

## **TWINNING PROJECT FICHE**

### **Support to Improving the Safety of Multimodal<sup>1</sup> Dangerous Goods Transport in Ukraine**

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<sup>1</sup> Hereinafter the term 'dangerous goods transport' should mean multimodal dangerous goods transport including road, rail, sea and river (IWW) as well as multimodal connections

## Glossary

AA	Ukraine – EU Association Agreement
AsMAP	Association of international road transport carriers of Ukraine
BC	Beneficiary Country
EC	European Commission
EU	European Union
IFI	International Financial Institution
IT	Information Technology
MIU	Ministry of Infrastructure of Ukraine
MS	Member State (EU Member)
NGO	Non-Governmental Organisation
PAO	Programme Administration Office
PCA	Partnership and Cooperation Agreement
PL	Project Leader
PSC	Project Steering Committee
GAP	Gap Analysis
RTA	Resident Twinning Advisor
STE	Short Term Experts
TRACECA	Transport Corridor Europe-the Caucasus-Asia
TEN-T	Trans-European Networks – Transport
TNA	Training Needs Assessment
TP	Twinning Partner
WTO	World Trade Organisation
Transport Strategy	Transport Strategy of Ukraine for the period of up to 2020, approved by Ordinance of Cabinet of Ministers of Ukraine No 2174-r dated October 20 <sup>th</sup> 2010
IMO	International Maritime Organisation
ADR	European Agreement concerning the International Carriage of Dangerous Goods by Road of 30 September 1957
COTIF	Convention concerning International Carriage by Rail, of 9 May 1980
RID	International regulations concerning the international carriage of dangerous goods by rail, Appendix C, COTIF
ADN	European Agreement Concerning the International Carriage of Dangerous Goods by Inland Waterway
IMDG Code	International Maritime Dangerous Goods Code
IMSBC Code	IMO International Maritime Solid Bulk Cargoes Code
SOLAS	International Convention for Safety of Life at Sea
CRTD	Convention on Civil Liability for Damage Cause during Carriage of Dangerous Goods by Road, Rail and Inland Navigation Vessels, of 10 October 1989

## **1. BASIC INFORMATION**

**1.1 Programme:** Annual Action Programme Ukraine 2012

**1.2 Twinning Number:** UA/50

**1.3 Title:** Support to Improving the Safety of Multimodal Dangerous Goods Transport<sup>2</sup> in Ukraine

**1.4 Sector:** Transport

**1.5 Beneficiary country:** Ukraine

Ministry of Infrastructure of Ukraine (MIU), Transport Safety Department

State Service of Ukraine on Transport Safety and Security (UkrTransBezpeka)

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<sup>2</sup> The term ‘dangerous goods transport’ should mean multimodal dangerous goods transport including road, rail, sea and river (IWW) as well as multimodal connections

## **2. OBJECTIVES**

### **2.1 Overall Objective**

The overall objective of the project is to improve multimodal dangerous goods transport system including road, rail, sea and river (IWW) as well as multimodal connections in line with the European rules and standards.

### **2.2 Project Purpose**

The purpose of the project is to enhance the capacity of the Ministry of Infrastructure of Ukraine in developing the policy for transposition, implementation and enforcement of requirements on dangerous goods transport including road, rail, sea and river (IWW) as well as multimodal connections in line with European rules and standards.

### **2.3 Contribution to the EU-Ukraine Association Agenda, Association Agreement, National Transport Strategy, Strategy for improving the level of road traffic safety in Ukraine**

The relations between Ukraine and the EU are based on the Partnership and Cooperation Agreement (PCA) signed in 1994 and in force since 1998, and the European Neighbourhood Policy EU-Ukraine Action Plan, which has been replaced by the Association Agenda in November 2009. Among others, under the transport section, the Association Agenda stipulates, that the Parties cooperate to support Ukraine in implementation of the comprehensive Transport Strategy of Ukraine<sup>3</sup> for the period of up to 2020 (the Transport Strategy) and the development and implementation of an action plan for improving road safety.

According to the Ukraine – EU Action Plan, Ukraine – EU negotiations on signing a new – enhanced – agreement to replace the Partnership and Cooperation Agreement were launched in March 2007. The Association Agreement between the European Union and the European Atomic Energy Community and their member states, of the one part, and Ukraine, of the other part, was negotiated and prepared for 2007 – 2013.

The Ukraine – EU Association Agreement was signed in two phases: 21 March 2014 – a political part (i.e. Preamble, Article 1, Title I ‘General Principles’, Title II ‘Political dialogue and reform, political association, cooperation and convergence in the field of foreign and security policy’, and Title VII ‘Institutional, general and final provisions’), and 27 June 2014 – an economic part (Titles III ‘Justice, freedom and security’, IV ‘Trade and trade-related matters’, V ‘Economic and sector cooperation’, and VI ‘Financial cooperation, with anti-fraud provisions’) that constituted together an integral document.

On September 16<sup>th</sup>, 2014, the Verkhovna Rada (Parliament) of Ukraine and the European Parliament ratified simultaneously the Ukraine EU Association Agreement.

The Association Agreement in terms of its scope and subject cover is the biggest international legal document Ukraine has ever signed in its history and the biggest international agreement with the third country the European Union has ever made. It stipulates a fundamentally new format for relations between Ukraine and the EU based on principles of ‘political association and economic integration’ and makes a strategic focus point for system social and economic reforms in Ukraine.

Pursuant to Article 486 of Agreement, it shall be provisionally applied since 1 November 2014 until it comes in force in full.

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<sup>3</sup> Approved by the Ordinance of Cabinet of Ministers of Ukraine, No 2174-r dated October 20<sup>th</sup> 2010

Chapter 7 TRANSPORT of Association Agreement provides for cooperation between the Parties intended to facilitate the restructuring and modernisation of Ukraine's transport sector and gradual approximation towards operating standards and policies comparable to those in the EU, in particular including the promotion of efficient and safe and secure transport operation. In addition, the cooperation between the Parties shall be aimed at restructuring and renewing the transport sector of Ukraine and the gradual harmonization of valid standards and policies with those existing in the EU, in particular implementing the measures set out in Annex XXXII to this Agreement, without prejudice to obligations stemming from specific transport agreements concluded between the Parties.

The cooperation between the Parties shall cover also various aspects including acceding the relevant international transport organisations and agreements, in particular procedures for ensuring strict implementation and effective enforcement of international transport agreements and conventions.

Annex XXXII, Chapter 7 Transport, Title V, Ukraine – EU Association Agreement, commits Ukraine to implement the provisions of **Directive 2008/68/EC of European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods** referring to the dangerous goods transport by road, rail or inland waterways.

The Directive – 2008/68/EC – provides for improving and approximating the national legal regulations to comply with the provisions of the European Agreement concerning the International Carriage of Dangerous Goods by Road, concluded at Geneva on 30 September 1957 (ADR), the Regulations concerning the International Carriage of Dangerous Goods by Rail, appearing as Appendix C to the Convention concerning International Carriage by Rail (COTIF) concluded at Vilnius on 3 June 1999, and the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways, concluded at Geneva on 26 May 2000. In addition, the requirements to the international dangerous goods transport by sea are established by the International Maritime Dangerous Goods Code (IMDG Code) adopted by IMO on 27 September 1965 and the International Maritime Solid Bulk Cargoes Code (IMSBC Code) adopted by IMO on 4 December 2008 that make annexes to the International Convention for the Safety of Life at Sea (SOLAS) made in London on 1 November 1974. ADR, RID, ADN, IMDG Code and IMSBC Code establish unified rules for safe international transport of dangerous goods.

### **3. DESCRIPTION OF THE TWINNING PROJECT**

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

The international transport of dangerous goods is regulated by the agreements made by the relevant international organisations. They are regularly updated to be in line with the technical progress and improve the safety. The EU transforms these documents into specific directives to be applied to all modes of transport both within the EU and beyond the national borders. Enhancement of safety actions for dangerous goods transport is considered not only to prevent the adverse impact on the social and natural environment, but also as anti-terrorism danger prevention actions.

The international agreements regulating the dangerous goods carriage by different modes of transport are developed at the international organisation platform. A choice of the international agreement which provisions are to be followed for managing (operating) an international dangerous goods transport services, depends on the mode of transport operating the service, a type of freight shipment as well as a service route.

The road, rail and inland water transport are governed by the following international agreements:

- European Agreement concerning the International Carriage of Dangerous Goods by Road, concluded at Geneva on 30 September 1957 (ADR),
- Convention on Civil Liability for Damage Cause during Carriage of Dangerous Goods by Road, Rail and Inland Navigation Vessels, of 10 October 1989 (CRTD),
- European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways, concluded at Geneva on 26 May 2000 (ADN),
- the Regulations concerning the International Carriage of Dangerous Goods by Rail, appearing as Appendix C to the Convention concerning International Carriage by Rail (COTIF).

In the EU legislation the dangerous goods transport by rail, road, and inland waterways is regulated by one directive: Directive 2008/68/EC of European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods (OJ L, L 260 / 13, 30.09 0, 2008). In the course of several years, the EU introduced the unified rules for dangerous goods transport by road and rail that required implementing ADR and ADN regulations. Directive 2008/68/EC repealed Directives 94/55/EC and 96/49/EC and was in fact issued to replace them. In addition, Directive 96/35/EC on the appointment and vocational qualification of safety advisers for the transport of dangerous goods by road, rail and inland waterway was repealed, too.

The last amendments to Annex I, Section I.3, Annex II, Section II.2 and Annex 3, section III.3 were made according to Decision 2011/26/EU [OJ L 13 18.1.2011].

According to Decision (EU) 2015/217 of 10 April 2014, the member states were authorised to adopt certain derogations pursuant to Directive 2008/68/EC (OJEU L 044. 18.02.2015). The Decision set specific dates for enforcement of certain Directive 2008/68/EC provisions in the EU states (Germany, Finland, the UK, etc.) in line with the national laws.

Commitments on implementing Directive 2008/68/EC on inland transport of dangerous goods are established by Article 367-369 and Annex XXXII of the Association Agreement between the European Union and the European Atomic Energy Community and their member states, of the one part, and Ukraine, of the other part (hereinafter the AA) subject to provisional application pursuant to Parts 3 and 4, Article 486, Chapter 2, Title VII of AA.

The AA sets the following implementation periods for Directive 2008/68/EC:

- in international road and inland waterway traffic within 1 year of the entry into force of this Agreement, in national road and inland waterway traffic within 3 years of the entry into force of this Agreement
- in international rail traffic since the entry into force of this Agreement
- in national rail traffic within 8 years of the entry into force of this Agreement.

Items 290, 291, 317 of Action Plan on implementing the AA for 2014-2017 approved by Ordinance of Cabinet of Ministers of Ukraine no 847 of 17 September 2014, the time for developing, adopting and implementing legal and regulative documents in terms of dangerous goods transport by road and rail is set for December 2017, and that by inland waterways – July 2017.

Pursuant to the Ukraine – EU AA, CMU Ordinance no 1160r of 26 November 2014 ‘On approving the implementation plans for certain EU acquis developed by the Ministry of Infrastructure’ provides for, inter alia, implementation of Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator and repealing Council Directive 96/26/EC (Official Journal of the European Union, L 300/51, 14 November 2009, pp. 51-71). Pursuant to Annex 4 to Regulation (EC) No 1071/2009 ‘Most serious infringements for the purposes of Article

6(2)(a)', the infringements that may result into losing the market access (licence withdrawal) shall include, in particular paragraph 4: 'Transporting dangerous goods that are prohibited for transport or transporting such goods in a prohibited or non-approved means of containment or without identifying them on the vehicle as dangerous goods, thus endangering lives or the environment to such extent that it leads to a decision to immobilise the vehicle.'

Therefore, amendments to the legislation to reinforce the responsibility for infringements in the road transport of dangerous goods are envisaged by implementation plans according to the Ukraine – EU association agreement.

Major international agreements regulating the international maritime transport are:

- International Convention for Safety of Life at Sea (SOLAS-74) (Transport of dangerous goods is governed by regulations of SOLAS Convention Chapter VII. IMO, pursuant to these regulations, has developed and updates on the constant basis the International Maritime Dangerous Goods Code (IMDG – Code)
- International Convention for the Prevention of Pollution from Ships (MARPOL)
- International Maritime Dangerous Goods Code (IMDG – Code)
- International Maritime Solid Bulk Cargoes Code (BC Code).

It should be stated that at present Ukraine has not enforced the International Maritime Dangerous Goods Code (IMDG – Code) yet, though it is mandatory for IMO member states since 2004, and a new edition of the International Maritime Solid Bulk Cargoes Code. Amendments to the International Convention for Safety of Life at Sea (SOLAS-74) have not been adopted, in particular to Chapters VI and VII. Other IMO documents: Code of practice for the safe loading and unloading of bulk carriers (BLU Code), Regulation on terminal operations with bulk cargo transshipment, Regulation on port activities with dangerous cargoes have not been ratified, too (Circ / 1216).

Clear-defined documents that would justify the delivery of the cargo to the port from both the seaside and land side should be developed. The terminals in the ports should have well-defined regulations on receiving, storing, handling these or those cargoes, taking into account capacities of the port / terminal as well as all necessary technical and organisational means for eliminating any possible emergencies should be prepared.

Today the dangerous goods transport is regulated by the provisions of Law of Ukraine 'On transporting dangerous goods'. The Law defines major terms in the dangerous goods transport sphere, and establishes the rights and duties of dangerous goods transport carriers, as well as state governance bodies in the sphere of these goods transport and their competence.

To improve the multimodal transport safety and harmonize the Ukrainian legal provisions with the European acquis on dangerous goods transport it is necessary not only to learn the EU member-states' experience in developing the policy, but also to support the legal provision implementation and – the most important – to enforce the compliance with them on carrying by various modes of transport.

### *3.1.1. Current legal framework*

Ukraine is a party to ADR, COTIF and ADN as well as SOLAS and the Agreement on International Goods Transport by Rail (SMGS) made on 1 November 1951 to manage goods transport in the direct international railway communication between the stations of countries which railways participate in the Agreement (first of all on the 1520mm track gauge space).

The legislation regulating the dangerous goods transport in Ukraine consists, first of all, of international agreements and Law of Ukraine ‘On transporting dangerous goods’, other laws of Ukraine referring to certain modes of transport, resolutions of Government of Ukraine and orders of MIU and MIA, i.e.:

- Law of Ukraine No 1511-III dated 2 March 2000 ‘On acceding the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) by Ukraine’
- Law of Ukraine No 943-IV of 5 June 2003 ‘On acceding the Convention concerning International Carriage by Rail (COTIF) by Ukraine’
- Law of Ukraine no 1727-VI of 17 November 2009 ‘On acceding the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN) by Ukraine’
- Law of Ukraine No 3353-XII of 30 June 1993 ‘On road traffic’
- Law of Ukraine No 1644-III of 6 April 2000 ‘On transporting the dangerous goods’
- Law of Ukraine No 2344-III of 5 April 2001 ‘On road transport’
- Law of Ukraine No 273-96/VR of 4 July 2004 ‘On rail transport’
- Code of Merchant Shipping of Ukraine of 23 May 1995
- Edict of President of Ukraine no 581 of 12 May 2011 ‘On Regulation on the Ministry of Infrastructure of Ukraine’
- Resolution of CMU<sup>4</sup> no 401 of 13 August 2014 ‘On approving the Regulation on the Ministry of Internal Affairs of Ukraine’
- Resolution of CMU no 350 of 26 June 1991 ‘On adopting amendments of Years 1981, 1989 and 1990 and Protocol of 1998 to the International Convention for Safety of Life at Sea of 1974’
- Resolution of CMU no 1306 of 10 October 2001 ‘On approving the Road Traffic Rules’
- Resolution of CMU no 1285 of 31 October 2007 ‘On approving the Procedure for dedicated training of the staff of dangerous goods carriers’
- Resolution of CMU no 299 of 17 July 2014 ‘On approving the Regulation on the State Inspectorate of Ukraine on Land Transport Safety’
- Resolution of CMU no 300 of 17 July 2014 ‘On approving the Regulation on the State Inspectorate of Ukraine on Maritime and River Transport Safety’
- Resolution of CMU no 439 of 10 September 2014 ‘On approving the Regulation on the State Road Agency of Ukraine’
- Resolution of CMU no 103 of 11 February 2015 ‘On approving the Regulation on State Service of Ukraine for Transport Safety and Security’
- MTC<sup>5</sup> Order NO 567 of 16 October 2000 ‘On approving the Rules of safety and elimination procedure for emergency situations with dangerous goods when transported by rail’ registered at MinJustice<sup>6</sup> no 857/5078 of 23 November 2000;
- MTC Order no 299 of 18 April 2003 ‘On amending MTC Order no 644 of 21 November 2000’ (Rules on bulk liquids transport) registered at MinJustice no 558/7879 of 7 July 2003;
- MIA<sup>7</sup> no 822 of 26 July 2004 ‘On approving the Rules for dangerous goods road transport’ registered at MinJustice no 1040/9639 of 20 August 2004;
- MIA order no 130 of 21 March 2008 ‘On ensuring the safety of dangerous goods road transport’ registered at MinJustice no 309/15000 of 15 April 2008;

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<sup>4</sup> Hereinafter – Cabinet of Ministers of Ukraine

<sup>5</sup> Hereinafter – Ministry of Transport and Communication of Ukraine

<sup>6</sup> Hereinafter – Ministry of Justice of Ukraine

<sup>7</sup> Hereinafter – Ministry of Internal Affairs of Ukraine



- MTC Order no 866 of 16 July 2008 ‘On approving the Regulation on the dedicated training centre for the staff of dangerous goods transport subjects’ registered at MinJustice no 755/15446 of 14 August 2008;
- MTC Order no 867 of 16 July 2008 ‘On approving the Procedure for establishing a dedicated training centre for the staff of dangerous goods transport subjects’ registered at MinJustice no 755/15447 of 14 August 2008;
- MTC Order no 868 of 16 July 2008 ‘On approving the Regulation on the body authorised for testing the knowledge of the staff of dangerous goods transport subjects’ registered at MinJustice no 755/15448 of 14 August 2008;
- MTC Order no 869 of 16 July 2008 ‘On approving the Procedure for establishing on the body authorised for testing the knowledge of the staff of dangerous goods transport subjects’ registered at MinJustice no 755/15449 of 14 August 2008;
- MTC Order no 1430 of 25 November 2008 ‘On amending Order of Ministry of Transport of Ukraine no 644 of 21 November 2000 and the Rules on bulk liquid transport’ (Rules on bulk liquids transport) registered at MinJustice no 180/16196 of 26 February 2009;
- MTC Order no 604 of 20 August 2010 ‘On approving the Procedure for taking exams by the staff of dangerous goods transport subjects’ registered at MinJustice no 809/18104 of 13 September 2010;
- MTC and MIA Order no 459/977 of 19 September 2014 ‘On approving the Procedure for interacting and exchanging the data between the State Inspectorate of Ukraine on Land Transport Safety and Security and the State Road Inspectorate of Ministry of Internal Affairs of Ukraine’.

The laws of Ukraine generally cover the Directive 2008/68/EC provisions, first of all at road and rail transport. However, the lack of a framework law regulating river (inland waterway) services reduces a possibility to improve the implementation at transport.

In February 2015 the Government<sup>8</sup> took a decision on creating the State Service of Ukraine on Transport Safety and Security (UkrTransBezpeka), which was created by consolidation of State Inspectorate of Ukraine for Land Transport Safety and Security (UkrTransInspektsia) and State Inspectorate of Ukraine for Sea and River Transport Safety and Security (UkrMorRichInspektsia), that implements the state policy in terms of safety and security at public road, urban electrical, rail, maritime and river transport (except the sea shipping safety and security of the fishing fleet ships). UkrTransBezpeka monitors and supervises the safety of dangerous goods transport though that by road is still monitored by the MIA.

In the meantime, there is a need to introduce a number of institutional changes and to regulate by law the increase of dangerous goods transport safety and security level.

Thus, the Rules for dangerous goods transport by road approved by MIA order no 822 of 26 July 2004 lag behind the technical UNECE prescriptions to wheeled vehicles designed for dangerous goods transport in terms of engineering progress (UNECE regulations no 105, 111, 122), in addition, the system for approving the design of such vehicles as well as packaging has not been created, according to ADR.

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<sup>8</sup> CMU Resolution no 103 of 11 February 2015 ‘On approving the Regulation on State Service for Transport Safety and Security’

There exists a need in introducing a package of organisational and standard setting actions aimed at implementation of Directive 2008/68/EC provisions, applying new approaches to regulation in this field, and separating functions of executive bodies in the transport and internal affairs spheres.

The Ukrainian legislation lacks mechanisms for determining, identifying and publishing the derogations that are admitted and regulated pursuant to Directive 2008/68/EC and ADR.

Bodies responsible for establishing and publishing restrictions on using the infrastructure for dangerous goods transport by different modes of transport (for instance, by roads or tunnels) as well as bodies responsible for monitoring the dangerous goods transport (by modes of transport) are not notified.

There are no rules for dangerous goods transport by inland waterways.

Laws in terms of dangerous goods transport supervision are more detailed for road services, so the similar provisions should be introduced for rail and river transport. As to the road transport, it would be feasible to ensure a reliable communication related to the dangerous goods transport between MIA and UkrTransBezpeka units.

### *3.1.2. Key EU legal components to be introduced in Ukraine*

The implementation of Directive 2008/68/EU provisions and requirements within the periods provided by the Association Agreement between the European Union and the European Atomic Energy Community and their member states, of the one part, and Ukraine, of the other part, and the Action Plan on implementing the Association Agreement for 2014 – 2017 approved by CMU Ordinance no 847 of 17 September 2014, includes the following steps:

#### **Legislation**

- 1) To amend Law of Ukraine ‘On dangerous goods transport’ in terms of:
  - Aligning the competencies of the bodies in charge of state regulation in the dangerous goods transport sphere, with provisions of Directive 2008/68/EU, ADR, RID, AND, IMDG Code and IMSBC Code. While assigning the competencies, a reform of internal affairs bodies as well as separation of authorities on dangerous goods transport between the MIU and MIA should be taken into account;
  - Setting a list of competent bodies in charge of classifying certain dangerous goods, testing samples of packaging and other means of goods securing, defining the safe conditions for certain dangerous goods transport, etc.;
  - Unifying an approach to training, certifying and appointing persons responsible for safety and security at road, rail, sea and river transport;
  - Identifying other transport process actors involved into dangerous goods transport by road, rail, sea and inland waterways;
  - Creating a system for approving the design of wheeled vehicles (type approval) designated for dangerous goods transport as well as packaging in line with ADR requirements;
  - Introducing the mechanisms for determining, identifying and publishing the derogations that are admitted and regulated pursuant to Directive 2008/68/EC and ADR as well as that for monitoring compliance with such derogation conditions;
  - Replacing the route approval procedure with the procedure for identifying restrictions on using certain road infrastructure facilities for dangerous goods transport.

- 2) To amend Law of Ukraine ‘On road traffic’ in terms of aligning the periodicity of mandatory technical inspections for special purpose vehicles transporting dangerous goods with ADR provisions;
- 3) To amend CMU Resolution no 1306 of 10 October 2001 ‘On approving the Road Traffic Rules’ in terms of aligning their provisions referring to placing dangerous goods information plates and danger signs, with the ADR provisions;
- 4) To approve the Rules for dangerous goods transport by inland waterways of Ukraine by MIU order;
- 5) To approve the Procedure on checking tanks for dangerous goods transport’ by joint order of MIU and MIA;
- 6) To amend MIA order no 822 of 26 July 2004 ‘On approving the Rules for dangerous goods road transport’ to harmonize them with Directive 2008/68/EC provisions;
- 7) To issue a MIU order on dedicated training of staff of dangerous goods transport subjects by road, rail, sea and inland waterways in order to establish requirements to the authorized persons in the safety and security sphere and other transport process actors;
- 8) To adopt a MIU order on amending some orders on the Rules for dangerous goods road transport as well as ensuring the safety of dangerous goods road transport, in order to harmonize them with European standards in this sphere;
- 9) To approve the Rules for dangerous goods (cargoes) transport by sea by MIU order;
- 10) To adopt a Sector Program for Improving Safety and Security of Dangerous Goods Transport in Ukraine.

### **Technical aspects**

To adopt a decision on separating competencies of the MIU and MIA in terms of training, certifying (certification of persons authorised for safety and security at transport – a common certification program), licencing on dangerous goods transport by road, rail and water, with MIA reforming to be taken into account.

- To maintain the Unified Date Base (register) of certified staff of the dangerous goods transport subjects;
- To study the EU member-states’ practices on dangerous goods transport monitoring system and the relevant data base (GOOD ROUTE, etc.);
- To translate into Ukrainian and consider the following documents:
  - Commission Directive 2010/61/EU of 2 September 2010 adapting for the first time the Annexes to Directive 2008/68/EC of the European Parliament and of the Council on the inland transport of dangerous goods to scientific and technical progress
  - Commission Directive 2012/45/EU of 3 December 2012 adapting for the second time the Annexes to Directive 2008/68/EC of the European Parliament and of the Council on the inland transport of dangerous goods to scientific and technical progress
  - Decisions 2009/240/EC of 4 March 2009, 2010/187/EC of 25 March 2010, 2011/26/EC of 14 January 2011, 2012/188/EC of 4 April 2012 and 2013/218/EC of 6 May 2013 on authorising the Member States to adopt certain derogations pursuant to Directive 2008/68/EC of the European Parliament and of the Council on the inland transport of dangerous goods.
  - IMDG Code and IMSBC Code.

### **Institutional aspects**

Bodies responsible for implementing Directive 2008/68/EC on the inland transport of dangerous goods:

- Ministry of Infrastructure of Ukraine (MIU)
- Ministry of Internal Affairs of Ukraine (MIA)
- State Service of Ukraine on Transport Safety and Security (UkrTransBezpeka)
- State Administration for Rail Transport of Ukraine (UkrZaliznytsia)
- Classification Society Shipping Register of Ukraine State Enterprise
- Dnipropetrovsk Body on Rail Transport Certification State Enterprise

Pursuant to international agreements' provisions, bodies responsible for establishing and publishing the restrictions on using infrastructure for transport of dangerous goods by different modes of transport (e.g., by roads or tunnels) should be notified.

Bodies adopting relevant laws and legal acts:

- Verkhovna Rada of Ukraine (Parliament)
- Cabinet of Ministers of Ukraine
- MIU
- MIA

### *3.1.3 Need in Twinning Project*

As stated in Directive 2008/68/EC, transport of dangerous goods by road, rail or inland waterways constitutes a significant danger of accidents. Actions should be taken to ensure such transport operations in line with safety conditions that would be possible provided that vehicle fleet (rolling stock/ vessels), production process operations, staff qualification and state supervision and monitoring procedures in this sphere comply with the EU acquis requirements.

Also the unified rules for safe international transport of dangerous goods are established by ADR, RID, ADN, IMDG Code and IMSBC Code Ukraine has acceded or should comply with. However, the current situation in Ukraine is as follows:

- There is no unified program for improving the safety of dangerous goods transport in Ukraine;
- There is a need in proper transposition, implementation and enforcement of European legislation and technical regulations as a part of national requirements on dangerous goods transport (in terms of dangerous goods transport by sea and inland waterways, they do not exist at all) and safety requirements to the vehicle design;
- Staff training systems on dangerous goods transport that function now are focused on different modes of transport, with no system in place at all for inland waterways;
- Current procedures for state enforcement do not cover in full all aspects of transport of dangerous goods.

Therefore, there is a need to enhance the capacity of the Ministry of Infrastructure of Ukraine in developing the policy for transposition, implementation and enforcement of requirements on dangerous goods transport including road, rail, sea and river (IWW) as well as multimodal connections in line with European rules and standards.

### 3.2 Linked activities

The following related projects and activities should be taken into consideration:

#### **Twining Project ‘Support to the Ministry of Infrastructure of Ukraine in Strengthening of Safety Standards of Commercial Road Transport (January 2015 – February 2017)**

Beneficiary: Ukraine

The overall objective of the project is to improve Ukraine’s commercial road transport safety in line with EU technical requirements and best international practice and aiming at decreasing the number of traffic accidents and resulting fatalities. The purpose of the project is to ensure sufficient institutional capacity within the Ministry of Infrastructure of Ukraine (MIU) to improve road safety parameters through developing legal and regulative framework to introduce a road traffic safety management system, certifying professional competence of road carrying company managers and drivers, certifying vehicles and investigating technically the RTAs with commercial transport involvement.

The project covers the following regulations and directives:

- Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator and repealing Council Directive 96/26/EC;
- Directive 2003/59/EC of the European Parliament and of the Council of 15 July 2003 on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers, amending Council Regulation (EEC) 3820/85 and Council Directive 91/439/EEC and repealing Council Directive 76/914/EEC.
- Directive 2007/46/EC of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles.
- Council Directive 89/391/EEC on the introduction of measures to encourage improvements in the safety and health of workers at work with connection to International Standard ISO 39001:2012(E) “Road Traffic Safety (RTS) management systems - Requirements with guidance for use”.

This twinning project on the road safety issues is to be closely coordinated with the new twinning project in question, in part of road transport issues in particular, to avoid possible duplication and overlapping.

#### **Technical assistance project: “Support for the implementation of the Transport Strategy of Ukraine” (March 2012 – November 2015)**

Beneficiary: Ukraine

The project is aimed at support of the Ministry of Infrastructure and other stakeholders in implementation of the national transport strategy of Ukraine and alignment of the respective Ukrainian legislation with the EU acquis. The project is expected to provide sufficient assistance in the implementation and monitoring of the transport sector budget support operation; support in the implementation of the national transport strategy; assistance in improving traffic development

planning and financing; strengthening administrative capacities of the Ukrainian authorities to implement national transport strategy.

**Twinning project “Development and Coordination of Multimodal Transport and Logistic Processes in Ukraine”** (September 2012 – March 2014)

Beneficiary: Ukraine

This twinning project was aimed at strengthening the institutional capacity of the Ministry of Infrastructure of Ukraine to facilitate the development of multimodal transport by application of the best European practices, hence supporting the further development of the transport logistics service industry. The project dealt with institutional and capacity building support to the Department of Policy Development of Transport Infrastructure and Tourism of MIU that was to allow the Ministry to intervene as appropriate in the multimodal and logistics sectors in order to facilitate their development in line with main provision of Transport Strategy in this field. Elaboration of a Special Programme for the development of multimodal transport and facilitation of logistic services on the basis of Transport Strategy of Ukraine and incorporation this programme in medium term action plan of Transport Strategy made an important part of this twinning project. This programme sets out how the Ministry wishes to see the development of the respective sectors and would assist in establishment of achievable goals and tasks.

**TRACECA project “Transport Dialogue and Interoperability Between the EU and its Neighbouring Countries and Central Asian Countries”** (April 2013 – April 2016)

Beneficiaries: All TRACECA countries

The project's objective is to contribute to strengthening the political and transport dialogue mechanisms between the EC, the TRACECA beneficiary countries, other project stakeholders and IFIs. The project is to contribute to the development and agreement of TRACECA regional investment plans for transport infrastructure and to provide support in project identification, project definition and appraisal leading to mobilisation of funding and project implementation. Further support in the implementation of transport investments' projects by providing studies, developing business and master plans, analysing financial and technical feasibility and promoting public-private partnerships is envisaged in the framework of the project implementation.

**Twinning project “Support to the Strengthening of Road Freight and Passengers Transport Safety”** (September 2008 – May 2010)

Beneficiary: Ukraine

This road safety twinning project was aimed at harmonization of legislation and procedures as well as improvement of the enforcement mechanisms to enhance road safety. The project contributed into the adaptation of legal framework for general traffic regulation and obligatory insurance covering; improvement of enforcement and control mechanisms; improvement of sanction system and procedures for handling fines. The project helped involved stakeholders to prepare road traffic safety strategy document that could serve for further drafting of respective legal documents. Assistance was provided to improve road accident database.

**TRACECA project ‘Transport of dangerous goods along the TRACECA Corridor’** (March 2006 – October 2010)

Beneficiaries: TRACECA countries

The project purpose was to introduce alternative, economical, and advanced model for transporting liquefied petrol gas within TRACECA region to minimize current high transport costs and increase the safety of dangerous goods handling procedures, not limiting only to LPG.

**Two TRACECA projects "Implementation of the Regional Road Safety Action Plan for the ENPI and Central Asian Countries - Global Road Safety Partnership" and " Implementation of the Regional Road Safety Action Plan for the ENPI and Central Asian Countries" (March 2014 – March 2016)**

- Implementation of the Regional Road Safety Action Plan for the ENPI and Central Asian Countries – Global Road Safety Partnership

- Implementation of the Regional Road Safety Action Plan for the ENPI and Central Asian Countries

The projects are aimed at the implementation of TRACECA Regional Road Safety Action Plan, ensuring that corridor transport system actively promotes safety, security and protection of users, property, general public and the environment.

### **3.3 Results**

**Component A: Transposition of EU legislation and standards into the Ukrainian national laws and technical regulations on multimodal dangerous goods transport (by road, rail, sea and river)**

**Result:** Ukrainian national legislation and technical regulations on dangerous goods transport by road, rail, sea and river as well in multimodal connections are in line with the EU legislation and standards.

**Component B: Institutional capacity strengthening of the state authorities in charge for the dangerous goods transport in implementing the legislation and technical requirements on multimodal dangerous goods transport (road, rail, sea and river)**

**Result:** institutional action plan in implementing the legislation and technical requirements on dangerous goods transport by road, rail, sea and river as well in multimodal connections are elaborated and introduced.

**Component C: Increased efficiency of state enforcement measures to ensure safety of multimodal dangerous goods transport (road, rail, sea and river)**

**Result:** Measures for comprehensive improvement of enforcement bodies operation in charge for the dangerous goods transport are elaborated and carried out.

**Component D: Support to the state authorities and enforcement bodies in charge for the dangerous goods transport in developing the policy for implementation of the EU laws on multimodal dangerous goods transport (by road, rail, sea and river)**

**Result:** “Program on Enhancing the Safety of Dangerous Goods Transport in Ukraine” is elaborated and agreed at the level of Ministry of infrastructure of Ukraine. Program implementation has started.

### 3.4 Activities

#### Component 0:

**Activity 0.1: Kick-Off Meeting.** During the first month of the Project a kick-off meeting will be organised to introduce the aims and activities agreed upon in the Work Plan with all relevant stakeholders. If agreed by the Twinning Partners, the public shall be informed as well by organising a media conference announcing the project launch and objectives.

**Activity 0.2: Workshop for communicating preliminary project achievements and a plan for further actions.** The workshop shall be organised at the end of the first year of project implementation. The main goal is to present and discuss the preliminary project results as well as lessons learnt, and the action plan for the further entire harmonization with the EU laws in the field of dangerous goods transport in Ukraine. All stakeholders from the public and private sectors should be involved into the discussion. The Twinning Partners shall decide if they open this meeting to the general public and to the media.

**Activity 0.3: Closing Conference.** A conference shall be organised during the final period of the project implementation phase. The main goal is to present the results of the project as well as lessons learnt and recommendations to the same audience that attended the kick-off meeting. The Twinning Partners shall decide if they open this meeting to the general public and to the media.

#### Component A: **Transposition of EU legislation and standards into the Ukrainian national laws and technical regulations on multimodal dangerous goods transport (by road, rail, sea and river)**

**Activity A.1: Performing a GAP analysis between the EU legislation (Directive 2008/68/EC with a due view of Directives 2010/61/EC and 2012/45/EC, as well as EC Decisions 2009/240/EC, 2010/187/EC, 2011/26/EC, 2012/188/EC, 2013/218/EC and 2015/217), international legislation (ADR, RID, ADN, IMDG Code and IMSBC Code) and existing Ukrainian legislations in the dangerous goods transport field<sup>9</sup> as well as current technical and qualifications standards.** The analysis should also take into account provisions of the draft legal instruments prepared already in the dangerous goods transport field that are at the development and discussion stages. **Recommendations** on priority further steps and actions for improving the implementation of the EU laws on dangerous goods transport are to be prepared.

**Activity A.2:** Pursuant to the analysis made and recommendations provided, developing **proposals on enhancing the Implementation Plan of Directive 2008/68/EC** approved by Cabinet of Ministers of Ukraine Ordinance, applying the approved by the ministry Template for transposition, implementation and enforcement of a directive/regulation and the related roadmap for the Directive 2008/68/EC.

**Activity A.3: Drafting regulatory acts (primary and subsidiary legislation)** to implement provisions of **Directive 2008/68/EC** of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods and provisions of **ADR, RID, ADN, IMDG Code and IMSBC Code** to create a common regime that might cover all aspects of national and international transport of dangerous goods and to establish unified rules on safe multimodal transport of dangerous

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<sup>9</sup> Hereinafter the term ‘dangerous goods transport’ should mean multimodal dangerous goods transport including road, rail, sea and river (IWW) as well as multimodal connections.



goods. For instance, the project assistance is required for developing the Rules on transporting the dangerous goods by sea and inland waterways of Ukraine, and revising the Rules on transporting the dangerous goods by rail and road.

**Activity A.4:** Developing new regulative documents or amending the existing ones or provide relevant recommendations on their removal in order to remove discrepancies in technical and qualification standards.

**Activity A.5:** Participation in meetings, sessions or discussions with stakeholders, including the top management level, on presenting the outcomes of both comparative analysis and legal and regulative instruments drafted, based on the EU member states' practice.

**Activity A.6:** Conducting *workshops for public discussion of regulatory acts and technical requirements on multimodal dangerous goods transport*, with the involvement of relevant MIU units, other ministries and governmental departments, NGOs and carriers (managers and specialists).<sup>10</sup>

**Component B: Institutional capacity strengthening of the state authorities in charge for the dangerous goods transport in implementing the legislation and technical requirements on multimodal dangerous goods transport (road, rail, sea and river)**

**Activity B.1: *Providing analysis of the existing Ukrainian legislation and regulative framework in terms of competence of the state authorities in charge for dangerous goods transport*** and assess their compliance /compatibility with the general principles of EU legislation, provisions of *Directive 2008/68/EC, ADR, RID, ADN, IMDG Code and IMSBC Code*. Within the framework of analysis, separate study of a dedicated training system for dangerous goods transport experts (road, rail, sea, river) and their regular advance training as well as assess current programs and curricula are conducted. A particular attention should be paid to the training programs and curricula, requirements to the trainers and training process as well as knowledge testing criteria. This activity is to be coordinated with the results of actions under Activity C.1.

**Activity B.2: *Assessing comprehensively the institutional capacity of the state authorities in charge for dangerous goods transport*** (SWOT analysis, including potential scenarios for institutional transformations) to implement the laws, technical requirements and procedure issues. The analysis should cover such areas as legal framework implementation, functionalities of public bodies, institutional base, organisational structure, public information (work transparency), education and training of the staff, capacity building for state authority staff, technical support available and required, , etc. ***Recommendations on improving the state governance and separation of functions and responsibilities of central executive bodies in charge for dangerous goods transport as well as their interaction*** are to be provided. These recommendations, inter alia, should cover issues of developing the policy, drafting the legal and regulative framework and monitoring the dangerous goods transport safety in line with the EU member-states' practices. While defining the responsibilities, a reform of Ministry of Internal Affairs and transfer of substantial part of competencies on dangerous goods transport to the MIU should be accounted.

**Activity B.3: *Organizing a study tour*** to the EU member-states to demonstrate the best practices of public regulation and enforcement of the dangerous goods transport, interaction between different authorities/bodies and international organisations, standardization of transport documents and technical requirements to vehicles, etc. A particular attention should be paid to visualisation and

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<sup>10</sup> Private carriers for the participation should be selected subject to the direct consultations with the MIU

explanation of practices of the body responsible for dangerous goods transport safety implementation.

**Activity B.4: Developing an action plan for improvement of the institutional capacity of state authorities in charge for the dangerous goods transport**, covering legislation framework, roles, institutional set up; organizational structure, communication, staff, qualifications, training, equipment, financing etc. as well as improvement of the of dedicated training system / advance training for the staff of both state authorities and transport carriers (development of curriculum and its introduction).

**Activity B.5: Drafting regulatory acts** on advancing the dedicated training system for managers, specialists and employees engaged into the dangerous goods transportation process and dealing with the operations related to dangerous goods transport, including, development of proposals on revising (amending and adding) the legal and regulative acts on dedicated training of the staff of the dangerous goods carriers adopted by the MIU (MTCU), and drafting (if necessary) of new legal and regulatory acts.

**Activity B.6:** Developing a training programme and conducting *training (train a trainer)* for MIU and UkrTransBezpeka to increase their capacity and deliver advanced training instructions for the Ukrainian training centre trainers to be involved into the dedicated training system for dangerous goods transport carriers.

### **Component C: Increased efficiency of state enforcement measures to ensure safety of multimodal dangerous goods transport (road, rail, sea and river)**

**Activity C.1: Providing analysis the existing Ukrainian legislation and regulative framework in terms of competence of the enforcement bodies in the dangerous goods transport** and assess their compliance /compatibility with the general principles of EU legislation, provisions of **Directive 2008/68/EC, ADR, RID, ADN, IMDG Code and IMSBC Code**. The reform of Ministry of Internal Affairs and transfer of substantial part of competencies on dangerous goods transport to the MIU should be accounted in this context. This activity is to be coordinated with the results of actions under Activity B.1.

**Activity C.2: Assessing comprehensively the institutional capacity of the enforcement bodies in dangerous goods transport field** (SWOT analysis, including potential scenarios for institutional transformations) to enforce the laws and technical requirements for dangerous goods transport. The analysis should cover such areas as law enforcement, functionalities of state enforcement authorities, organisational structure (external resistance to perform the tasks imposed and flexibility for internal reforms), public information (work transparency), education and training of the staff, capacity building for state authority staff, technical support available and required, stability and sufficiency of funding, etc. **Recommendations on improving the functional system (duties and responsibilities) on enforcing the laws on dangerous goods transport**, including authorities of Ministry of Infrastructure, UkrTransBezpeka and other stakeholders, including recommendations on improving the procedures for state supervision and monitoring of safety during the dangerous goods transport as well as improvement of enforcement authority inspector staff (UkrTransBezpeka) are to be provided.

**Activity C.3: Organizing a study tour** to an EU member-state to demonstrate the best practices of public regulation and enforcement of the dangerous goods transport, interaction between different authorities/bodies and international organisations, standardization of transport documents and technical requirements to vehicles, etc. A particular attention should be paid to visualisation and explanation of practices of the body responsible for dangerous goods transport safety enforcement.

**Activity C.4:** *Developing an action plan for improvement of the institutional capacity of enforcement bodies in dangerous goods transport field*, covering all the related aspects: legislation framework, roles, institutional set up; organizational structure, communication, staff, qualifications, training, equipment, financing etc.

**Activity C.5:** Conducting *workshops* for the stakeholders (governmental and non-governmental organisations as well as carriers) on establishing technical and technological requirements and carrying the state enforcement of the dangerous goods transport safety compliance at road, rail, sea and river transport.

**Activity C.6:** *Developing a curriculum, training programme and provide a training* for the staff responsible for the enforcement (with involvement of representatives of UkrTransBezpeka and Department for Transport Safety of the MIU) to present the best European/ international practices on state enforcement of the dangerous goods transport safety compliance. Provide assistance in creation special training center within UkrTransBezpeka for periodic capacity building of enforcement body experts.

**Activity C.7:** Carrying out *joint* (project's experts and up to 10 inspectors of UkrTransBezpeka) *control* on dangerous goods transport safety compliance to check the acquired during training knowledge and development of inspectors' skills.

**Component D: Support to the state authorities and enforcement bodies in charge for the dangerous goods transport in developing the policy for implementation of the EU laws on multimodal dangerous goods transport (by road, rail, sea and river)**

**Activity D.1:** Given the EU member-states' experience, *draft the Program on Enhancing the Safety of Dangerous Goods Transport in Ukraine*, based on developed recommendations and actions under components B and C. SWOT analysis (strengths, weaknesses, opportunities, threats) of the mentioned Program on Enhancing the Safety of Dangerous Goods Transport in Ukraine is to be prepared.

**Activity D.2:** *Provide workshops* to the staff of MIU (including UkrTransBezpeka employees), relevant governmental institutions, NGO's and Ukrainian training centres to present and discuss the draft Program on Enhancing the Safety of Dangerous Goods Transport in Ukraine as well as practices of the EU member-states on developing, implementing the programs and monitoring their implementation.

**Activity D.3:** *Publication of Program on Enhancing the Safety of Dangerous Goods Transport in Ukraine*, including background and argumentation of measures based on EU countries' experience, as well as its introduction to the wide range of stakeholders and mass media. This event could be unified with the Action 0.3, namely Project's Closing Conference.

**Activity D.4:** *Provision assistance to the Ministry of infrastructure and Ukrtransbezpeka in implementation of a number of measures foreseen by the Program on Enhancing the Safety of Dangerous Goods Transport in Ukraine* and their proper presentation to the stakeholders.

### **3.5 Means/ Input from the MS Partner Administration**

This twinning project provides for exchanging the experience and advanced methods with the administration (administrations) of EU Member States for 21 months (the project's implementation period). Standard twinning procedures are to be used. RTA and STEs mobilised under this contract must be proficient in English, preferably also be proficient in Ukrainian or Russian, have excellent

communication and analytical skills, be proficient in report drafting and have excellent team working abilities.

### *3.5.1 Profile and Tasks of the Project Leader (PL)*

The PL will be expected to devote a minimum of 3 days per month to the project in his/ her home administration. In addition, he/she will come to Ukraine at least every three months (e.g. at Project Steering Committee (PSC)) to supervise and coordinate the overall flow of the project, from the Member State side.

The main tasks of the Member State Project Leader are to ensure:

- The overall coordination of the Project;
- The achievement of the mandatory results.

The MS Project leader shall:

- Be a long-term civil servant from the public authority responsible for transport sector with necessary experience in a leading position in transport safety/ dangerous goods transport;
- Co-chair Project Steering Committee meetings;
- Provide legal and technical guidance and analytical support;
- Contribute to preparation of project progress reports with support of the RTA;
- Have education and experience in the field of project management, institutional issues and organization of regulatory & safety oversight works in transport safety/ dangerous goods transport;;
- Have a good command of written and spoken English.

### *3.5.2 Profile and Tasks of the RTA*

The Resident Twinning Adviser (RTA) will provide input on site, and the main tasks are:

- Manage the day-to-day coordination and progress of the activities of the project in Ukraine (office accommodation in the Ministry of Infrastructure premises);
- Leading the activities of the Project;
- Liaise with the Beneficiary Country (BC) Project Leader and maintain regular contacts with BC RTA counterpart;
- Report to the MS Project Leader;
- Follow up progress action plans of Ministry of Infrastructure staff on their return from work placements;
- Prepare project progress reports.

The RTA shall:

- Be a civil servant from the state authority or mandated body with at least 10 years of experience in freight transport matters with the last 5 years in transport safety/ dangerous goods transport;
- Have a deep knowledge of institutional and legal issues and transport safety/ dangerous goods transport activities;
- Have a good command of written and spoken English.

### *3.5.3 Profile and tasks of short-term experts (STEs)*

To achieve the mandatory results and to carry out the activities as per section 3.4 (activities) assistance of indicatively 13 short-term experts of the following profile would be needed:

Title	Tasks	Profile	Input <sup>11</sup>
STE 1 – Legal expert in dangerous goods multimodal transport	GAP analysis between EU and existing Ukrainian legislation, recommendations and legal drafting – primary and secondary legislation (activity to be done in collaboration with experts by modes)	University degree Expert in EU transport acquis and implementation issues Excellent command of written and spoken English	50 md
STE 2 – Institutional expert on transport safety	Assess (including SWOT analysis) and provide recommendations on roles (duties and responsibilities) and authorities of Ministry of Infrastructure, Ukrtransbezpeka and other stakeholders during dangerous goods transport. Elaboration of Action Plan. Training activities	University degree Excellent knowledge in Institutional issues related to transport safety Experience in institutional issues of which minimum 5 years in the field of transport safety Ability to develop guidance tools (plans, procedures, manuals, etc) Excellent command of written and spoken English	30 md
STE 3 – Multimodal transport expert	Assist in analysis and preparation of the legal drafts and action plans envisaged by this twinning project. Cross-cutting issues/ Training activities	University degree Excellent knowledge of planning and enforcement activities At least 5 years of experience in multimodal procedures on dangerous goods transport	20 md
STE 4 – Enforcement expert	Analysis of enforcement legislation, provision of action plan and assistance in legal drafting (standards and regulations). Training activities	University degree Excellent knowledge of planning of enforcement activities At least 7 years of experience in enforcing dangerous goods transport safety legislation	30 md
STE 5 – Dangerous goods road transport expert	Assist in analysis, preparation of the legal drafts and action plans envisaged by this twinning project Training activities	University degree Excellent knowledge of planning and enforcement activities At least 5 years of experience in road dangerous goods transport safety	30 md

<sup>11</sup> Input in man-days is indicative

STE 6 – Dangerous goods rail transport expert	Assist in analysis, preparation of the legal drafts and action plans envisaged by this twinning project Training activities	University degree Excellent knowledge of planning and enforcement activities At least 5 years of experience in rail dangerous goods transport safety	30 md
STE 7 - Dangerous goods maritime transport expert	Assist in analysis, preparation of the legal drafts and action plans envisaged by this twinning project Training activities	University degree Excellent knowledge of planning and enforcement activities At least 5 years of experience in maritime dangerous goods transport safety	30 md
STE 8 – Dangerous goods inland waterway transport expert	Assist in analysis, preparation of the legal drafts and action plans envisaged by this twinning project Training activities	University degree Excellent knowledge of planning and enforcement activities At least 5 years of experience in inland waterway dangerous goods transport safety	30 md

Total: 250 days

The STEs will have the following profile:

- At least University degree education in law, public administration, transport economics or equivalent field, or at least 7 years of general professional experience referred to below;
- Minimum 5 years of professional experience in the fields of transport safety or in harmonisation of external legislation with EU transport acquis in transport safety/ dangerous goods transport;
- Experience in training and mentoring in the field of transport safety/ dangerous goods transport;
- Preferably a comparative knowledge of other Member States and candidate countries' systems of transport safety/ dangerous goods transport;
- Strong written, verbal and inter-personal communication skills in English.

STEs will provide specialized know-how for the individual tasks in this project. 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.

The MS should consider their possibilities to mobilise short-term experts from different EU Member States with relevant experience.

#### *3.5.4. Reporting and monitoring*

The Delegation of the European Union to Ukraine will manage the procurement, tendering, quality control, reporting and coordination with other donors, the financial and technical cooperation related to the actions described in this project fiche, taking remedial actions if and when needed.

PL primary responsibility shall be to ensure that the project produces the required outputs, to the required standards of quality and within the specified constraints of time and cost. PL and other project staff will also address cross-cutting issues. A detailed description of the works and duties of RTAs and other experts will be elaborated in the twinning contract (work programme), in line with this twinning project fiche. Following the inception report, the relevant reports will be issued by the MS Project Leader and BC Project Leader on the quarter basis.

The Delegation of the European Union to Ukraine together with the Twinning Programme Administration Office (PAO) will control the quality of all twinning documentation, check that the good financial management of the twinning project is in compliance with EC rules, receive and examine all twinning project reports, support all twinning stakeholders, including beneficiary administration and Member States.

Project's Steering Committee (PSC) will be responsible for the overall direction of the project and comprise of the representatives from the Beneficiary Administration, MS Administration, EU Delegation and PAO. At quarterly intervals the Project Leaders, the PSC will assess the project progress, verify the achievements of the outputs and mandatory results and define any additional actions required.

The official language of the project will be English. All formal communication regarding the project, including all reports, will be produced in English.

#### **4. INSTITUTIONAL FRAMEWORK**

The main beneficiary institution for this twinning project is the Ministry of Infrastructure of Ukraine and namely its Transport Safety and Security Department acting as a competent body in the dangerous goods transport.

Other stakeholder (project partner) shall be the State Inspectorate of Ukraine on Transport Safety and Security (UkrTransBezpeka).

Both Ministry of Infrastructure as primary beneficiary as well as the UkrTransBezpeka should accept the binding conditions of the twinning agreement with the EU.

The results of the twinning project shall lead to a strengthening of the institutional and legal frameworks.

#### **5. BUDGET**

Indicative budget: **€ 1 200 000**

#### **6. IMPLEMENTATION ARRANGEMENTS**

A Project Steering Committee (PSC) will be established for the control and supervision of production of the mandatory results and implementation of the activities. The Steering Committee will meet at regular intervals and will submit by the end of each meeting (as recorded in the minutes of meeting) an acceptance / non acceptance of the Project reports. Official minutes of the PSC meetings will be kept in English and Ukrainian and distributed to all parties within 15 days after the PSC meeting. The Steering Committee should be held every three months. The first Project report should be issued at month 4 and the following ones should follow at the same months as Steering Committee meetings. Project closure by the Delegation should be foreseen for the 24th month, after the approval of the Project's Final Report.

The project will require considerable coordination efforts among various stakeholders in the beneficiary country. There might be a need to discuss/ agree some issues with the Ministry of Internal Affairs (Road Traffic Police) in the course of the project implementation. The coordination among the public institutions in the beneficiary country will be under the responsibility of the beneficiary institution, namely Department for Transport Safety and Security, Ministry of Infrastructure of Ukraine.

## **6.1 Implementing Agency**

The Implementing Agency responsible for tendering, contracting and accounting is the European Commission represented by the Delegation of the European Union to Ukraine. The person in charge of this project at the Delegation of the European Union to Ukraine is:

### **Teodora Andreeva**

Project Manager

Delegation of the European Union to Ukraine

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Tel.: +380 (44) 390 80 10

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The Twinning Programme Administration Office (PAO) under the National Agency of Ukraine on Civil Service is an administration responsible for coordination of the preparation of Twinning projects in Ukraine and support for their implementation, provision of advisory and methodological support to public authorities in preparing and implementation of Twinning projects.

The person in charge at PAO in Ukraine is:

### **Maryna Kanavets**

Director of Twinning Programme Administration Office in Ukraine

National Agency of Ukraine on Civil Service

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E-mail: [pao@center.gov.ua](mailto:pao@center.gov.ua)

### **PAO Project Coordinator:**

#### **To be indicated following discussion with PAO**

Twinning Programme Administration Office in Ukraine

National Agency of Ukraine on Civil Service

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Tel.: +380 (44) 279 29 26

Fax: +380 (44) 278 36 44

E-mail:

## **6.2 Counterparts in the Beneficiary Country (BC)**

### 6.2.1. Contact Person

#### **Volodymyr Koskovetskiy**

Director of the Department for Transport Safety and Security, Ministry of Infrastructure of Ukraine



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#### 6.2.2. Project Leader

##### **Oksana Reiter**

Deputy Minister of Infrastructure of Ukraine for European Integration

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#### 6.2.3. RTA Counterpart

##### **Mykola Horbakha**

Head of the State Service of Ukraine on Transport Safety and Security (UkrTransBezpeka)

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### **6.3 Contracts**

Only one twinning contract is foreseen for this project.

## **7. IMPLEMENTATION SCHEDULE (INDICATIVE)**

### **7.1 Launching of the call for proposals (date)**

September 2015

### **7.2 Start of project activities (date)**

March 2016

### **7.3 Project Completion (date)**

March 2018

### **7.4 Duration of the execution period (number of months)**

24 months

*Duration of the implementation period: 21 months*

## **8. SUSTAINABILITY**

The twinning partners will undertake to provide the basic infrastructure necessary for the sustainability of their joint twinning achievements. The sustainability of the results is likely to be achieved if the twinning partners commit themselves to the following:

1. Efficient absorption of the content and understanding of the training materials by the Beneficiary personnel being measured and monitored after each training session that is provided by simple tests.
2. Make maximum use of the skills and abilities of the beneficiary country administration personnel previously trained by [other] Member States; apply “train the trainers approach” for sustainable capacity building of the beneficiary administration;
3. Provide assurance that manuals and procedures developed within the twinning project will be used by the beneficiary beyond the primary contract period.

The success of the project will be based on achieving practical results and the sustainability of the results will be an important measure of success.

The twinning partners will also seek additional and alternative ways in which the project can be seen to be sustainable.

## **9. CROSSCUTTING ISSUES**

Each twinning partner is required to comply with the equal opportunities requirements of the EU. Whilst environmental requirements are not immediately applicable to the implementation of the project, if any such situation does arise both partners are required to comply with the environmental requirements of the EU.

### **9.1 Equal Opportunity (gender mainstreaming)**

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 will promote participation of women in beneficiary organisations and will identify the effects/impacts/opportunities on and for women. The team of experts involved in the project must possess relevant skills to ensure effective mainstreaming of gender equality and minorities inclusion /participation.

### **9.2 Minorities**

With the improvement of transport organisation in Ukraine, the 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 underlying assumption for this project is the Ukrainian political will to transport safety in Ukraine. So far there has been no reason to doubt this assumption.

Projects to be implemented through Twinning require the full commitment and participation of the senior management of the beneficiary institution/s. In addition to providing the Twinning partner with adequate resources to operate effectively, the senior management must be fully involved in the development and implementation of the policies required to deliver the project results.

The Ministry of Infrastructure of Ukraine, as the Ukrainian twinning partner, will provide office accommodation equipped with means of communication for the RTA, the RTA Assistant, and the Interpreter/ Translator within the ministry premises.

**ANNEXES TO PROJECT FICHE:**

1. Logical framework matrix in standard format
2. Structure of Ministry of Infrastructure of Ukraine

LOGFRAME PLANNING MATRIX FOR Twinning Project Fiche	Programme name and number Annual Action Programme 2012	Harmonisation of the Transport Acquis
Support to Improving the Safety of Multimodal <sup>12</sup> Dangerous Goods Transport in Ukraine		

Project Description	Objectively verifiable indicators	Sources of Verification	Assumptions
<b>Overall Objective</b>			
The overall objective of the project is to improve multimodal dangerous goods transport system including road, rail, sea and river (IWW) as well as multimodal connections in line with the European rules and standards.	- Progress is achieved in developing the transport sector of Ukraine in line with EU <i>acquis</i> , in the fields of multimodal dangerous goods transport	- Beneficiary institution(s) dispose of sufficient capacity to advance the improvement of dangerous goods transport in Ukraine	
<b>Purpose</b>			
The purpose of the project is to enhance the capacity of the Ministry of Infrastructure of Ukraine in developing the policy for transposition, implementation and enforcement of requirements on dangerous goods transport including road, rail, sea and river (IWW) as well as multimodal connections in line with European rules and standards.	- Demonstrated compliance between the newly developed legal and regulatory instruments with the respective EU <i>acquis</i> / international best practice; - Workshops; - Trainings; - Study tours;	- Newly developed legal and regulatory instruments; - Workshop proceedings; - Training evaluation reports; - Study Tours' reports;	- Continued political stability in Ukraine and the region; - No escalation of external aggression; - Continued support of the Ukrainian Government for the development of the transport sector in line with EU <i>acquis</i> and best practices; - Beneficiary institution(s) demonstrate commitment to the project purpose and support it by availing dedicated counterpart staff;
<b>Results</b>			
<b>Component A:</b> Transposition of EU legislation and standards into the Ukrainian national laws and technical regulations on multimodal dangerous goods transport (by road, rail, sea	- GAP analysis provided; - Draft legal/regulatory acts (ministerial order, resolution of Cabinet of Ministers, Law	- Draft regulatory acts available; - Project progress reports; - MoI publications;	- Active cooperation from the part of the Beneficiary institution(s); - Effective coordination between the involved ministries/agencies/state

<sup>12</sup> Hereinafter the term 'dangerous goods transport' should mean multimodal dangerous goods transport including road, rail, sea and river (IWW) as well as multimodal connections

Project Description	Objectively verifiable indicators	Sources of Verification	Assumptions
<p>and river)</p> <p><u>Result:</u> Ukrainian national legislation and technical regulations on dangerous goods transport by road, rail, sea and river as well in multimodal connections are fully in line with the EU legislation and standards.</p>	<p>of Ukraine)</p> <ul style="list-style-type: none"> <li>- Workshop;</li> </ul>	<ul style="list-style-type: none"> <li>- Workshop proceedings;</li> <li>- Training evaluation reports;</li> <li>- Study Tours' reports;</li> </ul>	<p>bodies</p> <ul style="list-style-type: none"> <li>- Suitably experienced and qualified staff are available to coordinate the development of the legal framework</li> </ul>
<p><u>Component B:</u> Institutional capacity strengthening of the state authorities in charge for the dangerous goods transport in implementing the legislation and technical requirements on multimodal dangerous goods transport (road, rail, sea and river)</p> <p><u>Result:</u> Elaborated and introduced institutional action plan in implementing the legislation and technical requirements on dangerous goods transport by road, rail, sea and river as well in multimodal connections.</p>	<ul style="list-style-type: none"> <li>- SWOT analysis provided;</li> <li>- Draft legal/regulatory acts (ministerial order, resolution of Cabinet of Ministers, Law of Ukraine)</li> <li>- Action Plan</li> <li>- Study Tour</li> <li>- Training programme</li> <li>- Training;</li> </ul>	<ul style="list-style-type: none"> <li>- EU implementation legislation action plan agreed;</li> <li>- Draft regulatory acts available;</li> <li>- MoI publications;</li> <li>- Workshop proceedings;</li> <li>- Training evaluation reports;</li> <li>- Study Tours' reports;</li> </ul>	<ul style="list-style-type: none"> <li>- Active cooperation from the part of the Beneficiary institution(s);</li> <li>- Effective coordination between the involved ministries/agencies/state bodies</li> <li>- Suitably experienced and qualified staff are available to introduce changes and implement EU acquis and best practices</li> </ul>
<p><u>Component C:</u> Increased efficiency of state enforcement measures to ensure safety of multimodal dangerous goods transport (road, rail, sea and river)</p> <p><u>Result:</u> Measures for comprehensive improvement of enforcement bodies operation in charge for the dangerous goods transport are elaborated and carried out.</p>	<ul style="list-style-type: none"> <li>- SWOT analysis provided;</li> <li>- Action Plan</li> <li>- Study Tour</li> <li>- Training programme</li> <li>- Training;</li> <li>- Workshop;</li> </ul>	<ul style="list-style-type: none"> <li>- Action plan for enforcement bodies agreed</li> <li>- Project progress reports;</li> <li>- MoI publications;</li> <li>- Workshop proceedings;</li> <li>- Study Tours' reports;</li> <li>- Evaluation report on joint control</li> </ul>	<ul style="list-style-type: none"> <li>- Active cooperation from the part of the Beneficiary institution(s);</li> <li>- Effective coordination between the involved ministries/agencies/state bodies</li> <li>- Suitably experienced and qualified staff are available to enforce the implementation of regulations and standards</li> </ul>

<b>Project Description</b>	<b>Objectively verifiable indicators</b>	<b>Sources of Verification</b>	<b>Assumptions</b>
<p><u>Component D:</u> Support to the state authorities and enforcement bodies in charge for the dangerous goods transport in developing the policy for implementation of the EU laws on multimodal dangerous goods transport (by road, rail, sea and river)</p> <p><u>Result:</u> Elaborated and agreed on the level of Ministry of infrastructure of Ukraine “Program on Enhancing the Safety of Dangerous Goods Transport in Ukraine”. Program implementation has started.</p>	<ul style="list-style-type: none"> <li>- Draft Program on Enhancing the Safety of Dangerous Goods Transport in Ukraine</li> <li>- Workshop;</li> <li>- Some measures foreseen by the Program are implemented</li> </ul>	<ul style="list-style-type: none"> <li>- Agreed “Program on Enhancing the Safety of Dangerous Goods Transport in Ukraine”.</li> <li>- Project progress reports;</li> <li>- MoI publications;</li> <li>- Workshop proceedings;</li> </ul>	<ul style="list-style-type: none"> <li>- Active cooperation from the part of the Beneficiary institution(s);</li> <li>- Effective coordination between the involved ministries/agencies/state bodies and other stakeholder;</li> </ul>

<b>Activities</b>	<b>Means</b>	<b>Costs</b>	<b>Assumptions</b>
<b>Component 0:</b>			
0.1: Kick-Off Meeting			
0.2: Workshop for communicating preliminary project achievements and a plan for further actions			
0.3: Closing Conference			
<b>Component A: Transposition of EU legislation and standards into the Ukrainian national laws and technical regulations on multimodal dangerous goods transport (by road, rail, sea and river)</b>			
A.1: Perform a GAP analysis between the EU legislation (Directive 2008/68/EC with a due view of Directives 2010/61/EC and 2012/45/EC, as well as EC Decisions 2009/240/EC, 2010/187/EC, 2011/26/EC,			<ul style="list-style-type: none"> <li>- Full and timely access to the relevant Ukrainian legislation in multimodal dangerous goods transport;</li> <li>- Active cooperation of the Beneficiary</li> </ul>

<p>2012/188/EC, 2013/218/EC and 2015/217), international legislation (ADR, RID, ADN, IMDG Code and IMSBC Code) and existing Ukrainian legislations in the dangerous goods transport field<sup>13</sup> as well as current technical and qualifications standards. The analysis should also take into account provisions of the draft legal instruments prepared already in the dangerous goods transport field that are at the development and discussion stages and develop recommendations on priority further steps and actions for improving the implementation of the EU laws on dangerous goods transport.</p> <p>A.2: Pursuant to the analysis made and recommendations provided, develop proposals on enhancing the Implementation Plan of Directive 2008/68/EC approved by Cabinet of Ministers of Ukraine Ordinance, applying the approved by the ministry Template for transposition, implementation and enforcement of a directive/regulation and the related roadmap for the Directive 2008/68/EC.</p> <p>A.3: Draft regulatory acts (primary and subsidiary legislation) to implement provisions of Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods and provisions of ADR, RID, ADN, IMDG Code and IMSBC Code to create a common regime that might cover all aspects of national and international transport of</p>			<p>institution(s);</p> <ul style="list-style-type: none"> <li>- Beneficiary staff made available to attend workshop/training/study tour;</li> <li>- Effective intra-departmental and stakeholder coordination;</li> </ul>
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<sup>13</sup> Hereinafter the term ‘dangerous goods transport’ should mean multimodal dangerous goods transport including road, rail, sea and river (IWW) as well as multimodal connections.

<p>dangerous goods and to establish unified rules on safe multimodal transport of dangerous goods. For instance, the project assistance is required for developing the Rules on transporting the dangerous goods by sea and inland waterways of Ukraine, and revising the Rules on transporting the dangerous goods by rail and road.</p> <p>A.4: Developing new regulative documents or amending the existing ones or provide relevant recommendations on their removal in order to remove discrepancies in technical and qualification standards.</p> <p>A.5: Participate in meetings, sessions or discussions with stakeholders, including the top management level, on presenting the outcomes of both comparative analysis and legal and regulative instruments drafted, based on the EU member states' practice.</p> <p>A.6: Conduct workshops for public discussion of regulatory acts and technical requirements on multimodal dangerous goods transport, with the involvement of relevant MIU units, other ministries and governmental departments, NGOs and carriers (managers and specialists)</p>			
<p><b>Component B: Institutional capacity strengthening of the state authorities in charge for the dangerous goods transport in implementing the legislation and technical requirements on multimodal dangerous goods transport (road, rail, sea and river)</b></p>			
<p>B.1: Provide analysis of the existing Ukrainian legislation and regulative framework in terms of competence of the state authorities in charge for dangerous goods transport and assess their compliance /compatibility with the general principles of EU legislation, provisions of</p>			<ul style="list-style-type: none"> <li>- Full and timely access to the relevant Ukrainian legislation in multimodal dangerous goods transport;</li> <li>- Active cooperation of the Beneficiary institution(s);</li> <li>- Beneficiary staff made available to</li> </ul>



<p>Directive 2008/68/EC, ADR, RID, ADN, IMDG Code and IMSBC Code. Within the framework of analysis, conduct separate study of a dedicated training system for dangerous goods transport experts (road, rail, sea, river) and their regular advance training as well as assess current programs and curricula. A particular attention should be paid to the training programs and curricula, requirements to the trainers and training process as well as knowledge testing criteria. This activity is to be coordinated with the results of actions under Activity C.1.</p> <p>B.2: Assess comprehensively the institutional capacity of the state authorities in charge for dangerous goods transport (SWOT analysis, including potential scenarios for institutional transformations) to implement the laws, technical requirements and procedure issues. The analysis should cover such areas as legal framework implementation, functionalities of public bodies, institutional base, organisational structure, public information (work transparency), education and training of the staff, capacity building for state authority staff, technical support available and required, , etc. Produce recommendations on improving the state governance and separation of functions and responsibilities of central executive bodies in charge for dangerous goods transport as well as their interaction. These recommendations, inter alia, should cover issues of developing the policy, drafting the legal and regulative framework and monitoring the dangerous</p>			<p>attend workshop/training/study tour; - Effective intra-departmental and stakeholder coordination;</p>
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<p>goods transport safety in line with the EU member-states' practices. While defining the responsibilities, a reform of Ministry of Internal Affairs and transfer of substantial part of competencies on dangerous goods transport to the MIU should be accounted.</p> <p>B.3: Organize a study tour (for senior experts of Department for Transport Safety and Security of the MIU) to the EU member-states to demonstrate the best practices of public regulation and enforcement of the dangerous goods transport, interaction between different authorities/bodies and international organisations, standardization of transport documents and technical requirements to vehicles, etc. A particular attention should be paid to visualisation and explanation of practices of the body responsible for dangerous goods transport safety implementation.</p> <p>B.4: Develop an action plan for improvement of the institutional capacity of state authorities in charge for the dangerous goods transport, covering legislation framework, roles, institutional set up; organizational structure, communication, staff, qualifications, training, equipment, financing etc. as well as improvement of the of dedicated training system / advance training for the staff of both state authorities and transport carriers (development of curriculum and its introduction).</p> <p>B.5: Draft regulatory acts on advancing the dedicated training system for managers, specialists and employees engaged into the</p>			
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<p>dangerous goods transportation process and dealing with the operations related to dangerous goods transport, including, development of proposals on revising (amending and adding) the legal and regulative acts on dedicated training of the staff of the dangerous goods carriers adopted by the MIU (MTCU), and drafting (if necessary) of new legal and regulatory acts.</p> <p>B.6: Develop a training programme and conduct training (train a trainer) for MIU and UkrTransBezpeka to increase their capacity and deliver advanced training instructions for the Ukrainian training centre trainers to be involved into the dedicated training system for dangerous goods transport carriers.</p>			
<p><b>Component C: Increased efficiency of state enforcement measures to ensure safety of multimodal dangerous goods transport (road, rail, sea and river)</b></p>			
<p>C.1: Provide analysis the existing Ukrainian legislation and regulative framework in terms of competence of the enforcement bodies in the dangerous goods transport and assess their compliance /compatibility with the general principles of EU legislation, provisions of Directive 2008/68/EC, ADR, RID, ADN, IMDG Code and IMSBC Code. The reform of Ministry of Internal Affairs and transfer of substantial part of competencies on dangerous goods transport to the MIU should be accounted in this context. This activity is to be coordinated with the results of actions under Activity B.1.</p>			<ul style="list-style-type: none"> <li>- Full and timely access to the relevant Ukrainian legislation in multimodal dangerous goods transport;</li> <li>- Active cooperation of the Beneficiary institution(s);</li> <li>- Beneficiary staff made available to attend workshop/training/study tour;</li> <li>- Effective intra-departmental and stakeholder coordination;</li> <li>-</li> </ul>

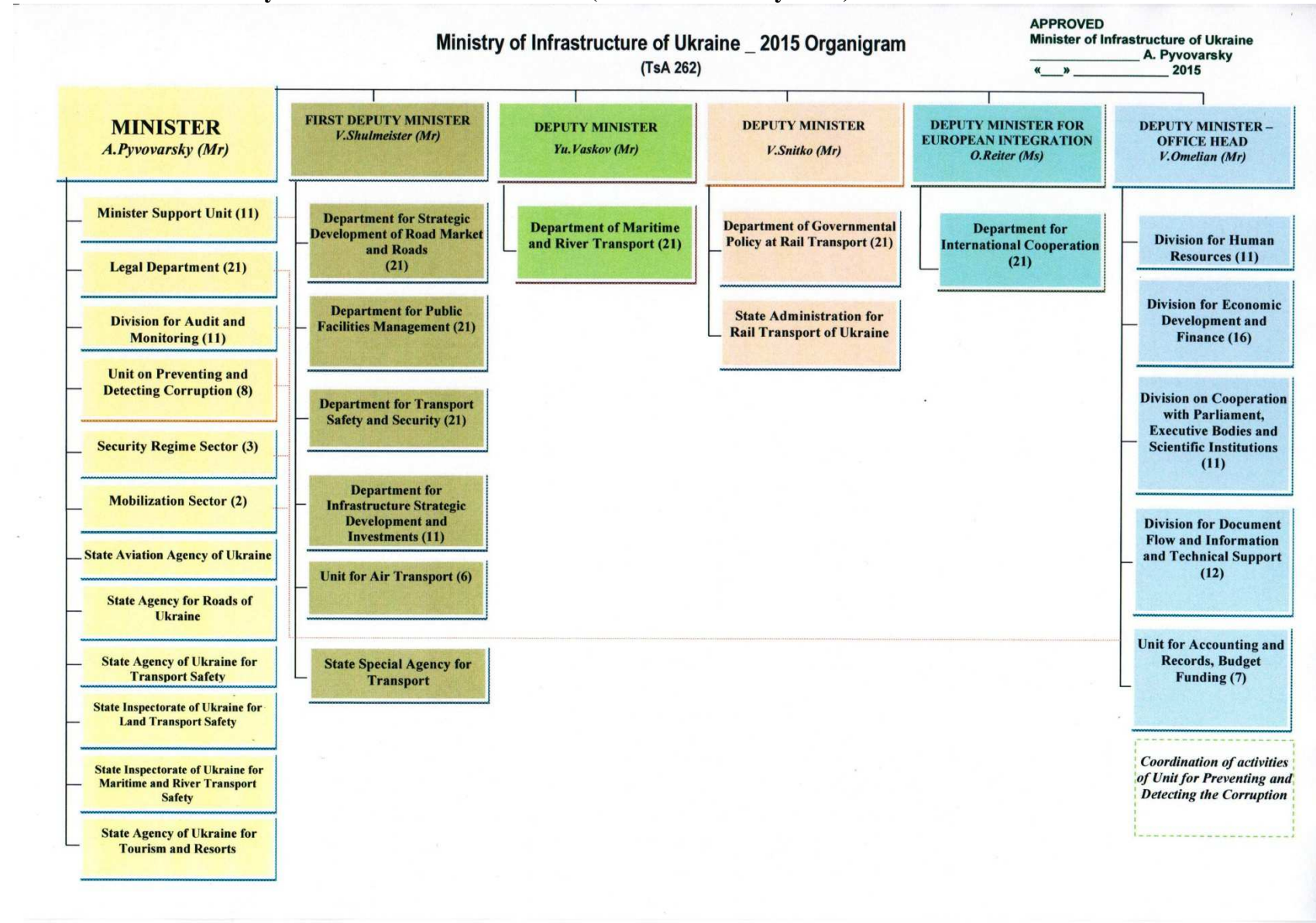
<p>Activity C.2: Assess comprehensively the institutional capacity of the enforcement bodies in dangerous goods transport field (SWOT analysis, including potential scenarios for institutional transformations) to enforce the laws and technical requirements for dangerous goods transport. The analysis should cover such areas as law enforcement, functionalities of state enforcement authorities, organisational structure (external resistance to perform the tasks imposed and flexibility for internal reforms), public information (work transparency), education and training of the staff, capacity building for state authority staff, technical support available and required, stability and sufficiency of funding, etc. Provide recommendations on improving the functional system (duties and responsibilities) on enforcing the laws on dangerous goods transport, including authorities of Ministry of Infrastructure, UkrTransBezpeka and other stakeholders, including recommendations on improving the procedures for state supervision and monitoring of safety during the dangerous goods transport as well as improvement of enforcement authority inspector staff (UkrTransBezpeka).</p> <p>C.3: Organize a study tour (for senior experts of UkrTransBezpeka) to an EU member-state to demonstrate the best practices of public regulation and enforcement of the dangerous goods transport, interaction between different authorities/bodies and international</p>			
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<p>organisations, standardization of transport documents and technical requirements to vehicles, etc. A particular attention should be paid to visualisation and explanation of practices of the body responsible for dangerous goods transport safety enforcement.</p> <p>C.4: Develop an action plan for improvement of the institutional capacity of enforcement bodies in dangerous goods transport field, covering all the related aspects: legislation framework, roles, institutional set up; organizational structure, communication, staff, qualifications, training, equipment, financing etc.</p> <p>C.5: Conduct workshops for the stakeholders (governmental and non-governmental organisations as well as carriers) on establishing technical and technological requirements and carrying the state enforcement of the dangerous goods transport safety compliance at road, rail, sea and river transport.</p> <p>C.6: Develop a curriculum, training programme and provide a training for the staff responsible for the enforcement (with involvement of representatives of UkrTransBezpeka and Department for Transport Safety of the MIU) to present the best European/ international practices on state enforcement of the dangerous goods transport safety compliance. Provide assistance in creation special training center within UkrTransBezpeka for periodic capacity building of enforcement body experts.</p>			
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<p>C.7: Carrying out joint (project's experts and up to 10 inspectors of UkrTransBezpeka) control on dangerous goods transport safety compliance to check the acquired during training knowledge and development of inspectors' skills.</p>			
<p><b>Component D: Support to the state authorities and enforcement bodies in charge for the dangerous goods transport in developing the policy for implementation of the EU laws on multimodal dangerous goods transport (by road, rail, sea and river)</b></p>			
<p>D.1: Given the EU member-states' experience, draft the Program on Enhancing the Safety of Dangerous Goods Transport in Ukraine, based on developed recommendations and actions under components B and C. Develop SWOT analysis (strengths, weaknesses, opportunities, threats) of the mentioned Program on Enhancing the Safety of Dangerous Goods Transport in Ukraine</p> <p>D.2: Provide workshops to the staff of MIU (including UkrTransBezpeka employees), relevant governmental institutions, NGO's and Ukrainian training centres to present and discuss the draft Program on Enhancing the Safety of Dangerous Goods Transport in Ukraine as well as practices of the EU member-states on developing, implementing the programs and monitoring their implementation.</p> <p>D.3: Publication of Program on Enhancing the Safety of Dangerous Goods Transport in Ukraine, including background and argumentation of measures based on EU countries' experience, as well as its introduction to the wide range of stakeholders</p>			<ul style="list-style-type: none"> <li>- Active cooperation of the Beneficiary institution(s);</li> <li>- Beneficiary staff made available to attend workshop/training;</li> <li>Effective intra-departmental and stakeholder coordination;</li> </ul>

<p>and mass media. This event could be unified with the Action 0.3, namely Project's Closing Conference.</p> <p>D.4: Provision assistance to the Ministry of infrastructure and Ukrtransbezpeka in implementation of a number of measures foreseen by the Program on Enhancing the Safety of Dangerous Goods Transport in Ukraine and their proper presentation to the stakeholders.</p>			
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## II - Structure of Ministry of Infrastructure of Ukraine (on the 27<sup>th</sup> of July 2015)\*



\* Taking into account the on-going restructuring, more information to the date could be found at <http://new.mtu.gov.ua>