is an asset

The STEs will have the following tasks:

The STEs will provide specialized know-how for the individual tasks in this project; therefore, the raft of experts should have expertise in all the transport modal areas as well as specific legal drafting and IT skills

As a general approach, the STEs will take the responsibility for the implementation of the Project and the achievement of the results, each for his/her individual mission tasks. They will also prepare the required reports and the output described.

They can provide long-standing experience in all relevant fields.

4. Institutional Framework

4.1 Beneficiary Institutions

The Maritime/Waterways Administration of the Beneficiary Country, in particular Harbour Master of Giurgiulesti Port (directly) and Ministry of Transport and Road Infrastructure (Department for Maritime/Inland Waterways).

5. Budget

The financial ceiling for this ‘Twinning Light’ project has been set at **EUR 250,000** and its maximum duration (time spent for twinning activities is limited to **6 months**). This duration is supplemented by the standard 3 months execution period foreseen for inception and reporting (see Article 2 of the general Conditions for Grants, Annex A2 to the Twinning contract).

6. Implementation Arrangements

6.1 Implementing Agency responsible for tendering, contracting and accounting (AO/CFCU/PAO/ Commission),

Contact person in EU Delegation:

Alexandre DARRAS

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6.2 Main counterpart in the BC,

BC Project leader

Mr. Oleg Tofilat
State Secretary
Ministry of Transport and Road Infrastructure
Tel: +373 22 820701
E-mail: oleg.tofilat@mtid.gov.md

The BC Project Leader is the State Secretary of Transport. He will work closely with the Project Leader from the Member State. They will regularly monitor the progress of the Twinning project activities and provide all necessary support to overcome the difficulties that may be detrimental to the success of the project. They will both participate in the steering committees.

The contact person will be responsible for the daily work organization with the STEs. They will provide the right conditions to enable the experts to perform their tasks in the best conditions.

6.3 Contracts

There will be one Twinning Light contract with a selected EU Member State.

7. Implementation Schedule (indicative)

1. Launching of the call for proposals: October 2016
2. Start of project activities: January 2017
3. Project completion: July 2017
4. Duration of the execution period: 6 months

8. Sustainability

The outputs generated by the measures and operations will be immediately or in a short term period implemented, depending on the respective action plans adopted and maintained by the respective institutions. As the outputs will be established taking into account EU transport acquis, it is relevant that the sustainability of these is ensured.

The improvement of transport management and transport sector performance, as well as the increase of the capacity of transport infrastructure and quality of transport services to European standards will improve the effectiveness and efficiency of transports, the interoperability and safety and decrease negative impact of transport to the environment. This will increase transport and economy competitiveness and ensure sustainability. In addition, sustainability will be ensured by reducing pollution and the sources of pollution, and increase safety and security.

Project activities will contribute to the creation of a modern institutional and regulatory framework in accordance with the new requirements of international maritime conventions and EU *Acquis Communautaire*, particularly with regard to strengthening security, maritime safety, ship registration, state flag control and interaction with recognized organizations.

Also, sustainability of the project is guaranteed by the nature of its activities to provide, among other things, improvements in the organization of Inland Waterways/Maritime institutions and the quality of their cooperation by providing them with new tools and

working methods and this mainly through the transfer of expertise and exchange of sustainable know-how (institutional support / coaching, training, study visits ...).

9. Cross cutting issues

Participation in the project is open on equal terms to all natural and legal persons of the Member States. Gender balance will be promoted.

The project is beneficial to the environment since the transport legislation regulates many issues of key importance to the environment. An improvement in the efficiency of the transport network may be expected to have significant positive environmental impact, as Serbia currently suffers from heavy pollution as a result of outdated policies and legislation.

Public transport will be better and accessible to all passengers, minority and vulnerable groups. Since the poor are disproportionately large users of public transport, they will benefit accordingly.

As minorities and vulnerable groups are usually the most affected by environmental degradation, improvements resulting from this project will also be of particular benefit to them. This also applies to greater transport efficiency, whose resulting cost-reductions will especially favour the poor in society

10. Conditionality and sequencing

The successful implementation of this project is conditioned by an active commitment from the senior managers and the staff of the respective institutions, including their participation in the capacity building activities (training and others) relevant to the actions plans adopted for improvement of the efficiency and effectiveness of transport operations.

The outputs implementation is also conditioned by the decisions made by the Government and the respective managers based on recommendations.

ANNEXES TO PROJECT FICHE

1. Logical framework matrix in standard format

ANNEX 1 LOGFRAME PLANNING MATRIX

| | | | |
|--|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| | Implementation of the Maritime and Inland Waterway Transport Acquis, Strengthening of Institutions (Assistance in reorganization of Giurgulesti Harbour Master Service in Waterborne Agency) and Compliance with the flag and port State duties | Program title: 2013/024-403 Framework Programme in support of EU – Republic of Moldova Agreements 2013 Twinning ref nr MD 13 ENPI TR 01 16 TWL | |
| | | Total max budget: € 250 000 | ENPI budget: € 250 000 |

| Overall objective | Objectively verifiable indicators | Sources of Verification |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|
| Restructuring of the Moldovan institutions for Maritime and Inland Waterways by the establishment of an adequate organization that will promote the governance of this sector, compliance with international conventions and harmonization with the EU <i>Acquis Communautaire</i> , as well as developing and improving their performance and operational capabilities, especially in terms of ship registration, flag an port State control and interaction with the Recognized Organizations (RO) | Good governance of the Maritime/Inland Waterways sector and efficient functioning of the Waterborne Agency | EC Reports EC Peer review reports Final Report of the TWL project Organigram of the new agency |

| Project purpose | Objectively verifiable indicators | Sources of Verification | Assumptions |
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| <p>To support the administration and the institutions of Maritime/Inland Waterways in:</p> <ul style="list-style-type: none"> - Establishment of a new organization of Maritime/Inland waterways including the creation of the Waterborne Agency and clarifying the role of each stakeholder and their complementarity - Compliance of the Moldovan regulatory framework with the provisions of international conventions and harmonization with the EU <i>Acquis Communautaire</i>; - Development and implementation of practices (rules and procedures) for strengthening the technical and operational capacities of the Maritime/Inland Waterways institutions, particularly in terms of ship registration, flag and port State control and interaction with the Recognized Organizations - Development and implementation of a plan for training and skills transfer | <p>Organisational chart and legal framework of the Waterborne agency elaborated</p> <p>Legal framework compliant with international conventions and EU <i>Acquis</i> (EU directive 2009/21, EU Directive 2009/16 and EU Directive 2002/59)</p> <p>Practices (about 10 rules and working procedures) for fulfilment of port state and flag state duties are established;</p> <p>15 Staff of the new agency trained in performing new tasks</p> <p>6 Staff dedicated to flag and</p> | <p>EC reports; Annual Report of the MTRI and Giurgiulesti Harbour Master</p> <p>Final Report of the TWL project</p> | <p>Political commitment at the top level of the ministry</p> <p>Absorption capacity of the beneficiary during the TWL</p> <p>Waterborne Agency has sufficient capacities and trained personnel to conduct the maritime functions as needed</p> |

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| | port State control trained | | |
| Activities | Objectively verifiable indicators | Sources of Verification | Assumptions |
| <p>Activity 0.1 Opening Conference. A half day Opening Conference (about 20 participants) will be organized in the first month after the project start aiming at launching and presenting the project to the stakeholders, the media and the public at large.</p> <p>Activity 0.2 Steering Committee Meetings. Regular Steering Committee meetings to promote effective management and monitoring of project activities shall be organised.</p> <p>Activity 0.3 Closure Conference. A closing conference (wrap up meeting) will be held during the last month of the project at which the results and impact of the project will be presented.</p> | <p>The Opening conference is organised.</p> <p>Steering Committees organised at least once every 3 months.</p> <p>Closing conference organised, recommendations and lessons learned formulated and discussed. Stakeholders, media and public are informed about the results of the project at its end.</p> | <p>Stakeholders, media and public informed about the start and content of the project by beginning of month 1.</p> <p>Regular Interim progress reports approved following Steering Committee meetings.</p> <p>Press-Release and Coverage by the Media.</p> | |
| - Component A Restructuring of the inland waterways/ maritime institutions and strengthening their administrative and | | | |

| technical capacities | | | |
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| <ul style="list-style-type: none"> - Activity A.1. Expert missions for analysis of practical aspects of reorganization of Giurgulesti Harbour Master Services into a state agency, performing functions of a maritime administration; | <p>The process of reorganization of Giurgulesti Harbour Master Services into a state agency is achieved and the new organisation is drafted</p> | <p>Number of proposals and elaborated draft documents including organigram of the new agency</p> | |
| <ul style="list-style-type: none"> - Activity A.2. Workshop on EU best practice and definition of a relevant organisation for Moldova; | <p>Organisation in two MS was presented by twinning experts and a proposal for Moldova as well</p> | <p>Project Reports STEs and mission reports</p> | |
| <ul style="list-style-type: none"> - Activity A.3. Expert mission for development and improvement of instruments and internal procedures within the Waterborne agency | <p>Internal functioning rules and procedures are drafted</p> | <p>Rules and procedures elaborated</p> | |
| <ul style="list-style-type: none"> - Activity A.4. Elaboration of procedures/rules to attract external inspectors, outsource inspections and create network of independent flag State inspectors in other ports. | <p>Procedures to create a network of independent flag State inspectors including requirements to inspectors are elaborated</p> | <p>Rules and procedures elaborated</p> | |
| <ul style="list-style-type: none"> - Component B: Updating the Legal framework for Inland Waterways / Maritime in Moldova in compliance with international conventions and harmonization with the EU Acquis | | | |

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| <ul style="list-style-type: none"> - Activity B.1. Analysis of existing and planned (drafted) legislation regarding Inland Waterways/Maritime, identifying gaps from the existing national legislation and elaboration of proposals for modifications of legislative acts; | <p>The gaps in national legislation are identified and proposals for modification of legislative acts are elaborated</p> | <p>Gap analysis Draft legal acts drafted/amended</p> | |
| <ul style="list-style-type: none"> - Activity B.2. Expert missions for elaboration of proposal for the system of non-compliance sanctions and related amendments to the legislative acts; | <p>Proposal for the system of non-compliance sanctions and related amendments to the legislative acts are elaborated</p> | <p>Sanctions system elaborated</p> | |
| <ul style="list-style-type: none"> - Activity B.3. Expert missions on advice on other necessary activities to implement requirements of related EU legislative acts; | <p>Maritime/Waterways administration is advised in implementing requirements of related EU legislative acts</p> | <p>Necessary advice and working papers delivered</p> | |
| <ul style="list-style-type: none"> - Activity B.4. Expert missions for analysis of updated legal framework and procedures for inspection of ships, paid by ship owners. | <p>Legal framework, procedures for inspection of ships and check lists are elaborated</p> | <p>Legal framework and procedures delivered</p> | |
| <ul style="list-style-type: none"> - Component C: Elaboration and implementation of practices (rules and procedures) for improving Ship Registration (i), quality and efficiency of the Flag State Control (ii) and interaction | | | |

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| <p>with Recognized Organizations (iii)</p> <ul style="list-style-type: none"> - Activity C.1. Critical analysis of existing management practices, elaboration of recommendations, procedures and operational documents regarding ships registration - Activity C.2. Assistance in elaboration of integrated and accessible for external users Ships Data Base for registration of ships and registration of all necessary information regarding each ship (owners, agents, managers, Recognized Organizations, data about certificates and other documents issued by the flag State, including confirmation of the Diplomas for crew and validity of certificates, data about port State inspections, findings, responsible RO, sanctions etc.): elaboration of Terms of Reference to establish such data base, advice on implementation; - Activity C.3. Assistance in elaboration of procedures to issue certificates in respect of the relevant IMO Conventions; | <p>Procedures and operational documents regarding ship registration are elaborated</p> <p>Draft Government Decision amending the rules of registration of vessels is drafted</p> <p>Ship Data Base for registration of ships and registration of all necessary information is designed</p> <p>Procedures of issuing certificates, (including exemptions) from the maritime conventions are elaborated, including job descriptions of</p> | <p>Procedures and operational documents delivered</p> <p>Progress reports of the TWL</p> <p>Government decision</p> <p>Official newspaper</p> <p>Design of the Database</p> <p>Progress reports of the TWL</p> <p>Procedures, operational documents and job descriptions delivered</p> | |
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| | concerned staff within the Agency | | |
| - Activity C.4. Expert missions for introduction of risk-assessment procedures for compliance of ships' inspections, including selection criteria for ships to be inspected; | Risk-management procedures are elaborated, including job descriptions of staff involved in this process in the Agency | Procedures, operational documents and job descriptions delivered | |
| - Activity C.5. Expert missions for elaboration of procedures for working with Recognized Organizations (conditions of contracts, supervision, performance evaluation etc.); | Procedures for working with Recognized Organizations are elaborated, including procedures for periodic auditing of organizations recognized; | Progress reports of the TWL Procedures and operational documents delivered | |
| - Activity C.6. Expert missions for preparation of post-detention procedures and follow-up activities; | Post-detention procedures and follow-up activities are elaborated, including job descriptions of staff involved in this process in the Agency | Procedures, operational documents and job descriptions delivered | |
| - Activity C.7. Expert missions for analysis of quality and quantity aspects of the fleet in order to improve performance indicators within Paris MOU; | Proposal for analysing quality and quantity aspects of the fleet in order to improve performance indicators within | Procedures, operational documents and job descriptions delivered | |

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| <ul style="list-style-type: none"> - Activity C.8. Expert missions for preparation of procedures for fleet supervision, including check of validity of documents for crew; - Activity C.9. Expert missions for preparation of working procedures with captains/ ship owners in order to prevent detentions, taking into account EU best practices; - Component D: Elaboration of a training plan, training of staff, exchange of experience, transfer of skills, study visits - Activity D.1. Expert missions for elaboration of a training needs analysis (TNA); - Activity D.2. Expert missions for preparation of a mid-term training plan for Inland | <p>Paris MOU are elaborated, including job descriptions of staff involved in this process in the Agency</p> <p>Procedures for fleet supervision, including check of validity of documents for crew are elaborated, including job descriptions of staff involved in this process in the Agency</p> <p>Working procedures with captains/ ship owners are elaborated</p> <p>Training needs analysis performed</p> <p>Mid-term training plan drafted</p> | <p>Procedures, operational documents and job descriptions delivered</p> <p>Progress reports of the TWL</p> <p>Working procedures delivered</p> <p>Progress reports of the TWL</p> <p>Training sessions attendance lists</p> <p>Training plan delivered</p> | |
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| <p>Waterways/Maritime institutions;</p> <ul style="list-style-type: none"> - Activities D.3. Capacity building activities of Inland Waterways/Maritime institutions regarding ship registration, Flag and Port State control and interaction with Recognized Organizations. Three seminars will be organized (Ship registration, flag and port control and interaction with RO) - Activity D.4. Organization of two study visits in Member States for discovering relevant organisations. These two study visits will be dedicated to ship registration and flag and port control | <p>Training programme for ship registration, flag and port state control and relations with RO elaborated Training sessions and 3 seminars conducted</p> <p>2 Study visits conducted</p> | <p>Dedicated Training plan delivered</p> <p>Training sessions attendance lists</p> <p>Study visits reports</p> | |
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| Results | Objectively verifiable indicators | Sources of Verification | Assumptions |
| <ul style="list-style-type: none"> • Result A. A new organisation for the Inland Waterways/Maritime institutions is approved Mandatory Result: <ul style="list-style-type: none"> - Legal framework and structure of the new agency are designed • Result B. The Moldovan legal framework for Inland Waterways/Maritime is drafted in compliance with international conventions and harmonized with EU <i>Acquis Communautaire</i>, according to the Association Agreement | <p>Draft decision of the Government elaborated Functioning rules elaborated Organisation chart elaborated</p> | <p>Official journal of the Republic of Moldova Government Website of the Republic of Moldova</p> | <p>Maritime/Waterways legislation not in place; Waterborne Agency has not enough trained staff and good working procedures and guidelines</p> |

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| - Study visits (2) conducted | and able to perform its new tasks Number of staff trained Number of persons in study visits | Study visits reports | |
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Preconditions:

- 1) Appointment of counterpart in the beneficiary before launching the tender procedure;
- 2) Allocation of working space and facilities by the beneficiary for technical assistance before launching the tender procedure;
- 3) Organisation, selection and appointment of members of working groups, steering and coordination committees, seminars by the beneficiary for the proper functioning of the project;
- 4) Appointment of the relevant staff by the beneficiaries to participate in training activities.