

Standard Summary Project Fiche

Project Number TR 0203.02

Twinning number: TR02-TR-01

1. Basic Information

1.1. Desiree number:

1.2. Title: Support to the Enhancement of Safety of Maritime Transport in Turkey

1.3. Sector: AD

1.4. Location: The Republic of Turkey, Undersecretariat of Maritime Affairs (UMA) with the headquarters located in Ankara

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2. Objectives

2.1. Overall objective

The overall objective of the project is to improve maritime safety and sea pollution prevention in Turkey in line with the EU requirements.

2.2. Project purpose

- Improving the legal alignment of the Turkish legislation with the EU acquis in the field of maritime safety and sea pollution prevention;
- Upgrading the administrative capacity of the relevant administrations to better implement the legislation in the field of maritime safety and sea pollution prevention.

2.3. Accession Partnership and NPAA Priorities

AP 3.2 - Short-term

- Start aligning legislation on maritime safety standards; implement and enforce safety standards;
- Adopt an action plan for maritime transport on monitoring classification societies and improving the performance of the Turkish flag register;
- Start strengthening maritime administration, particularly that of flag state control.

AP 4.2 - Medium-term

- Ensure effective implementation and enforcement of transport legislation, particularly that of maritime safety;
- Prepare the Turkish transport fleet (particularly maritime and road transport) for the technical norms that will allow a complete integration into the internal market.

NPAA Short-term

- Ratification of SOLAS Protocols No. 78 and 88 and LOADLINE 88 Protocol;

- Setting out of education and training programmes for better qualification of the staff involved in Flag State Implementation and Port State Control;
- Strengthening of the administrative capacity:
 - o employment of 80 ship survey board experts to the Ship Survey Board;
 - o employment of 80 port state control officers;
- Identification of the exact needs of the UMA (including equipment, vehicle) for more efficient realisation of the Flag, Port and Coast State Controls in an action plan.

NPAA Medium-term

- Ratification of additional IMO Conventions, such as MARPOL 73/78 Annex 3 and the Torremolinos Convention 88 Protocol on fishing ships safety;
- Revision of the existing administrative, legal and technical infrastructure to increase efficiency in Flag State and Port State practices;
- Initiation of a restructuring process through training, equipment supply, technology transfer;
- Bringing necessary changes into the Turkish legislation on recognition of classification societies (with necessary transitional regime for the Turkish Lloyds), and on increase of the minimum ship inspection rate in the framework of PSC system;
- Achieving full harmonisation of the Turkish legislation with the EU acquis.

2.4. Contribution to National Development Plan

Turkey has not yet been invited by the EC to submit a National Development Plan.

2.5. Cross Border Impact

Not applicable.

3. Description

3.1. Background and justification

Turkey adopted a National Programme for the Adoption of the Acquis in 2001 that marks the beginning of the accession process where Turkey needs to embark upon a wide range of reforms in various fields. Maritime safety performance of Turkey constitutes one of the problematic areas in this process that needs to be addressed in the short run.

Turkey is party to most of the International Maritime Institute (IMO) Conventions as well as the Mediterranean and Black Sea Memorandums of Understanding (MOU). However, in terms of flag state implementation and port state control, Turkey still does not meet most of the European standards. This is clearly illustrated by the Paris MOU statistics indicating that the detention rate of Turkish flagged ships in foreign ports was 23.4 %, which is very high compared to the EU average of 3 %. One of the main reasons of such a high detention rate is the shortage of institutional capacity of the relevant administrations in Turkey. This brings forth the urgent need of the Turkish maritime administrative system to improve its organisation for better conduct of flag state implementation and port state control procedures at national level.

As concerns national legislation's compliance with *acquis*, it should be underlined that accession to IMO Conventions is essential but not a sufficient step if not followed by proper transposition of the relevant pieces of the *acquis* into the Turkish legislation. Although the EU *acquis* in this field is based upon the relevant international instruments, it requires better enforcement mechanisms for proper implementation of the international rules. Therefore, Turkey needs to develop and, where required, amend its national legislation in compliance with those EU principles.

The national legislation currently in force in Turkey on maritime safety and sea pollution prevention appears to be out-of-date and needs to be improved substantially in order to meet both IMO and EU requirements.

International Conventions to which Turkey is party are most often directly implemented as substitutions to missing national laws without setting up the legal national measures as required by these Conventions. No secondary implementing legislation has been issued in certain areas. Furthermore, some of the secondary legislation (such as those concerning penalties for safety infringements, safety requirements for fishing ships, labour conditions onboard ships, investigation and reporting of sea casualties) is not in line with the EU standards and practices.

At the moment, any detailed analysis and review of the existing texts is not easy since most of them has not yet been translated into English. Translation of the relevant legislation is the major pre-condition to any EC assistance in the harmonisation process. The preliminary assessments based on the information provided by the Turkish officials shows that the Turkish legislation is in line only with a few EC Directives (such as 2001/25 on minimum level of training of seafarers, or 94/25 on safety requirements for recreational boats). But as concerns 12 other important EC Regulations and Directives, there exists presently no specific national legislation.

As concerns adoption of international agreements in the field of maritime safety and sea pollution prevention, various important IMO Conventions on marine pollution (MARPOL- Annexes III, IV and VI, INTERVENTION, LONDON, OPRC, HNS, TBT Conventions) have not yet been ratified by Turkey. International Labour Organization (ILO) Convention N° 147 regarding the minimum criteria for living and working conditions on board merchant ships as a Port State Control (PSC) obligation, of which ratification is recommended by EEC Council Recommendation 78/584, is not presently in force in Turkey.

As regards SOLAS Convention, the situation is more advanced as the Protocols of 1978 and 1988 (the latter including the amendment related to the Global Marine Distress System-GMDSS) are now underway for ratification by the Turkish Parliament.

As concerns certain important areas, updated and aligned legislation exist:

- Maritime training and certification of seamen (Law, 2001) upon Turkey's taking part in the IMO White List concerning training standards and certification of seafarers;
- Search and rescue organisation complying with the SAR Convention;
- Maritime traffic in the Turkish Straits (Regulation, 1999);
- Safety requirements for recreational ships (Regulation, 2002);

- Sea pollution: The Framework Law on Environment Protection (1983) requires application of administrative fines to the ships in case of environmental infringement but the current rate is insufficient.

Currently, the UMA and other relevant administrations are working at secondary legislation in some areas such as organization of PSC, port services for collecting solid and oil wastes, contingency plans for sea pollution casualties at national, regional and local level, and organisational arrangement of the UMA (which is envisaged to be transformed into a new ministry).

It also appears that an efficient control is performed through the harbourmaster's agents on the designated number of passengers aboard passenger ships, according to size and type (international or national) of voyage.

As for the existing structures, the main administrative body, the UMA, is directly affiliated to the Prime Ministry. It employs about 400 staff at the headquarters and some 500 in seven regional offices (Regional Directorates). This personnel in the Regional Directorates includes a number of harbourmasters, which are in charge of most administrative tasks and inspections of small ships, and surveyors, who deals with inspection of bigger ships. Only the Boards of Surveyors in Istanbul and Izmir are allowed to inspect ships over 500 GT. Currently only eight surveyors have been allocated for Port State Control services.

In general, the number and qualification of surveyors are planned to be increased and more specialised administrative and technical units are to be set up (such as for dangerous goods control, ISM certification, marine casualties' investigation, Port State Control inspections, etc.).

As concerns search and rescue at sea, a well-organised structure (MRCC) is in place in the UMA, nevertheless a similar operational unit is yet missing for combating accidental sea pollution, which is supposed to work in coordination with the Ministry of Environment.

Besides the UMA, there exist some other administrative units, which have variety of functions as regards various maritime safety and sea pollution prevention matters, other organisations are functioning:

- Coastal Safety and Salvage Department with 1200 employees, which is also directly affiliated to the Prime Ministry and mainly in charge of navigation safety, salvage and rescue in Turkey;
- Turkish Maritime Organization, a governmental administration, which is responsible for operations management of major sea ports as well as piloting (120 pilots) and tugging services in all ports;
- Turkish Lloyd, a non-profit association with 60 surveyors employed, which is the only national organization authorized by the UMA to carry out technical control services on behalf of the UMA to more than 500 Turkish ships;
- State universities with maritime institutions/faculties, to which training equipment shall be procured under the project.

Some Turkish administrations are required to be better equipped in order to upgrade their administrative capacities to carry out functional responsibilities more effectively. This includes establishment of ship and legal databases, certain surveyor equipment, sea pollution prevention devices and training simulators and the relevant hardware requirements surveyor.

In this context, in order to improve maritime safety and sea pollution prevention in Turkey, first of all, setting-up or updating of fundamental rules, principles and procedures in this field in line with the EU and IMO requirements is the first step. This would provide a strong and up-to-date legislative infrastructure covering all aspects of maritime safety and sea pollution prevention. However this is insufficient if these rules and principles are not implemented and enforced effectively. Therefore, capacity building of the relevant administrations is also essential. Creation of necessary organizational structures, further qualification of the human resources through training and making available the necessary equipment to upgrade implementation practices would serve to this purpose.

3.2. Linked activities

- There are no previous EC financed programmes in Turkey in this field. But a technical assistance activity under the 2002 annual programming of Administrative Cooperation programme financed by the Commission aims at training of five Turkish senior surveyors for two weeks as trainers on maritime safety and ship survey. The total budget for this action is €60,000.
- A Euro Mediterranean Transport Project, covering 12 Mediterranean partner countries including Turkey, is about to start with a financial allocation of 20 million € from MEDA funds. The major objectives of the project are the improvement of the functioning and the increase of the speed and efficiency of the transport system in the region. The key project activities are assessment of regional infrastructure network and the transport sector in general together with the identification of major problems and bottlenecks, a statistical/benchmarking study covering the analysis of statistical and other data and the preparation of indicators needed to monitor the transport sector, developing a regional transport action plan, increasing the policy dialogue to upgrade the efficiency of the transport systems and training activities to be built on case studies and international best practice.
- A MATRA Project (Pre-accession support assistance by the Netherlands) to be implemented in 2003 concerning strengthening of the institutional and management structure of Turkish State Railways' (TCCD) Izmir Port, and recommendations for amendments in the legal infrastructure for the alignment and implementation of EU and IMO regulations for the improvement of the market position and maritime safety. Duration of the project is one year and total budget is €250,000.
- At national level, the Turkish authorities initiated the studies with a view to adopt necessary legislation, but this is still at a preliminary stage. Such efforts are extended to the installation of a port information system in the UMA through which all Regional Directorates are anticipated to be connected to the headquarters by the end of 2002.
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3.3. Results

a) Improved alignment of the Turkish legislation with the EU acquis and IMO Conventions on maritime safety and sea pollution prevention

- A new framework Law on maritime safety is adopted and in compliance with the relevant EU acquis;

- Appropriate secondary legislation is adopted/amended and in compliance with the relevant EU acquis, on the subjects including:
 - o ships survey procedures;
 - o legal conditions related to recognition and monitoring of classification societies;
 - o safety requirements for fishing ships;
 - o safety requirements for passenger ships;
 - o testing and approval of marine equipment;
 - o sea casualties investigation;
 - o reporting under SOLAS and MARPOL in case of sea accident;
 - o OPRC organisation (contingency planning);
 - o mandatory insurance for civil liability of tankers and chemical ships in the Turkish waters;
 - o Port State Control organisation ;
 - o labour conditions of seamen;

b) Upgraded administrative structure and capacity

- Maritime Safety Investigation Board is created and functioning;
- Effective organizational structure for fulfilling Port State Control obligations is established in major ports designated;
- A legal database is established and running with regular updating;
- Data centralisation system on safety situation of ships is improved;
- Efficiency of Flag State Implementation activities conducted by the Boards of Surveys is increased, mainly in the field of ISM, hazardous cargo, safe loading, stability control;
- Capacity of the UMA to monitor the classification societies is improved;
- Traffic monitoring system and ships reporting system are improved;
- Efficiency of the OPRC organisation is upgraded;
- Efficiency of the Rescue Coordination Centres (RCC) is increased.

3.4. Activities

Component 1: Legislative alignment

- Translation into Turkish of the relevant EU acquis in relevance to maritime safety and sea pollution prevention listed in Annex 4;
- Translation of relevant Turkish legislation on maritime safety and sea pollution prevention corresponding to the above EU acquis into English;
- Review of the relevant Turkish legislation and its comparison with the EC rules and principles;
- Supporting the Turkish authorities in drafting of necessary primary and secondary legislation;

- Assistance to the Turkish authorities in preparing for the ratification process of additional IMO conventions;
- Creation of a bilingual legal database system (concerning IMO conventions, EU acquis and national legislation with regular updating) at the UMA.

Inputs:

Twinning

- Legal Pre-Accession Advisor (10 m/m): He will be responsible for all legislative work to be conducted under this project. The Advisor will first review and, if required, modify the list of the EU legislation given in Annex 4, of which translation into Turkish shall be made under this project. He/she will also review and analyse the existing national legislation translated and identify its gaps with the relevant EU acquis. Furthermore, he/she will support the UMA in drafting of primary and secondary legislation. His/her work will be supported by a legal expert (Turkish law expert) and the legal national counterpart to be designated by the UMA. He/she is required to have:
 - o Advance university degree in law;
 - o Minimum 10 years experience on maritime law and in-depth knowledge of IMO Conventions and EU legislation concerning maritime transport, in particular maritime safety;
 - o Good experience in the EU member states, candidate countries or third countries having similar conditions and problems as Turkey; familiarity with Turkey's administrative, legislative and financial structure is an advantage;
 - o Experience in drafting of legal texts;
 - o Good communication skills;
 - o Good written and oral command of English.

Technical Assistance

- The relevant EU acquis and the corresponding Turkish legislation shall be translated into Turkish and English, respectively.
- Legal Expert (10 m/m): This expert shall support the Legal PAA in the conduct of his/her assignments under this project. He will work in coordination with the legal national counterpart. He/she is required to have:
 - Advance university degree in law from a leading law faculty in Turkey;
 - Minimum 5 years experience on Turkish maritime law;
 - Knowledge of IMO Conventions and EU legislation concerning maritime transport, in particular maritime safety;
 - Experience in drafting of legal texts;
 - Good communication skills;
 - Good written and oral command of both English and Turkish.

National Counterpart

- A Turkish civil servant (10 m/m, shared time): A civil servant from the UMA with legal background shall be designated by the UMA, in consultations with the PAA,

who will support the Legal Experts in the conduct of their assignments under the project.

Supply

IMO Vega system for permanent updating of IMO Conventions, the relevant EU acquis and national maritime legislation together with the related hardware (to the UMA headquarters).

Component 2: Improvement of the organisational structure and administrative capacities

- Organizational improvement

- (i) Central Level: Headquarters of the UMA:

The activities concerning the maritime safety should correspond to the need of specialisation of some branches, mainly through:

- Creation of a technical Marine Safety Investigation Board;
- Creation of a central electronic database for ships, which will involve data for:
 - o An attentive follow-up of the Turkish flagged ships by their nature, age or other reason
 - o The list of the Turkish flagged ships detained abroad
 - o The list of foreign ships detained in the Turkish ports

The coverage of this database could later be further extended to include the whole Turkish fleet.

Concerning the Ports and Coastal Facilities Department, the main activity would aim at developing and ensuring proper functioning of the waste reception facilities (including marina and fishing ports).

The capacity of the Legal Department of the UMA will be upgraded through training of a specialised lawyer working in the UMA. This lawyer is required to continue to work in the UMA at least for 2 years following the completion of its training.

- (ii) Regional Level: Regional offices of the UMA:

Regional Directorates with priority to Istanbul, Canakkale and Izmir port administrations:

- Setting up of a vessels reporting system (VIS) and an information system directly linked to harbourmasters for ships calling in the Turkish ports;
- Setting up of specialised units for the control of dangerous goods transportation.

- (iii) Ministerial Level: the relevant State Ministry in coordination with the Ministry of Environment:

- Setting up of a central coordination mechanism in the framework of the national contingency plan related to fighting with sea pollution caused by oil or other harmful substances, in coordination with Coast Guards RCC and Coastal Safety Administration.

- Training activities

Another important category of activities will aim to improve qualification of the technical staff in charge of maritime safety through seminars in Turkey and training

sessions abroad. Such training activities should involve the relevant staff at the UMA headquarters and regional offices and also the relevant organisation. Any organisational task, meeting room, interpretation, paper work and all other costs associated with the seminars in Turkey other than the cost of the expert (including travel and accommodation costs) shall be borne by the UMA.

The main topics for training activities shall be as follows:

- Training on EC technical standards;
- Training on nautical technical enquiries;
- Training on search and rescue (in particular, information on procedures and equipment operation);
- Training on pollution from maritime origin response (with the participation of the Ministry of Environment, Maritime Safety Department, Coast Guards, Coastal Safety Administration);
- Training of Harbourmasters, particularly, on the below subjects:
 - o passenger ships (registration of passengers, small tourist ships and cruise boats)
 - o welfare of seamen and working conditions on board
 - o dangerous goods implementation
 - o waste collection in ports
- Training of Surveyors, particularly on the below subjects:
 - o initial professional training on administrative matters (legal and technical) for completing their nautical experience
 - o implementation of ISM Code
 - o methods of ship inspection
 - o passenger and Ro-Ro ships
 - o safe loading of bulk carrier
 - o working conditions on board
- Training of Trainers on operation of and/or training techniques in relation to “cargo operation simulator”, “de-polluting equipment” and “fire fighting training equipment” to be procured under this project: A series of training seminars shall be held for a group of people selected by the UMA, in coordination with the PAA, from the institutions to which these equipments are delivered. Those groups of people/trainers will later serve as “trainers” for further training courses.
- Training as concerns “legal and ship database systems” and “surveyor simulator” to be procured under the project: Training shall be provided to the relevant UMA staff, who will be engaged in using of these programmes.
- Upgrading equipment

The efficiency of the improvements in organisational and human resources also depends upon the availability of sufficient and appropriate equipment. In this respect, equipment for establishment of database systems, pollution fighting equipment (in order to upgrade the currently used equipment in Turkey for protecting sensible

coastal sites), equipment for proper functioning of surveyors and simulators for fire-fighting and cargo operations.

All equipment under this project except for cargo operation and fire-fighting training equipment shall be procured for the use of the UMA, either by the headquarters or the regional offices.

The two above mentioned training equipment shall be delivered to a maritime technology related institution/faculty of a state-university. Before the starting of tendering process for the equipment:

- The UMA will set up a set of transparent and fair criteria for the selection of such state-university for each equipment to be delivered to universities, in co-operation and with the approval of the EUSG and the EC;
- A Protocol shall be concluded between each of the selected universities' administration and the UMA, in coordination with the EUSG and the EC, which will set forth all the terms and conditions for the ownership and utilisation of particular training equipment. The condition for the priority use of such training equipment shall also be defined in the Protocol.

Inputs:

Twinning

Pre-Accession Adviser (PAA) (21 m/m): A long term expert will be placed at the UMA and will provide expert advice for effective implementation.

The major tasks of the PAA will be:

- o programming and coordinating the whole project and in particular the work to be conducted by the short-term experts;
- o providing guidance to his/her delegating institution in the identification of short-term experts;
- o handling all organizational matters relevant to such experts' assignments;
- o ensuring the production by the short term experts proper quality of outputs;
- o providing detailed assessment reports on the training sessions conducted;
- o producing regular synthesis reports on the implementation of the project and reporting to the EC.

In general the PAA should have considerable knowledge and experience both in management of EC funded projects and in maritime transport sector. He/she must be well acquainted with the mechanisms of institution building and the EU acquis on maritime safety. Experience in organisation and implementation of training programmes on maritime safety matters is an asset. Having good management skills is essential. Fluency in English is a must while knowledge of Turkish language is an advantage.

A number of short to medium term experts covering the following areas, for an indicative total of up to 15 m/m shall work under the supervision and co-ordination of the PAA:

- Maritime administration and survey
- Marine pollution and contingency planning operations

- IT systems
- Equipment training
- Software training (databases, etc)

Study Visits:

- Study visit 1 (Training of trainers): 10 senior Flag State Implementation surveyors from the UMA shall be trained in pairs to serve as future “trainer” in the UMA. Each event shall involve two components: training in a survey training centre in an EU Member State (one week) and training in the Paris MOU Secretariat (the Hague) combined with visiting the Board of Surveyors of a neighbouring port (one week);
- Study visit 2 (FSC surveyors): 10 Flag State Implementation surveyors from the UMA shall be sent in pairs to various large ports of the EU Member States for two weeks as observers to surveys;
- Study visit 3 (MRCC surveyors): 3 surveyors from the Main Rescue Coordination Centre of the UMA shall be trained for two weeks on search and rescue matters in two different EU Member States.
- Study visit 4 (OPRC surveyors): 8 surveyors from the UMA shall have training for two weeks in an EU Member State on the following subjects:
 - Research centre on sea pollution
 - Administrative bodies in charge of OPRC coordination
 - Administrative bodies in charge of combating coast line pollution
- A Turkish lawyer from the UMA shall participate in a two-semester training programme at IMO International Maritime Law Institute in Malta.

National Counterparts

- One harbourmaster having experience of information systems and dangerous goods in transit;
- One national specialist on operational issues related to sea pollution.

Technical Supply:

- Hardware and software for follow-up of safety situation of specified ships (to the UMA headquarters);
- De-polluting equipment on designated ships and ashore (skimmers, anti-pollution products and means for spreading) (to the UMA);
- Equipment for surveyors: The means of mobility and proper technical clothing for surveyors (about 70) (for the UMA regional offices)
- Simulator: Damage stability programme, loading and unloading programme and ship construction programme (for the UMA – Istanbul Board of Surveyors);
- Cargo operation simulator for seafarers training needs on safe loading issues which constitute an important aspect of ship safety (for a maritime institution/faculty of a state-university to be identified at the project inception);
- Fire-fighting training equipment (for a maritime institution/faculty of a state-university to be identified at the project inception).

4. Institutional Framework

The UMA, through its Directorate General of Maritime Transport, is the implementing authority of the Project. At technical level, it will be assisted as necessary by the PAA.

At regional level, the Regional Directorates of the UMA (including the Board of Surveyors and the Harbourmasters) will also be directly involved in some project activities.

Furthermore, the project requires UMA'S close coordination with some other public institutions, in particular, the Ministry of Environment and Coastal Safety and Salvage Administration.

The national counterpart envisaged for Component 1 and 2 activities will be appointed and part-time employed by the UMA. Prior to appointment, their professional profile and conditions of their involvement in this project shall be agreed with the PAA. No budget item is foreseen in the project for the services to be provided by the national counterparts. Any related salary (or additional salary) shall be borne by the Turkish government.

5. Detailed Budget (€thousand)

Component	EU Support		National Co-financing	TOTAL
	Investment Support	Legal and Institution Building		
Twinning	--	900	--	900
Technical assistance	0	150	0	150
Supply	1,249	0	417	1,666
Total	1,249	1,050	417	2,716

Turkish contribution to the Twinning will cover e.g. provision of office equipment and space for the PAA, organizational costs of training (rental fees, accommodation catering as well as local and international travel of trainees) and other costs non-eligible for funding as specified in the "Reference Manual on Twinning Projects".

6. Implementation Arrangements

6.1. Implementing agency

The Implementing Agency for the proposed project will be the Central Finance and Contracts Unit (CFCU).

Responsibility for the administration related to the procedural aspects of procurement, contracting and accountancy will remain with the CFCU. The tendering and contracting will be carried out by the CFCU and shall follow standard DIS rules and provisions of the Twinning manual.

6.2. Twinning

The project will be implemented in the form of one Twinning Covenant between Turkey and a Member State, a service contract and three supply contracts. The PAA shall programme and co-ordinate all activities to be carried out under the project as well as general co-ordination of short term experts in close cooperation with the

Department of Maritime Safety and the Department of Ports and Coastal Facilities of the UMA.

Member States may form a consortium, which will result in a wide range of qualified senior experts gathered from energy regulatory authorities, different national administrations, universities, energy companies, major specialised consulting and engineering firms or renowned independent experts from more than one Member State, provided that national approaches can be harmonised within the consortium.

The beneficiary institution for the Twinning arrangement will be the UMA, which will also assume responsibility for the administration related to the preparation, technical control and implementation.

The contact person for the Twinning covenant will be:

Mrs. Saniye Onur, Head of Department of Maritime Safety; GMK Boulevard N° 128, 06570 Ankara Turkey; Phone: +90-312-212-0922 Fax: +90-312-212-0922

6.3. Contracts

- Twinning : €900,000
- Technical assistance : €150,000
- Supply (3 contracts) : €1,666,000
 - o Contract 1 for software and hardware : €141,000
(Legal database, ship database, simulator for Istanbul Board of Survey)
 - o Contract 2 for training equipments : €810,000
(Fire-fighting training equipment, cargo operation simulator)
 - o Contract 3 for other equipments : €715,000
(Surveyor equipments and anti-pollution equipment)

7. Implementation Schedule

	Start of Tendering	Start of Project Activity	Project Completion
Twinning	IV Quarter 2002	I Quarter 2003	I Quarter 2005
Technical Assistance	IV Quarter 2002	I Quarter 2003	I Quarter 2005
Supply	I Quarter 2003	II Quarter 2003	III Quarter 2003

8. Equal Opportunity

Equal opportunity principles and practices in ensuring equitable gender participation in the project will be guaranteed. Male and female participation in the project will be based on EU standards and assured by official announcements published to recruit the necessary staff for the project. The main criteria for recruitment will be qualifications and experience in similar projects, not sex or age. Both men and women will have equal opportunities and salaries.

9. Environment

Not relevant to this project.

10. Rates of Return

Not relevant to this project.

11. Investment Criteria

11.1. Catalytic effect

The project will provide a good momentum for the improvement of maritime transportation sector in Turkey and enhancement of its capacity to better compete in the international market.

11.2. Co-financing

The Turkish Government will provide 25 % of co-financing of the investment support.

11.3. Additionality

Pre-accession financial assistance shall not make available other financial support especially from the private sector or International donors.

11.4. Project readiness and size

Pre-accession financial assistance will only finance projects if they are ready for contracting and when all necessary technical studies have been completed.

11.5. Sustainability

The project sustainability will be ensured by the continuous upgrading of administrative capacity not only of UMA, but also of all the other relevant institutions and private parties, directly or indirectly involved in this project. It will also be ensured by the improved performance of the Turkish flagged ships in respect of their rate of detention in the foreign ports.

All conditions for future maintenance and operating costs of training equipment to be procured under this project shall be set forth in the Protocols to be concluded between the universities and the UMA. Future maintenance and operating costs for all other equipment shall be paid by the UMA.

11.6. Compliance with state aids provisions

Not applicable.

12. Conditionality and Sequencing

The project is conditional to the approval by the relevant Ministry of an Action Plan for the Improvement of Maritime Safety in Turkey.

The tendering procedure for the procurement of certain training equipment under this project, namely, “cargo operation simulator” and “fire-fighting training equipment”, could only start once a Protocol is concluded between each of the selected universities and the UMA as referred to in Section 3.4.

EU financing to this project is also conditional upon national co-financing to be ensured.

ANNEXES TO THE PROJECT FICHE

1. Logical framework matrix in standard format
2. Detailed implementation chart
3. Contracting and disbursement schedule by quarter for full duration of programme (including disbursement period)

4. List of the relevant EU Acquis
5. List of the used abbreviations and acronyms

Annex I Logical Framework Matrix

ANNEX No. 1 to Project Fiche		Programme name: and number	Date of Drafting: July 2002
LOGFRAME PLANNING MATRIX FOR “Support to the Enhancement of Safety of Maritime Transport in Turkey”		Contracting period expires: Nov/2004	Disbursement period expires: II/2005
Project Number		Total Budget: 2.717m€	EU support 2.3m€
Overall Objective:	Indicators of Achievement:	Sources of information:	Assumptions & Risks:
Improving maritime safety and sea pollution prevention in Turkey in line with the EU requirements	<ul style="list-style-type: none"> • Year-on-year detention rate of Turkish flagged ships is in a constant downward trend • Less pollution arising from ships in the Turkish waters • Constantly improving performance record of Turkey under Paris MOU statistics compared to 2001 	<ul style="list-style-type: none"> • IMO statistics • Paris MOU statistics • MEDPOL and Bucharest Commission statistics • Statistics of The Turkish MRCC • Interim and final evaluation reports 	<ul style="list-style-type: none"> • Turkey remains stick to its EU membership target
Project Purpose:	Indicators of Achievement:	Sources of information:	Assumptions & Risks:
<ol style="list-style-type: none"> 1. Improving the legal alignment of the Turkish legislation with the EU acquis in the field of maritime safety and sea pollution prevention; 2. Upgrading the administrative capacity of the relevant administrations to better implement the legislation in the field of maritime safety and sea pollution prevention 	<ul style="list-style-type: none"> • Parliament adopted a new framework Law / amended the existing laws on maritime safety, • New secondary legislation issued, where regulation is missing, and/or existing secondary legislation amended, where required. 	<ul style="list-style-type: none"> • Official Gazette • UMA records • UMA website • UMA legal database • UMA ship database • Paris MOU statistics • IMO statistics • EC progress report 	<ul style="list-style-type: none"> • Full liberalisation does not take place until the end of 2003;

	<ul style="list-style-type: none"> • Improved records in statistics of Paris MOU • Improved records in the IMO statistics on sea accidents • 80 % of surveyors and port state control officers are trained • 10 % increase in number of inspections (FSC and PSC) in the Turkish ports per year • 10 % decrease in number of Turkish flagged ships with deficiency 		
Anticipated Results:	Indicators of Achievement:	Sources of information:	Assumptions & Risks:
<p><i>Improved alignment of the Turkish legislation with the EU acquis and IMO Conventions</i></p> <ol style="list-style-type: none"> 1. A new framework Law on maritime safety is adopted and in compliance with the relevant EU acquis; 2. Appropriate secondary legislation is adopted/amended and in compliance with the relevant EU acquis <p><i>Upgraded administrative structure and capacity</i></p> <ol style="list-style-type: none"> 1. Maritime Safety Investigation Board is created and functioning; 	<ul style="list-style-type: none"> • Draft Framework law, which is assessed by the EC as “acquis compliant” entered into force • Secondary legislation covering all aspects of the relevant EU acquis is in force • The decision for establishment of the Board have been taken and assignments to the Board have been made; 	<ul style="list-style-type: none"> • Official Gazette • UMA legal database • UMA website • UMA records • EC progress report • Turkish Lloyd and other classification society records and annual reports • Interim and final evaluation reports 	<ul style="list-style-type: none"> • Unavailability of Twinning Experts with the required qualifications • Unavailability of EU NRA Organisations for the proposed Internship Twinning

<p>2. Effective organisational structure for fulfilling Port State Control obligations is established in major ports designated;</p>	<ul style="list-style-type: none"> • A new organisational structure in major ports have been produced and approved by the UMA and other relevant Turkish authorities 		
<p>3. A legal database system is established and running with regular updating;</p>	<ul style="list-style-type: none"> • Legal database is in place and all national and international legal documents are accessible 		
<p>4. Data centralisation system on safety situation of ships is improved;</p>	<ul style="list-style-type: none"> • Ship database is in place and access to ship information is accessible 		
<p>5. Efficiency of Flag State Implementation activities conducted by the Boards of Surveys is increased, mainly in the field of ISM, hazardous cargo, safe loading, stability control;</p>	<ul style="list-style-type: none"> • Number of surveyors and inspections made by surveyors is increased by 10 % • Constant downward trend in Turkish flagged ships detained or recorded with deficiencies 		
<p>6. Capacity of the UMA to monitor the classification societies is improved;</p>	<ul style="list-style-type: none"> • Constant decrease in detentions of Turkish flagged ships with class related detainable deficiencies • Improved records of the classification societies for their Turkish flagged ships portfolio • Clear written rules and 		

<p>7. Traffic monitoring system and ships reporting system are improved;</p> <p>8. Efficiency of the OPRC organisation is upgraded;</p> <p>9. Efficiency of the Rescue Coordination Centres (RCC's) is increased.</p>	<p>procedures are set out and effectively applied for OPRC organization</p> <ul style="list-style-type: none"> • 80 % of OPRC staff trained • 80 % of RCC staff trained 		
<p>Activities:</p>	<p>Inputs</p>		<p>Conditionality</p>
<p><u>Legislative alignment</u></p> <ul style="list-style-type: none"> – Translation of the relevant EU acquis; – Translation of relevant Turkish legislation corresponding to the above EU acquis; – Review of the relevant Turkish legislation and its comparison with the EC rules and principles – Supporting the Turkish authorities in drafting of necessary primary and secondary legislation; – Assistance to the Turkish authorities in preparing for the ratification process of additional IMO conventions; – Creation of a bilingual legal database system (concerning IMO conventions, EU acquis and national legislation with regular updating) at the UMA. <p><u>Improvement of the organisational structure and administrative capacities</u></p>	<p><u>Twinning</u></p> <ul style="list-style-type: none"> • 1 PAA (21 m/m) • 1 Legal PAA (10 m/m) • ST experts (15 m/m total) • 1 Legal Expert (10 m/m) • Study visit (31) • Trainer in IMO Law Institute (1) <p><u>Supplies</u></p> <ul style="list-style-type: none"> • Hardware and software for legal and ship databases • De-polluting equipment • Equipment for surveyors (car/boat and technical clothing for surveyors) • Simulator (Damage stability, loading and unloading and ship construction programmes) • Cargo operation simulator 		<ul style="list-style-type: none"> - Approval by the relevant Ministry of an Action Plan for the Improvement of Maritime Safety in Turkey - National co-financing to be ensured for supply items - Signing of protocol between each of the selected universities and the UMA for supply tendering to start for certain training equipments

<ul style="list-style-type: none"> - Organizational improvement At central level <ul style="list-style-type: none"> - Creation of a technical Marine Safety Investigation Board; - Creation of a central electronic database for ships - Upgrading of the Legal Department of the UMA At regional level <ul style="list-style-type: none"> - Setting up of a vessels reporting system (VIS) and an information system directly linked to harbourmasters; - Setting up of specialised units for the control of dangerous goods transportation. At Ministerial level <ul style="list-style-type: none"> - Setting up of a central coordination mechanism for national contingency planning - Improving qualification / competence of the technical staff in charge of maritime safety, harbourmasters and surveyors - Ensuring continuity of training programmes (Training of Trainers) - Upgrading technical equipment level for better implementation practices 	<ul style="list-style-type: none"> • Fire-fighting equipment training 		
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Annex 3 Commitment and Disbursement Schedule (€)

Contracted	I/2003	II/2003	III/2003	IV/2003	I/2004	II/2004	III/2004	IV/2004	I/2005	II/2005
Twinning	900.000									
Supply		1.666.000								
TA		150.000								
Annual	900.000	1.816.000								
Cumulated	900.000	2.716.000	2.716.000	2.716.000	2.716.000	2.716.000	2.716.000	2.716.000	2.716.000	2.716.000
Disbursed										
Twinning		337.500	54.643	54.643	54.643	54.643	54.643	54.643	54.643	180.000
Supply			1.000.200	666.800						
TA			90.000	8.571	8.571	8.571	8.571	8.571	8.571	8.571
Annual			1.144.843	730.014	63.214	63.214	63.214	63.214	63.214	187.571
Cumulated		337.500	1.482.343	2.212.357	2.275.571	2.338.786	2.402.000	2.465.214	2.528.429	2.716.000

Annex 4 List of the relevant EU Acquis

09.40 Shipping [07.30.10]	73/152/ECSC	73/152/ECSC: Commission Decision of 23 May 1973 obliging undertakings of the steel industry to publish schedules of transport charges for routes involving intra- Community sea links Corrected by 31973D0152R(01) OFFICIAL J. NO. L 317 , 17/11/76 P. 0012
09.40 Shipping [07.30.20.00]	4057/86/EEC	Council Regulation (EEC) No 4057/86 of 22 December 1986 on unfair pricing practices in maritime transport Incorp. In 21994A0103(63) Official Journal L 001 , 03/01/1994 P. 0422 - 0445 Corrected by 31986R4057R(01) OFFICIAL J. NO. L 093 , 07/04/87 P.18 Corrected by 31986R4057R(02) OFFICIAL J. NO. L 117 , 05/05/88 P. 0033 Corrected by 31986R4057R(03) OFFICIAL J. NO. L 117 , 05/05/88 P. 0035
09.40 Shipping [07.30.20.10]	78/774/EEC	78/774/EEC: Council Decision of 19 September 1978 concerning the activities of certain third countries in the field of cargo shipping Amended by 31989D0242 (OJ L 097 11.04.1989 p.47)
09.40 Shipping [07.30.20.20]	87/475/EEC	87/475/EEC: Council Decision of 17 September 1987 relating to maritime transport between Italy and Algeria
09.40 Shipping [07.30.20.20]	954/79/EEC	Council Regulation (EEC) No 954/79 of 15 May 1979 concerning the ratification by Member States of, or their accession to, the United Nations Convention on a Code of Conduct for Liner Conferences Incorp. In 21994A0103(63) Official Journal L 001 , 03/01/1994 P. 0422 - 0445
09.40 Shipping [07.30.20.30]	4055/86/EEC	Council Regulation (EEC) No 4055/86 of 22 December 1986 applying the principle of freedom to provide services to maritime transport between Member States and between Member States and third countries Incorp. In 21994A0103(63) Official Journal L 001 , 03/01/1994 P. 0422 - 0445 Corrected by 31986R4055R(01) Official journal NO. L 030 , 31/01/1987 P. 0087 Corrected by 31986R4055R(02) Official journal NO. L 093 , 07/04/1987 P. 0017 Corrected by 31986R4055R(03) Official journal NO. L 117 , 05/05/1988 P. 0033 Amended by 31990R3573 Official Journal L 353 , 17/12/1990 p. 0016 - 0016
09.40 Shipping [07.30.20.30]	93/396/EEC	93/396/EEC: Commission Decision of 13 July 1993 on Spain's request for adoption by the Commission of a prolongation of safeguard measures pursuant to Article 5 of Regulation (EEC) No 3577/92 applying the

principle of freedom to provide services to ma

09.40 Shipping [07.30.20.30]	4058/86/EEC	Council Regulation (EEC) No 4058/86 of 22 December 1986 concerning coordinated action to safeguard free access to cargoes in ocean trades Incorp. In 21994A0103(63) Official Journal L 001 , 03/01/1994 P. 0422 - 0445 Corrected by 31986R4058R(01) Official journal NO. L 093 , 07/04/1987 P. 0018 Corrected by 31986R4058R(02) Official journal NO. L 117 , 05/05/1988 P. 0034 Corrected by 31986R4058R(03) Official journal NO. L 117 , 05/05/1988 P. 0035 Corrected by 31986R4058R(04) Official journal NO. L 117 , 05/05/1988 P. 0036
09.40 Shipping [07.30.20.30]	3577/92/EEC	Council Regulation (EEC) No 3577/92 of 7 December 1992 applying the principle of freedom to provide services to maritime transport within Member States (maritime cabotage) Corrected by 31992R3577R(01) Official Journal L 072 , 25/03/1993 p. 0036 Corrected by 31992R3577R(02) Official Journal L 187 , 01/07/1998 p. 0056
09.40 Shipping [07.30.20.30]	93/125/EEC	93/125/EEC: Commission Decision of 17 February 1993 on Spain's request for adoption by the Commission of safeguard measures under Article 5 of Regulation (EEC) No 3577/92 against applying the principle of freedom to provide services to maritime trans
09.40 Shipping [07.30.30]	93/75/EEC	Council Directive 93/75/EEC of 13 September 1993 concerning minimum requirements for vessels bound for or leaving Community ports and carrying dangerous or polluting goods Amended by 31996L0039 Official Journal L 196 , 07/08/1996 P. 0007 - 0007 Amended by 31997L0034 Official Journal L 158 , 17/06/1997 P. 0040 - 0040 Amended by 31998L0055 Official Journal L 215 , 01/08/1998 P. 0065 - 0070 Amended by 31998L0074 Official Journal L 276 , 13/10/1998 P. 0007 - 0008
09.40 Shipping [07.30.30]	97/34/EC	Commission Directive 97/34/EC of 6 June 1997 amending Council Directive 93/75/EEC concerning minimum requirements for vessels bound for or leaving Community ports and carrying dangerous or polluting goods (Text with EEA relevance) Corrected by 31997L0034R(01) Official Journal L 162 , 19/06/1997 p. 0056

09.40 Shipping [07.30.30]	97/70/EC	Council Directive 97/70/EC of 11 December 1997 setting up a harmonised safety regime for fishing vessels of 24 metres in length and over
		Amended by 31999L0019 (OJ L 083 27.03.1999 p.48)
09.40 Shipping [07.30.30]	96/587/EC	96/587/EC: Commission Decision of 30 September 1996 on the publication of the list of recognized organizations which have been notified by Member States in accordance with Council Directive 94/57/EC (Text with EEA relevance)
		Amended by 31998D0403 Official Journal L 178 , 23/06/1998 p. 0039 - 0040
09.40 Shipping [07.30.30]	96/513/EC	96/513/EC: Commission Decision of 29 July 1996 in application, at the request of France, of Article 5 (4) of Council Directive 93/75/EEC concerning minimum requirements for vessels bound for or leaving
09.40 Shipping [07.30.30]	96/127/EC	96/127/EC: Commission Decision of 22 January 1996 on the application, at the request of Germany, of Article 5 (4) of Council Directive 93/75/EEC concerning minimum requirements for vessels bound for or leaving
09.40 Shipping [07.30.30]	3051/95/EC	Council Regulation (EC) No 3051/95 of 8 December 1995 on the safety management of roll-on/roll-off passenger ferries (ro-ro ferries)
09.40 Shipping [07.30.30]	95/21/EC	Amended by 31998R0179 (OJ L 019 24.01.1998 p.35) Council Directive 95/21/EC of 19 June 1995 concerning the enforcement, in respect of shipping using Community ports and sailing in the waters under the jurisdiction of the Member States, of international standards for ship safety, pollution prevention Corrected by 31995L0021R(01) Official Journal L 291 , 14/11/1996 p. 0042
		Corrected by 31995L0021R(02) Official Journal L 232 , 02/09/1999 p. 0034
		Amended by 31998L0025 Official Journal L 133 , 07/05/1998 P. 0019 - 0020
		Amended by 31998L0042 Official Journal L 184 , 27/06/1998 P. 0040 - 0046
		Amended by 31999L0097 Official Journal L 331 , 23/12/1999 P. 0067 - 0069
09.40 Shipping [07.30.30]	2158/93/EEC	Commission Regulation (EEC) No 2158/93 of 28 July 1993 concerning the application of amendments to the International Convention for the Safety of Life at Sea, 1974, and to the International Convention for the Prevention of Pollution from ships, 1973,

09.40 Shipping [07.30.30]	96/98/EC	Council Directive 96/98/EC of 20 December 1996 on marine equipment
		Amended by 31998L0085 (OJ L 315 25.11.1998 p.14) Corrected by 31996L0098R(01) Official Journal L 246 , 10/09/1997 p. 0007 Corrected by 31996L0098R(02) Official Journal L 241 , 29/08/1998 p. 0027 Amended by 31998L0085 Official Journal L 315 , 25/11/1998 P. 0014 - 0034 Amended by 32001L0053 Official Journal L 204 , 28/07/2001 P. 0001 - 0028
09.40 Shipping [07.30.30]	96/710/EC	96/710/EC: Commission Decision of 27 November 1996 in application, at the request of Germany, of Article 5 (4) of Council Directive 93/75/EEC of 13 September 1993 concerning minimum requirements for vessels bound for or leaving Community ports and ca
09.40 Shipping [07.30.30]	97/58/EC	Commission Directive 97/58/EC of 26 September 1997 amending Council Directive 94/57/EC on common rules and standards for ship inspection and survey organizations and for the relevant activities of maritime administrations (Text with EEA relevance)
09.40 Shipping [07.30.30]	96/40/EC	Commission Directive 96/40/EC of 25 June 1996 establishing a common model for an identity card for inspectors carrying out port State control (Text with EEA relevance)
09.40 Shipping [07.30.30]	92/143/EEC	92/143/EEC: Council Decision of 25 February 1992 on radionavigation systems for Europe
09.40 Shipping [07.30.30]	613/91/EEC	Council Regulation (EEC) No 613/91 of 4 March 1991 on the transfer of ships from one register to another within the Community
09.40 Shipping [07.30.30]	94/57/EC	Incorporated by 21994A0103(63) (OJ L 001 03.01.1994 p.422) Council Directive 94/57/EC of 22 November 1994 on common rules and standards for ship inspection and survey organizations and for the relevant activities of maritime administrations
		Amended by 31997L0058 (OJ L 274 07.10.1997 p.8) Corrected by 31994L0057R(01) Official Journal L 038 , 18/02/1995 p. 0019 Corrected by 31994L0057R(02) Official Journal L 048 , 03/03/1995 p. 0026
09.40 Shipping [07.30.30]	98/18/EC	Council Directive 98/18/EC of 17 March 1998 on safety rules and standards for passenger ships
09.40 Shipping [07.30.30]	2978/94/EC	Council Regulation (EC) No 2978/94 of 21 November 1994 on the implementation of IMO Resolution

		A.747(18) on the application of tonnage measurement of ballast spaces in segregated ballast oil tankers
09.40 Shipping [07.30.30]	79/115/EEC	Council Directive 79/115/EEC of 21 December 1978 concerning pilotage of vessels by deep-sea pilots in the North Sea and English Channel
		Incorporated by 21994A0103(63) (OJ L 001 03.01.1994 p.422)
09.40 Shipping [07.30.30]	179/98/EC	Commission Regulation 179/98 of 23 January 1998 amending Council Regulation 3051/95 of 8 December 1995 on the safety management of roll-on/roll-off passenger ferries
09.40 Shipping [07.30.40.20]	94/58/EC	Council Directive 94/58/EC of 22 November 1994 on the minimum level of training of seafarers Corrected by 31994L0058R(01) Official Journal L 110 , 28/04/1999 p. 0035 Amended by 31998L0035 Official Journal L 172 , 17/06/1998 P. 0001 - 0026 Amended by 32001L0025 Official Journal L 136 , 18/05/2001 P. 0017 - 0041
09.40 Shipping [07.30.50.10]	83/573/EEC	83/573/EEC: Council Decision of 26 October 1983 concerning counter-measures in the field of international merchant shipping
		Incorporated by 21994A0103(63) (OJ L 001 03.01.1994 p.422)
09.40 Shipping [07.30.50.10]	98/41/EC	Council Directive 98/41/EC of 18 June 1998 on the registration of persons sailing on board passenger ships operating to or from ports of the Member States of the Community
09.40 Shipping [07.30.50.10]	77/587/EEC	77/587/EEC: Council Decision of 13 September 1977 setting up a consultation procedure on relations between Member States and third countries in shipping matters and on action relating to such matters in international organizations

Annex 5 List of the used abbreviations and acronyms

Institutional

- IMO : International Maritime Organization
- ILO : International Labour Organization
- ITU : Istanbul Technical University
- MEDPOL : Action Plan for prevention of Mediterranean sea from pollution
- MOU : Memorandum of Understanding on sub-standards ships (Paris MOU, Mediterranean MOU, Black Sea MOU)
- FSC : Flag State Control
- PSC : Port State Control
- PAA : Pre-Accession Adviser
- NPAA : National Programme for Adoption of the “Acquis Communautaire”
- TAIEX : Technical Assistance Information Exchange Office
- TISR : Turkish International Ships Register
- TDI : Turkish Maritime Organization
- UMA : Under-Secretariat for Maritime Affairs (of Turkey)

Technical

- DWT : Dead- weight tonnage
- GT : Gross tonnage
- GMDSS : Global Maritime Distress Safety System
- IT : Information Technology
- IMDG : International Maritime Transport of Dangerous Goods
- ISM : International Safety Management of ships
- RO-RO : Ferries using a roll-on / roll off system of loading
- VIS : Vessel identification system
- VTS : Vessel traffic system

International Conventions

- COLREG: on international regulations for preventing collisions at sea
- CLC : on the civil liability of the ship-owner for oil pollution damage
- FUND : on the International Fund for compensation of oil pollution damage (FIPOL)
- INTERVENTION : on the right of intervention of a coastal State regarding a ship casualty in high sea, from which results an urgent and heavy risk of pollution threatening the territorial waters
- LOAD LINES : on determination of the ships load lines
- LONDON CONVENTION : on prevention of pollution from dumping wastes at sea by ship
- MARPOL : on prevention sea pollution from ships
- OPRC : on preparation, cooperation and response to oil spill at sea
- SAR : on search and rescue at sea
- SOLAS : on safety of life at sea
- STCW : on training and certification of the seafarers, and watch on board
- TBT : on harmful antifouling systems on ships
- UNCLOS : United Nations Convention on the Law of the Sea