



ANNEX C1: Twinning Fiche

Project title: Institutional Support to the State Service for Maritime, Inland Waterway Transport and Shipping of Ukraine in the Implementation of the EU *Acquis*, Norms and Standards on Maritime Safety

Beneficiary administration: State Service for Maritime, Inland Waterway Transport and Shipping of Ukraine (Shipping Administration)

Twining Reference: UA 23 NDICI TR 01 24

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EU funded project

TWINNING TOOL

1. Basic Information

1.1 **Programme:** C(2023)4022 AAP Ukraine 2023, EU Support to Recovery and Reforms, direct management (OPSYS reference: NDICI-GEO-NEAR/2023/ACT-61605)

1.2 **Twinning Sector:** Transport

1.3 **EU funded budget:** EUR 1 500 000.00

1.4 **Sustainable Development Goals (SDGs):**

SDG 9 - Industry, Innovation and Infrastructure

Target 9.1 Develop quality, reliable, sustainable and resilient infrastructure, including regional and transborder infrastructure, to support economic development and human well-being, with a focus on affordable and equitable access for all.

SDG 11 - Sustainable Cities and Communities

Target 11.2 By 2030, provide access to safe, affordable, accessible and sustainable transport systems for all, improving road safety, notably by expanding public transport, with special attention to the needs of those in vulnerable situations, women, children, persons with disabilities and older persons.

2. Objectives

2.1 **Overall Objective(s):**

The overall objective of the project is to ensure the implementation of Ukraine's international obligations in the field of port state, flag state and coastal state control, maritime education, and protection of human life at sea.

2.2 **Specific objectives:**

- Enhancing the capacity of the Shipping Administration in carrying out the state supervision (control) over maritime transport safety;
- Enhancing the capacity of the Shipping Administration in carrying out the state supervision (control) over seafarers' education and training;
- Ensuring an appropriate level of protection of human life in the waters of the Black Sea and the Sea of Azov in the maritime search and rescue area of Ukraine.

2.3 **The elements targeted in strategic documents i.e. National Development Plan/Cooperation agreement/Association Agreement/Sector reform strategy and related Action Plans:**

This Twinning project appeals to a number of elements which are presented and targeted in the following documents:

The EU-Ukraine Association Agreement, including the Deep and Comprehensive Free Trade Area, is a strategic document to be considered in the context of the project, setting out the foundation for enhanced economic cooperation between EU and Ukraine. The EU-Ukraine Association Agreement establishes certain requirements regarding transposition and enforcement of EU legislation in the transport sector (articles 368 and 369 and Annex XXXII). Action Plan for the implementation of the EU-Ukraine Association Agreement was approved by the Resolution of the Cabinet of Ministers of Ukraine on 25 October 2017 (No 1106). The Strategy for

Implementation of the Provisions of the European Union Directives and Regulations in the Field of International Maritime and Inland Waterway Transport ("road map"), including the Action plan, was approved by the Resolution of the Cabinet of Ministers of Ukraine on 11 October 2017 (No 747).

Obligations under the EU-Ukraine Association Agreement in the maritime transport stipulate harmonisation of the Ukrainian legislation with principles stemming from of the EU regulation in the following main technical areas: port State control, flag State requirements, the implementation of the International Safety Management Code, rules and standards for ship inspection and survey organisations, enhancing port security, training of seafarers, vessel traffic monitoring and information system and safety regime for fishing vessels.

The National Transport Strategy of Ukraine for the period up to 2030, approved by the Resolution of the Cabinet of Ministers of Ukraine dated 30 May, 2018, and its Action Plan, approved by the Resolution of the Cabinet of Ministers of Ukraine dated 07/04/2021 (No 321-r). The National Transport Strategy of Ukraine (2030) includes the following tasks related to this Twinning project, among which the most important are:

- institutional and legislative provision of Ukraine's fulfilment of its obligations as a flag state, port state and coastal state in accordance with Ukraine's international treaties and EU legislation;
- ensuring the preservation and development of professional personnel potential; implementation of joint programmes of educational institutions, state administration bodies and business structures for the development of transport industry activities; recognition of national diplomas by world transport companies;
- improvement of state transport safety management system in line with the international standards and strengthen the institutional capacity of public authorities, which directly or indirectly regulate the transport market and carry out steps of safe supervision (control) over the transport safety;
- increasing the level of shipping safety, including implementation of joint procedures with the EU for ensuring navigation safety, monitoring the movement of sea vessels, providing assistance at sea, maritime communication, responding in case of pollution from ships and creating a national segment of the SafeSeaNet system for exchanging information on ship traffic and emergency events;
- ensuring the development of the coastal infrastructure of the Global Maritime Distress and Safety System (GMSDS);
- effective functioning of the national search and rescue system at sea;
- increasing the level of environmental safety in transport, including implementation of the national response plan for cases of pollution from ships in the open sea.

The Maritime Doctrine of Ukraine for the period up to 2035, approved by the Resolution of the Cabinet of Ministers of Ukraine dated 7 October, 2009, in the wording of the Resolution of the Cabinet of Ministers of Ukraine as of 18 December 2018 (No 1108) envisages development of the components of the state management system of shipping safety (navigational and hydrographic support of navigation, pilotage and regulation of ship traffic, maritime communication, ship identification, search and rescue at sea, protection of ships and port facilities, training, retraining and certification of seafarers, implementation of port state and flag state control) that is also pertinent to this Twinning project.

The maritime and inland waterway transport sector suffered huge losses because of the military aggression against Ukraine. ***The Ukraine's National Recovery Plan***, prepared by the National Council for the Recovery of Ukraine at the President of Ukraine, includes the *Expansion and Integration of Logistics with the EU programme*, which covers analysis of the state of coastal port

infrastructure after the end of hostilities, analysis of international legislation on environmental and man-made safety of seaports of Ukraine as well as creation of an effective and transparent mechanism for training and certification of seafarers and crew members of inland navigation vessels in accordance with the requirements of international treaties of Ukraine and EU legislation.

In this context, the *overall objective* of cooperation in the area of maritime transport is to contribute to further development of the comprehensive regulatory framework for the implementation of Ukraine's international obligations in the field of port state, flag state and coastal state control, maritime education, and protection of human life at sea.

3. Description

3.1 Background and justification:

The Twinning project will be supporting the State Service for Maritime, Inland Waterway Transport and Shipping of Ukraine (Shipping Administration) and the State Enterprise “Maritime Search and Rescue Service” (SE “MSRS”), both being the beneficiaries of the Twinning project.

The first beneficiary institution, the State Service for Maritime, Inland Waterway Transport and Shipping of Ukraine (Shipping Administration), is the central body of executive power, directed and coordinated by the Cabinet of Ministers of Ukraine through the Vice Prime Minister for Restoration of Ukraine - Minister for Communities, Territories and Infrastructure Development of Ukraine that implements the state policy in the areas of maritime, inland waterway transport and navigation. According to the Regulation on the State Service for Maritime, Inland Waterway Transport and Shipping of Ukraine, approved by the Resolution of the Cabinet of Ministers of Ukraine, dated 06/03/2022 (No 212¹), the Shipping Administration has a large scope of tasks, including:

- participation in the investigation and analyses the causes of accidents with ships at sea;
- carrying out state supervision over compliance with the requirements of the legislation and international treaties of Ukraine in the spheres of maritime transport and merchant shipping;
- carrying out state supervision over the implementation on Ukrainian ships and in shipping companies, regardless of the form of ownership, of the requirements of the legislation and international treaties of Ukraine on the safety of navigation and prevention of pollution of the environment (flag state control);
- carrying out state supervision over the compliance of foreign vessels, regardless of the flag, entering the seaports of Ukraine, requirements for the safety of navigation and prevention of environmental pollution from vessels established by international treaties of Ukraine (port state control);
- concluding agreements with recognised organisations authorised to issue ship documents to Ukrainian ships, shipping companies - ship owners of such ships;
- carrying out control (monitoring) over the conduction by authorised classification societies (recognised organisations) supervision of the implementation on Ukrainian vessels of the requirements established by the legislation and respective international treaties;
- supervising the implementation of ship and port facility security;
- organising and controlling the search and rescue of people in distress at sea in the maritime search and rescue area of Ukraine;
- organising and supervising training, retraining, upgrade training and certification of crew members of seagoing vessels, including crew members of fishing vessels, in accordance with international treaties of Ukraine.

⁶<https://zakon.rada.gov.ua/laws/show/212-2022-%D0%BF#Text>

In addition, the Twinning project will be interacting with a few organisations that are *subordinated* to the Shipping Administration and are relevant for cooperation with the Twinning project:

- *The State Hydrographic Service of Ukraine (SHSU)* (<https://hydro.gov.ua/>) that is the state enterprise, main task of which concerns fulfilment of international commitments of Ukraine pertaining to safety of navigation, in particular hydrographic surveying of the seas and oceans in accordance with the IHO standards, maintenance of aids to navigation (AtoNs) in the seas and inland waterways within the zone of responsibility of Ukraine, and ensuring their continuous operation in conformity with the requirements approved by IALA;
- *The State Enterprise “Classification Society “The Shipping Register of Ukraine”* (<https://shipregister.ua/>) that is the national classification society that carries out technical supervision in the areas of maritime and inland navigation water transport and shipping and performs classification of seagoing ships, inland navigation ships, small craft and jet skis and carries out technical supervision of sea ships, inland navigation ships, small craft and jet skis.

The second beneficiary institution, the SE “MSRS”, is the state unitary enterprise and it acts as State Enterprise in accordance with the Statute of the SE “MSRS”, approved by the Order of the Ministry for Communities, Territories and Infrastructure Development of Ukraine dated 26/01/2023 (No 52.) The SE “MSRS” is established according to the Resolution of the Cabinet of Ministers of Ukraine dated 20/10/2011 No 1069 “On Ensuring the Functioning of the Unified Maritime Search and Rescue System”². Until March, 2022 the SE “MSRS” was under the jurisdiction of the Shipping Administration, now it belongs to the sphere of management of the Ministry for Restoration of Ukraine as per the Ordinance of the Cabinet of Ministers of Ukraine dated 05/03/2022 (No 201-r³).

The SE “MSRS” organises and conducts search and rescue actions and ensures stable functioning and further development of national search and rescue system in the search and rescue region of Ukraine. It ensures implementation of Global Maritime Distress Safety System (GMDSS) and supports functioning of the State Maritime Rescue Coordination Centre (MRCC), Maritime Rescue Sub-Centres (MRSCs) and GMDSS coastal radio centres and provides functioning of the National Centre for Long-Range Identification and Tracking Vessels System and the Ship Security Alert System.

The Twinning project will support both beneficiaries, *Shipping Administration* and *SE “MSRS”*, in their respective major obligations and competencies, as described above and in the scope presented in chapter 3.5. Components and results per component.

3.2 Ongoing reforms:

Despite the military aggression against Ukraine, the reform in the maritime transport is ongoing. In particular, it concerns such spheres as education of seafarers and search and rescue at sea.

In the sphere of education of seafarers:

Since Ukraine is a party to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW), 1978, and the International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel (STCW-F), 1995, the Shipping Administration launched three services for seafarers:

² <https://zakon.rada.gov.ua/laws/show/1069-2011-%D0%BF#Text>

³ <https://zakon.rada.gov.ua/laws/show/201-2022-%D1%80#Text>

- the Service for obtaining from the Shipping Administration the confirmation of the receipt of the copies of seafarers' documents enabling the departure for work abroad;
- the Service for verification of seafarers' qualification documents, due to which seafarers, crewing companies and ship owners can check the validity of a seafarer document according to its data;
- the Service for obtaining of seafarers' qualification documents by means of Diia Portal.

The Resolution of the Cabinet of Ministers of Ukraine dated 30/12/2022 (No. 1499) "Some Issues of Assigning Ranks to Officers of Seagoing Ships" has already been entered into force, while initiating the digitalisation of processes, what makes it impossible for the third-party to access the unified State Register of Seafarers' Documents. Currently, the functionality of services for seafarers has been implemented on the Diia Portal. The State Qualification Commission (SQC), established for implementation of the new system of training, will be in charge of examination of seafarers. A comprehensive list of reasons for refusal to issue documents to seafarers has been established, providing for the possibility of not only judicial appeal of SQC decisions, but also administrative appeal.

These changes will remove an extra step that slowed down the entire process of seafarers' training and certification. The procedure for training and certification of seafarers will become simple and transparent, bringing the Ukrainian seafarers' certification system closer to international standards.

In the sphere of search and rescue at sea:

Effective functioning of the National Search and Rescue System at Sea is one of the achieved results of the implementation of the National Transport Strategy of Ukraine for the period up to 2030. The development of the components of the National System - the implementation of maritime communication, identification of vessels, coordination of search and rescue at sea - are included in the main directions of the revival and development of merchant shipping in Ukraine by the Maritime Doctrine of Ukraine for the Period up to 2035. The Regulation on the National Search and Rescue System at Sea was approved by the Resolution of the Cabinet of Ministers of Ukraine dated 06/03/2022 (No. 227). The National Search and Rescue System at Sea consists of the national coordinator of search and rescue activities at sea of the Ministry for Restoration of Ukraine, responsible for the creation and development of the National System, management bodies for search and rescue at sea - central and local bodies of executive power and local self-government bodies that participate in search and rescue at sea and the SE "MSRS", which includes the State Maritime Rescue Coordination Center and marine rescue sub-centres.

3.3 Linked activities:

The topics covered by this Twining project are/ have been partially supported by some other projects.

EU-funded bilateral technical assistance project "Further Support to Implementation of EU-Ukraine Association Agreement in Transport Sector and the National Transport Strategy in Ukraine" (*AASISTS II*), ongoing till the end of January 2024, provides technical support in the maritime transport. This support included gap analysis and compliance check report of the implementation of the acquis of the European Union into Ukrainian legislation, comparative analysis of some EU Member State administrations and the legislative framework of the institutions that make up the State Service of Maritime and Inland Waterway Transport and Shipping of Ukraine as well as training activity in port State control. The project have also supported several drafts for transposition of D 2009/15 and R 391/2009.

Few EU-funded regional projects in maritime were/ are implemented by EMSA.

EMSA grant "Maritime Safety Security and Marine Environmental Protection in the Black and Caspian Sea Regions" (*BCSEA*, December 2016 - September 2022) provided to Ukraine such EMSA's tools and services as RuleCheck and MaKCs. In 2022, in the framework of *BCSEA*, EMSA conducted a Gap analysis in Ukraine in order to obtain a solid overview of the national legal system and define the status of the transposition of international conventions into national law as well as to register relevant administrative acts (e.g. national provisions, procedures, guidelines) supporting the implementation and enforcement of the international conventions.

Upon request by Ukraine, a preparatory International Maritime Organisation's Member States Audit Scheme (IMSAS) audit was carried out by EMSA in Ukraine in 2017 which preceded the actual audit under the IMO Member States Scheme in June of the following year. In 2018, Ukraine, as a beneficiary of the *BCSEA*, signed a Service Agreement between the Ministry of Infrastructure of Ukraine as a beneficiary country, a participant in the project implemented by EMSA, funded by the Directorate General for Neighbourhood and Enlargement Negotiations (DG NEAR) under the European Neighbourhood Instrument (ENI), and by the European Maritime Safety Agency and the Italian Coast Guard to use the Mediterranean Regional Server (MARES) to support the establishment of pilot projects to enhance cooperation on automated information system (AIS). Interaction under this Agreement is continuing, AIS data are being exchanged. In August 2022, the European Maritime Safety Agency (EMSA) and the Shipping Administration signed an agreement on obtaining access to satellite images of the sea from the European Maritime Safety Agency. The Maritime Administration has gained access to the CleanSeaNet service to detect vessels and oil spills.

Currently ongoing EMSA grant "Strengthening Environmental Resilience and Maritime Safety for Black and Caspian Sea Riparian States" (*BCSEA II*, on-going till September 2026) aims at further enhancing the cooperation between project beneficiaries and with the EU Members States in the field of maritime safety and security, prevention of pollution from ships and marine environmental issues by providing technical advice and support to the targeted non-EU countries.

In 2022-2023 the Shipping Administration applied for and implemented a number *TAIEX* events on Quality Management System, on implementation of EU Directive 2016/1629 laying down technical requirements for inland waterway vessels, on Unified Sea Surface Monitoring System, on Port State and Flag State Inspection and on EU Member States experience in creating an Automatic Search and Rescue Notification System.

The cooperation is also ongoing with *USAID/ UK aid-funded project* "Transparency and Accountability in Public Administration and Services" (*TAPAS*). The Ministry for Restoration of Ukraine and the Shipping Administration in cooperation with *TAPAS* are implementing the reform in the field of seafarers' certification. It provides for the creation of electronic certification system and a new Register of Seafarers' Documents.

3.4 List of applicable *Union acquis*/standards/norms:

- Directive 2009/16/EC of the European Parliament and of the Council of 23 April 2009 on port State control;
- Directive 2009/21/EC of the European Parliament and of the Council of 23 April 2009 on compliance with flag State requirements;
- Regulation (EC) No 336/2006 of the European Parliament and of the Council of 15 February 2006 on the implementation of the International Safety Management Code within the Community and repealing Council Regulation (EC) No 3051/95;

- Directive 2009/15/EC of the European Parliament and of the Council of 23 April 2009 on common rules and standards for ship inspection and survey organisations and for the relevant activities of maritime administrations;
- Regulation (EC) No 391/2009 of the European Parliament and of the Council of 23 April 2009 on common rules and standards for ship inspection and survey organisations;
- Directive 2005/65/EC of the European Parliament and of the Council of 26 October 2005 on enhancing port security;
- Regulation (EC) No 725/2004 of the European Parliament and of the Council of 31 March 2004 on enhancing ship and port facility security;
- Directive 2008/106/EC of the European Parliament and of the Council of 19 November 2008 on the minimum level of training of seafarers (not part of Association Agreement), replaced by Directive (EU) 2022/993 of the European Parliament and of the Council of 8 June 2022 on the minimum level of training of seafarers (not part of Association Agreement);
- Directive 2002/59/EC of the European Parliament and of the Council of 27 June 2002 establishing a Community vessel traffic monitoring and information system and repealing Council Directive 93/75/EEC;
- Directive 97/70/EC consolidated: safety regime for fishing vessels of 24m and over Consolidated version;
- Instruments of THETIS-EU and other EU inspection regimes: limits on the sulphur content of marine fuels used by ships in the EU, inspection of port reception facilities, enhancing ship and port facility security, disposal of waste from ships and monitoring, reporting and verification of carbon dioxide emissions in maritime transport.

3.5 Components and results per component:

The Shipping Administration that is the main partner of this Twinning project will work closely with other institutions, in particular the Ministry for Communities, Territories and Infrastructure Development of Ukraine (see also paragraph 5.2). The role of the Ministry is to determine the policy (e.g. seafarers' education and training, growth of Ukraine's fleet, integration of Ukraine into the Paris MoU on port State control etc.). The role of the Shipping Administration is to implement the policy. The technical competence is at the level of the Shipping Administration, therefore drafting of regulations should be in the Shipping Administration under supervision of the Ministry. Thus, the Shipping Administration participates in the elaboration of the drafts of normative acts, regulations, instructions and other obligatory norms in the field of naval transport, submission of these projects or proposals to the specialised central body for initiating the approval procedures. The Shipping Administration may only initiate a legislative process. It is not empowered to issue secondary legislation although, in most cases, laws and by-laws are drafted by the Shipping Administration.

The Twinning project is organised around two components. The objectives of the Twinning project should be achieved by implementing the activities within the two components and results associated with each component. The specific activities within the two components are not settled at this stage but are to be refined during negotiation of the contract and work plan, although an indicative framework is outlined below.

Mandatory result 1/ Component 1: Institutional support to the State Service for Maritime, Inland Waterway Transport and Shipping of Ukraine (Shipping Administration) in the implementation of the EU norms and standards on maritime safety

This main focus of the component will be on harmonisation and adaptation of the Shipping Administration's approaches to the EU practices and studying the experience in the development and the implementation of the regulatory frameworks in the following technical domains:

- Recognised organisations (R 391/2009, D 2009/21, D 2009/15);
- IMO instruments (D 2009/21);
- Safety and pollution prevention on fishing vessels (R 336/2006, D 2009/21, D 97/70);
- Ship, port and port facility security (R 725/2004, D 2005/65, D 2009/16);
- Seafarers' knowledge and professional skills;
- Inspections of the maritime education and training institutions (D 2022/93).

Sub-Result 1.1: Procedure of *monitoring and audit of recognised organisations* is legally regulated.

The activities to achieve this result will be aimed at development and introduction of legal documents regulating the procedure (programme) of recognition of classification societies and monitoring and audit of recognised organisations (ROs) in accordance with EU norms and standards considering also best practice. Relevant staff of the Shipping Administration will need to be trained and mentored on monitoring and audit of recognised organisations.

Sub-Result 1.2: Procedure (mechanism) for monitoring and periodic assessment of measures taken for the effective *implementation and application of mandatory IMO instruments* is implemented.

The activities to achieve this result will be assessment of measures to be taken for the effective implementation and application of mandatory IMO instruments⁴, including measures for the self-assessment of the Shipping Administration.

Sub-Result 1.3: Requirements for *fishing vessels in accordance with the International Convention for the Safety of Life at Sea and the International Convention for the Prevention of Pollution from Ships on fishing vessels* are legally regulated.

The activities to achieve this result will be arranged to help the Shipping Administration to improve safety and pollution prevention on fishing vessels through development and implementation of the Procedures for monitoring compliance with the requirements of the International Convention for the Safety of Life at Sea, 1974 (SOLAS) and the International Convention for the Prevention of Pollution from Ships, 1973 (MARPOL) and requirements on Ukrainian flagged fishing vessels (D 2009/21, D 97/70)⁵. The personnel of the Shipping Administration will also need to be trained on fishing vessels inspection.

⁴ International Convention for the Safety of Life at Sea, 1974 (SOLAS), International Convention for the Prevention of Pollution from Ships, 1973 (MARPOL), International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 (STCW), International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel, 1995 (STCW-F), International Convention on Maritime Search and Rescue, 1979 (SAR), International Convention on Load Lines, 1966 (LL), Convention on Facilitation of International Maritime Traffic (FAL), International Convention on Tonnage measurement of Ships, 1969 (TONNAGE), Convention on the International Regulations for Preventing Collisions at Sea, 1972 (COLREGs), etc.

⁵ D2009/21 applies to ship or craft flying the flag of a Member State falling within the scope of the relevant IMO Conventions (cf. article 2, article 3 (a), and these Conventions exclude fishing vessels from their scope. EU D97/70

Sub-Result 1.4: Ship, port and port facility security is improved.

The activities to achieve this result will have to cover the gap analysis of the national legislation on ship and port facility security, revision of the legislation regarding ship, port and port facility security, training the personnel of entities responsible for the implementation and control of compliance with the requirements of the International Ship and Port Facility Security Code (ISPS Code), EU legislation R 725/2004, D 2005/65, Chapter XI-2 of SOLAS as well study of practice of different countries regarding the fulfilment of the ISPS Code requirements, in the context of modern threats to the safety of navigation.

Sub-Result 1.5: Compliance of seafarers' knowledge and professional skills with the competence standards (professional competence assessment) set out in international instruments and EU standards is assessed.

The activities to achieve this result will need to be designed to enhance the system for assessing the compliance of seafarers' knowledge and professional skills with the competence standards (professional competence assessment) set out in the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 (STCW), and the International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel, 1995 (STCW-F), in line with national and EU standards.

Sub-Result 1.6: The capacity of the personnel of the Shipping Administration to carry out inspections of the maritime education and training institutions is improved.

The activities to achieve this result will deal with the need to bring Ukrainian legislation on seafarers' training system in educational and training institutions in line with the EU acquis according to STCW and STCW-F Conventions. There is a need also to establish the system of organisation and control of training, retraining, advanced training and certification of crew members of seagoing vessels according to international treaties of Ukraine.

Mandatory Result 2/ Component 2: Institutional support for the State Service for Maritime, Inland Waterway Transport and Shipping of Ukraine (Shipping Administration) in development and improvement of the maritime search and rescue system

This main focus of the component will be on harmonisation and adaptation of the Shipping Administration's approaches to the EU practices and studying the experience in the development and the implementation of the regulatory frameworks in the following technical domains:

- Vessel traffic monitoring and information system (D 2002/59);
- Ship alert system in the search and rescue region of Ukraine (D 2002/59).

This component will be implemented in partnership with the second beneficiary institution - the SE "MSRS".

sets up a harmonised safety regime for fishing vessels referring to the Torremolinos Protocol which never entered into force and which is now superseded by the Cape Town Agreement. The Torremolinos Protocol has not been ratified by Ukraine either. As EU candidate, Ukraine has to transpose EU D97/70. However, an IMO audit that took place in 2018 indicated as finding (Finding 4) that specific requirements for the application of the provisions of SOLAS 1974 Chapter V and MARPOL Annex I to fishing vessels under flag State control, regardless of size and navigation area, are absent. Therefore, work on this issue is included in this Twinning project.

Sub-Result 2.1: Legal acts which result from *provisions of the Directive 2002/59/EC* of the European Parliament and of the Council of 27 June 2002 establishing a Community *vessel traffic monitoring and information system* are developed and adopted by the Ministry for Restoration of Ukraine.

The activities to achieve this result will be focused on increasing the efficiency of maritime search and rescue operations in the waters of the Black Sea and the Sea of Azov - Chapter 5 of the Annex to the International Convention on Maritime Search and Rescue, 1979 and by the Regulation V/11 of the Annex to SOLAS.

Sub-Result 2.2: Ship *alert system in the search and rescue region of Ukraine* is implemented.

The activities to achieve this result will be focused on implementation of the ship alert system in the search and rescue region of Ukraine, that are foreseen by the Chapter 5 of the Annex to the International Convention on Maritime Search and Rescue, 1979 and by the Regulation V/11 of the Annex to International Convention for the Safety of Life at Sea, 1974 and also concerning maritime assistance service connected with the response to ship alerts on accidents and danger at sea (new).

3.6 Means/input from the EU Member State Partner Administration(s)*:

The project will be implemented in the form of a Twinning Contract between the Beneficiary Country and the EU Member State(s). The implementation of the project requires one Project Leader (PL) with responsibility for the overall coordination of project activities and one Resident Twinning Advisers (RTA) to manage implementation of project activities, Component Leaders (CL) and a pool of short-term experts (STE) within the limits of the budget. It is essential that the team has sufficiently broad expertise to cover all areas included in the project description.

Proposals submitted by Member State(s) shall be concise and focused on the strategy and methodology and an indicative timetable underpinning this, the administrative model suggested, the quality of the expertise to be mobilised and show clearly the administrative structure and capacity of the Member State entity/ies. Proposals shall be detailed enough to respond adequately to the Twinning Fiche but are not expected to contain a fully elaborated project. They shall contain enough detail about the strategy and methodology and indicate the sequencing and mention key activities during the implementation of the project to ensure the achievement of overall and specific objectives and expected results/outputs.

The interested Member State(s) shall include in their proposal the CVs of the designated Project Leader (PL) and the Resident Twinning Adviser (RTA), as well as the CVs of the potentially designated Component Leaders (CLs).

The Twinning project will be implemented by close cooperation between the partners aiming to achieve the Expected results in a sustainable manner.

The set of proposed activities and indicators will be further developed with the Twinning partners when drafting the initial work plan and successive rolling work plan every three months, keeping in mind that the final list of activities will be decided in cooperation with the Twinning partners.

Due to security reasons the project is expected to be implemented in a 'hybrid' mode (combining online and offline events and means of collaboration). In line with the flexibility arrangements for the implementation of Twinning projects in Ukraine, RTA and short-term experts may be allowed to work from their home country(ies) using the videoconferencing facilities. The exact arrangements shall be agreed in the work plan, with the overall assumption that the remote

work contributes to the successful implementation of the project. If the security situation changes after the conclusion of the contract, the project format may be changed to a standard offline implementation arrangement. This issue will be additionally agreed.

3.6.1 Profile and tasks of the PL:

Qualifications and skills:

- Proven contractual relation to a public administration or mandated body (*see Twinning Manual 4.1.4.2*) responsible for maritime transport safety;
- University degree in one of the following fields: law, public or business administration, transport engineering, economics, or equivalent professional experience of 8 years in the sector of maritime transport;
- At least 3 years of specific experience of in the area of maritime safety management and/ or regulatory approximation/ implementation/ enforcement issues in the sector of maritime transport;
- Previous experience in project management and/or as a team leader will be considered as asset;
- Previous experience in international cooperation will be considered as asset;
- Previous experience in change management will be considered as asset;
- Fluent written and spoken English;
- Knowledge of Ukrainian will be considered as asset.

Tasks:

- Conceive, supervise and coordinate the overall Twinning project;
- To provide strategic advice on high level regarding reforms supported by the Twinning;
- Coordinate and monitor the overall implementation of the project including coordination and direction of the MS Twinning partner;
- Coordinate MS experts' work and availability;
- Communicate with the beneficiary and EU Delegation;
- Ensure the backstopping functions and financial management;
- Guarantee from the MS administration side, the successful implementation of the project;
- Participate in quarterly meetings of the Project Steering Committee with the BC PL;
- Participate in preparation of the initial and subsequent work plans;
- Participate in preparation of both interim and final reports.

Primary responsibility of the MS Project Leader 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.

3.6.2 Profile and tasks of the RTA:

The relevant institution of MS will appoint a long-term Resident Twinning Adviser (RTA).

Qualifications and skills:

- Proven contractual relation to a public administration or mandated body in charge of the safety in the maritime transport sector;
- University degree in one of the following field: law, public or business administration, transport engineering, economics, or equivalent or equivalent professional experience of 8 years in the sector of maritime transport;
- Minimum 5 years of general professional experience in public administration in the area of organisation of regulatory and/ or safety oversight works in the sector of maritime transport;
- Minimum 3 years of experience in the fields of maritime safety and/ or maritime and rescue system;
- Previous experience in project management, training and mentoring in related areas will be considered as asset;
- Previous experience in international cooperation will be considered as asset;
- Fluent written and spoken English;
- Knowledge of Ukrainian will be considered as asset.

Tasks:

As to the general responsibility of the day-to-day implementation of the Twinning project in the Beneficiary Country, the Resident Twinning Adviser (RTA) tasks will include:

- Provide technical advice and assistance to the administration or other public sector bodies in the BC in the context of a predetermined work-plan;
- Coordination of all project activities and experts' inputs in the BC;
- Ensuring day-to-day implementation of the Twinning project in the BC;
- Ensuring coordination with other donors working in relevant fields;
- Ensuring smooth correlation between the activities, deadlines and envisaged results in the Work Plan;
- Preparation of the materials and documentation for regular monitoring and reporting
- Preparation of side letters;
- Together with the Project Leader, to nominate, mobilise and supervise the Short-Term experts.

In addition to the above, an assistant and a full time translator-interpreter shall be appointed to assist the RTA. Allowance for this must be made within the project budget. Furthermore, the assistant and translator will facilitate the training activities. Where necessary (for example, during training activities, translation of project documents / reports and materials) the project will hire an additional translator with costs covered by the project.

3.6.3 Profile and tasks of Component Leaders:

Component Leaders will provide general guidance for the two Components of the project. Their profiles should correspond to the following requirements:

- Proven contractual relation to a public administration or mandated body;

- University degree in one of the following field: law, public or business administration, transport engineering, economics, or equivalent or equivalent professional experience of 8 years in the sector of maritime transport;
- Minimum 3 years of professional experience in the fields of maritime safety, covering the domains of this Twinning project, and/or maritime search and rescue management, including drafting of legislation and harmonisation of external legislation with the EU maritime acquis in a public institutional context;
- Previous experience in consulting, training and mentoring in related areas will be considered as asset;
- Fluent written and spoken English.

3.6.4 Profile and tasks of other short-term experts:

STEs will provide specialised know-how for the individual tasks of the project. Their profiles should correspond to the following requirements:

- University degree in one of the following field: law, public or business administration, transport engineering, economics, or equivalent or equivalent professional experience of 8 years in the sector of maritime transport;
- Minimum 3 years of professional experience in the fields of maritime safety, covering the domains of this Twinning project, and/or maritime search and rescue management, including drafting of legislation, harmonisation of external legislation with the EU maritime acquis in a public institutional context;
- Previous experience in consulting, training and mentoring in related areas will be considered as asset;
- Fluent written and spoken English.

4. Budget

The maximum budget available is EUR 1 500 000.

5. Implementation Arrangements

5.1 Implementing Agency responsible for tendering, contracting and accounting (AO/CFCU/PAO/European Union Delegation/Office):

The person in charge at the EU Delegation to Ukraine:

Ms Svitlana Didkivska

Project Manager

Delegation of the European Union to Ukraine

101, Volodymyrska Street, Kyiv, Ukraine, 01033

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.

The person in charge at the PAO in Ukraine:

Twinning Programme Administration Office (PAO)

National Agency of Ukraine on Civil Service

15, Prorizna Street, Kyiv, Ukraine, 01033

Monitoring will be performed by the EU Delegation to Ukraine.

5.2 Institutional framework:

The main beneficiary institution of this Twinning project is the State Service for Maritime, Inland Waterway Transport and Shipping of Ukraine (Shipping Administration), namely its Department for State Supervision and Control, Vessel Inspection Department, Department for Certification and Advanced Training of Ship Crew Members, Department for Control, Training and Retraining of Ship Crew Members, Department for Issuing Seafarers' Identity Documents, Qualification Documents of Ship's Crew Members and Maritime Pilots, and the following subordinated entities: the State Hydrographic Service of Ukraine, the State Enterprise "Classification Society "The Shipping Register of Ukraine".

The second beneficiary institution (project partner) is the Maritime Search and Rescue Service. Both the Shipping Administration as primary beneficiary as well as the Maritime Search and Rescue Service 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 of the partner institutions.

Other stakeholders to be involved are:

- the **Ministry for Communities, Territories and Infrastructure Development of Ukraine;**
- the **State Enterprise "Ukrainian Sea Ports Authority"** (belongs to the sphere of management of the Ministry for Restoration of Ukraine).

Engagement of other institutions to be identified in the institutional mapping is envisaged.

5.3 Counterparts in the Beneficiary administration:

The PL and RTA counterparts will be staff of the Beneficiary administration and will be actively involved in the management and coordination of the project.

5.3.1 Contact person:

Ms. Oleksandra Orel
Head of Section for International Legal Work and Protocol
International Relations Department
Shipping Administration
14 Beresteyskyi ave, Kyiv, Ukraine, 01135

5.3.2 PL counterpart:

Mr. Yevhenii Ihnatenko
Head of the Shipping Administration
14 Beresteyskyi ave, Kyiv, Ukraine, 01135

5.3.3 RTA counterpart:

Mr. Oleksii Herashchenko
Head of the Department for State Supervision and Control
Shipping Administration
14, Beresteyskyi ave, Kyiv, Ukraine, 01135

6. Duration of the project

The project's implementation period is 24 months.

7. Management and reporting

7.1 Language:

The official language of the project is the one used as contract language under the instrument (English). All formal communications regarding the project, including interim and final reports, shall be produced in the language of the contract.

7.2 Project Steering Committee:

A project steering committee (PSC) shall oversee the implementation of the project. The main duties of the PSC include verification of the progress and achievements *via-à-vis* the Expected results/outputs chain (from Expected results/outputs per component to impact), ensuring good coordination among the actors, finalising the interim reports and discuss the updated work plan. Other details concerning the establishment and functioning of the PSC are described in the Twinning Manual.

7.3 Reporting:

All reports shall have a narrative section and a financial section. They shall include as a minimum the information detailed in section 5.5.2 (interim reports) and 5.5.3 (final report) of the Twinning Manual. Reports need to go beyond activities and inputs. Two types of reports are foreseen in the framework of Twinning: interim quarterly reports and final report. An interim quarterly report shall be presented for discussion at each meeting of the PSC. The narrative part shall primarily take stock of the progress and achievements *via-à-vis* the Expected results and provide precise recommendations and corrective measures to be decided by in order to ensure the further progress.

8. Sustainability

The achievements of the Twinning project should be maintained as a permanent asset to the Beneficiary administration even after the end of the Twinning project implementation. This presupposes *inter alia* that effective mechanisms are put in place by the Beneficiary administration to disseminate and consolidate the results of the project.

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:

- absorbing efficiently the contents and understanding of the training materials by the Beneficiary personnel being measured and monitored after each training session that is provided by simple tests;
- making maximum use of the skills and abilities of the Beneficiary country administration personnel previously trained by Member States; apply “train the trainers approach” for sustainable capacity building of the Beneficiary administration;
- allowing for confirmation of the effect of the Twinning project for the Beneficiary administration by organising a final seminar that presents achieved results of the twinning activities at the end of the Twinning project;
- providing 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 sustainability of the results will be an important measure of success.

As concerns Twinning project that includes support to development of sector policies (strategies and action plans), support to development of new legislation or amendments (especially Union acquis), the sustainability of Expected results/outputs is best ensured by ensuring that policy and legislative proposals are backed up by at least basic impact assessments (regulatory, fiscal). It should also be consulted with both internal and external stakeholders (inter-ministerial and public consultations), as required by Beneficiary country legislation.

9. Crosscutting issues (*equal opportunity, environment, climate etc...*)

All activities under this project will be designed and implemented in accordance with principles of good governance, human rights-based approach, gender equality and environmental sustainability. Support to mainstreaming gender issues into the legislative process under the activities for the implementation of Association Agreement will be provided. All activities will ensure the respect to Key principles of Public Administration, especially the commitment to inclusive and evidence-based policy and legislative development.

This action will be implemented following a right-based approach, encompassing all human rights. The five working principles below will be applied at all stages of implementation: legality, universality and indivisibility of human rights; participation and access to the decision-making process; non-discrimination and equal access; accountability and access to the rule of law; transparency and access to information.

By promoting an institutional culture of openness, accountability and transparency, the project will positively impact on the credibility and integrity of concerned Government Departments and Agencies. The project will strive to act as an example of positive administrative reform.

10. Conditionality and sequencing

The underlying assumption for this project is the Ukrainian political will to improve the maritime safety through the reforms of and provision of adequate funding for the capacities to be delivered.

The Twinning project requires the full commitment and participation of the senior management of the beneficiary institution. In addition, to provide the Twinning partner with adequate resources to operate effectively, the senior management must be involved in the development and implementation of the policies required to deliver the described results.

The Shipping Administration and the SE “MSRS” are aware that several issues important for the smooth implementation of the Twinning project and for the achievement of the components are partially or completely under its sole responsibility.

When the project starts, the Shipping Administration and the SE “MSRS” have to:

- ensure strong involvement/commitment of NBU staff at all levels;
- assign NBU’s experts as counterparts for the STE’s to cooperate on the implementation of activities according to the working plan;
- provide suitable venues and equipment for training sessions and seminars that will be held under the Project.

The sequencing of all Twinning activities will be prioritised in close coordination between the MS and the Shipping Administration and will work according to the Logical Framework, which will form part of the Twinning project contract.

11. Indicators for performance measurement

Definition of project specific, realistic, verifiable targets and indicators are included in Annex 1 - Simplified Logical framework.

Mandatory result 1/ Component 1: Institutional support to the State Service for Maritime, Inland Waterway Transport and Shipping of Ukraine (Shipping Administration) in the implementation of the EU norms and standards on maritime safety: Improved maritime safety

Indicators of performance measurement:

- Increased level of maritime safety measured through a number of respective regulations adopted, staff trained and organisational measures undertaken.

Sub-Result 1.1: Procedure of *monitoring and audit of recognised organisations* is legally regulated.

Indicators of performance measurement:

- Availability of legal documents regulating the procedure of recognition, monitoring and audit of recognised organisations.

Sub-Result 1.2: Procedure (mechanism) for monitoring and periodic assessment of measures taken for the effective *implementation and application of mandatory IMO instruments* is implemented.

Indicators of performance measurement:

- Availability of assessment of measures for effective implementation and application of mandatory IMO instruments.

Sub-Result 1.3: Requirements for *fishing vessels in accordance with the International Convention for the Safety of Life at Sea and the International Convention for the Prevention of Pollution from Ships on fishing vessels* are legally regulated.

Indicators of performance measurement:

- Availability of procedures for monitoring compliance with the requirements of international conventions and EU legislation in the field of the prevention of pollution from ships on fishing vessels.

Sub-Result 1.4: *Ship, port and port facility security* is improved.

Indicators of performance measurement:

- Availability of GAP-analysis on the national legislation on ship and port security and updated legislation on ship, port and port facility security.

Sub-Result 1.5: Compliance of *seafarers' knowledge and professional skills* with the competence standards (professional competence assessment) set out in international instruments and EU standards is assessed.

Indicators of performance measurement:

- Establishment of enhanced system for assessing the compliance of seafarers' knowledge and professional skills with the competence standards set out in the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 (STCW), and the International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessels Personnel, 1995 (STCW-F) and in accordance with respective EU standards.

Sub-Result 1.6: The capacity of the personnel of the Shipping Administration to carry out ***inspections of the maritime education and training institutions*** is improved.

Indicators of performance measurement:

- Establishment of the system of organisation and control of training, retraining, advanced training and certification of crew members of seagoing vessels according to international treaties.

Mandatory Result 2/ Component 2: Institutional support for the State Service for Maritime, Inland Waterway Transport and Shipping of Ukraine (Shipping Administration) in development and improvement of the maritime search and rescue system: Improved maritime search and rescue system.

- Further developed and improved maritime search and rescue system through a number of regulations adopted and protection measures taken.

Sub-Result 2.1: Legal acts which result from ***provisions of the Directive 2002/59/EC*** of the European Parliament and of the Council of 27 June 2002 establishing a Community ***vessel traffic monitoring and information system*** are developed and adopted by the Ministry for Restoration of Ukraine.

Indicators of performance measurement:

- Availability of legal acts related to vessel traffic monitoring and information system.

Sub-Result 2.2: Ship ***alert system in the search and rescue region of Ukraine*** is implemented.

Indicators of performance measurement:

- Implementation of alert system in the search and rescue region of Ukraine.

12. Facilities available

The office space, meeting rooms, hard and software, telephone, internet access, security related issues and facilities available for training, seminars and conferences will be provided by the Shipping Administration for the RTA, his/her assistants and visiting experts.

ANNEXES TO PROJECT FICHE

Annex 1: The Simplified Logical framework matrix as per Annex C1a

Annex 2: List of relevant Laws and Regulations of Ukraine

Annex 3: Structural Chart of the State Service for Maritime, Inland Waterway Transport and Shipping of Ukraine (Shipping Administration)

ANNEX 1: The Simplified Logical Framework Matrix

	Description	Indicators (with relevant baseline and target data)	Sources of Verification	Risks	Assumptions
Overall Objective	Ensuring the implementation of Ukraine's international obligations in the field of port state, flag state and coastal state control, maritime education, and protection of human life at sea.	<p>Increased regulatory and institutional efforts and undertaken by Ukraine necessary measures to improve the quality of its fleet and compliance with international rules and regulations in the maritime safety and rescue system domains.</p> <p>Baseline: 2023 – implementation of Ukraine’s international obligations and adoption of legislation aligned with EU acquis in respective fields according to the EU-UA Association Agreement is limited. Work on legislation has advanced at the level of drafting and compliance check; the new secondary legislation drafts, however, are not yet approved.</p> <p>Target: By the end of project - the Ukrainian national maritime safety legislation is better aligned with the respective EU legislation; implementation of respective international obligations is advanced.</p>	- Monitoring/assessment reports by EU and international organisations.	<ul style="list-style-type: none"> - Risks associational with the military aggression against Ukraine; - Changes in beneficiary government (Shipping Administration) priorities; - Risks associated with lack of financial and human resources that would hinder implementation of the newly adopted legislation and necessary organisational and protection measures. 	<ul style="list-style-type: none"> - Continued support of the Ukrainian Government for the development and of the maritime transport; - Sufficient political support from high ranking officials in the sector for conducting reforms; - Sufficient human and financial resources to carry out all necessary reforms.

<p>Specific (Project) Objective(s)</p>	<ul style="list-style-type: none"> Enhancing the capacity of the Shipping Administration in carrying out the state supervision (control) over maritime transport safety; Enhancing the capacity of the Shipping Administration in carrying out the state supervision (control) over seafarers' education and training; Ensuring an appropriate level of protection of human life in the waters of the Black Sea and the Sea of Azov in the maritime search and rescue area of Ukraine. 	<p>Strengthened institutional capacity of the Shipping Administration in oversight of maritime transport safety and seafarers' education and training.</p> <p>Baseline: 2023 - Shipping Administration was created in March 2022; the body is operational.</p> <p>Target: By the end of project - the capacities of the Shipping Administration is significantly strengthened in order to implement and enforce reforms and to carry out international obligations incumbent on a port or coastal State.</p> <p>Appropriate level of protection ensured through increasing capacity and further development of competence of SE "MSRS".</p> <p>Baseline: 2023 – n/a.</p> <p>Target: By the end of project – appropriate level of protection is established.</p>	<ul style="list-style-type: none"> Analyses of the legal and regulatory documents (including elaborated drafts) and preparation of recommendations, drafts of legislation, rules and procedures based on EU Acquis and standards; Project reports with relevant analysis and recommendations, including on exchange of EU best practices; Compliance checks of the newly elaborated legislation; No of staff trained. 	<ul style="list-style-type: none"> Risks associational with the military aggression against Ukraine; Changes in beneficiary government (Shipping Administration) priorities; Risks associated with lack of financial and human resources that would hinder implementation of the newly adopted legislation and necessary organisational and protection measures. 	<ul style="list-style-type: none"> Continued support of the Ukrainian Government for the development and of the maritime transport; Sufficient political support from high ranking officials in the sector for conducting reforms; Sufficient human and financial resources to carry out all necessary reforms.
<p>Mandatory results/outputs by components</p>	<p>Component 1: Institutional support to the State Service for Maritime, Inland Waterway Transport and Shipping of Ukraine (Shipping Administration) in the implementation of the EU norms and standards on maritime safety</p>	<p>Increased level of maritime safety measured through a number of respective regulations adopted, staff trained and organisational measures undertaken.</p> <p>Baseline: 2023 – implementation of Ukraine's</p>	<ul style="list-style-type: none"> Analyses of the legal and regulatory documents (including elaborated drafts) and preparation of recommendations, drafts of legislation, rules and procedures 	<ul style="list-style-type: none"> Risks associated with lack of financial and human resources that would hinder implementation of the newly adopted legislation; 	<ul style="list-style-type: none"> Sufficient political support from high ranking officials in the sector for conducting reforms; Sufficient human and financial resources to carry out reforms;

	Mandatory Result 1: Improved maritime safety	international obligations and adoption of national legislation aligned with EU acquis in maritime safety is limited. Target: By the end of project - Ukrainian national legislation in maritime safety is considerably aligned with respective EU legislation; Ukraine is better prepared for implementation of international obligations.	based on international and EU Acquis standards; - Compliance checks of the newly elaborated legislation; - Project reports with relevant analysis and recommendations; - Procedures (mechanisms) introduced and implemented; - No of staff trained.	- Insufficient dedication, motivation, resources of the Shipping Administration to implement the project; - Insufficient cooperation between the Shipping Administration” and the industry.	- The Shipping Administration is ready to assign the staff for training and guarantee their further employment in the relevant units.
Sub-results	Sub-Result 1.1: Procedure of <i>monitoring and audit of recognised organisations</i> is legally regulated.	Availability of legal documents regulating the procedure of recognition, monitoring and audit of recognised organisations. Baseline: 2023 – n/a. Target: By the end of project – drafts of the respective legal documents are available, and possibly adopted; respective staff of the Shipping Administration is trained on monitoring and audit of recognised organisations.	- New legislation or amendments to the legislation drafted; - New procedures (mechanisms) in introduced and implemented; - No of staff trained.	- Insufficient dedication, motivation, resources of the Shipping Administration to implement the project; - Insufficient cooperation between the Shipping Administration” and the industry.	- The Shipping Administration is ready to assign the staff for the training and guarantee their further employment in the relevant units.
	Sub-Result 1.2: Procedure (mechanism) for monitoring and periodic assessment of measures taken for the effective <i>implementation and application of mandatory IMO instruments</i> is implemented.	Availability of assessment of measures for effective implementation and application of mandatory IMO instruments. Baseline: 2023 – n/a. Target: By the end of project – measures for effective implementation and application	- Analyses of the legal and regulatory documents (including elaborated drafts) and preparation of recommendations, drafts of legislation, rules and procedures based on international	- Insufficient dedication, motivation, resources of the Shipping Administration to implement the project; - Insufficient cooperation between the Shipping Administration” and the industry.	- The Shipping Administration is ready to assign the staff for the training and guarantee their further employment in the relevant units.

		of mandatory IMO instruments are assessed.	and EU Acquis standards.		
	Sub-Result 1.3: Requirements for fishing vessels in accordance with the International Convention for the Safety of Life at Sea and the International Convention for the Prevention of Pollution from Ships on fishing vessels are legally regulated.	Availability of procedures for monitoring compliance with the requirements of international conventions and EU legislation in the field of the prevention of pollution from ships on fishing vessels. Baseline: 2023 – n/a. Target: By the end of project – drafts of the respective legal documents are available, and possibly adopted; respective staff of the Shipping Administration is trained on monitoring.	- New procedures (mechanisms) introduced and implemented; - No of staff trained.	- Insufficient dedication, motivation, resources of the Shipping Administration to implement the project; - Insufficient cooperation between the Shipping Administration” and the industry.	- The Shipping Administration is ready to assign the staff for the training and guarantee their further employment in the relevant units.
	Sub-Result 1.4: Ship, port and port facility security is improved.	Availability of GAP-analysis on the national legislation on ship and port security and updated legislation on ship, port and port facility security. Baseline: 2023 – n/a. Target: By the end of project – drafts of the respective legal documents are available, and possibly adopted; respective staff of the Shipping Administration is trained for implementation and control of compliance with the requirements of the International Ship and Port Facility Security Code (ISPS).	- Analyses of the legal and regulatory documents (including elaborated drafts) and preparation of recommendations, drafts of legislation, rules and procedures based on international and EU Acquis standards; - No of staff trained.	- Insufficient dedication, motivation, resources of the Shipping Administration to implement the project; - Insufficient cooperation between the Shipping Administration” and the industry.	- The Shipping Administration is ready to assign the staff for the training and guarantee their further employment in the relevant units.

	<p>Sub-Result 1.5: Compliance of <i>seafarers' knowledge and professional skills</i> with the competence standards (professional competence assessment) set out in international instruments and EU standards is assessed.</p>	<p>Establishment of enhanced system for assessing the compliance of seafarers' knowledge and professional skills with the competence standards set out in STCW and STCW-F and in accordance with respective EU standards.</p> <p>Baseline: 2023 – n/a. Target: By the end of project – the enhanced system for assessing the compliance of seafarers' knowledge is in place.</p>	<ul style="list-style-type: none"> - Project reports with relevant analysis and recommendations; - Compliance checks elaborated. 	<ul style="list-style-type: none"> - Insufficient dedication, motivation, resources of the Shipping Administration to implement the project; - Insufficient cooperation between the Shipping Administration” and the industry. 	<ul style="list-style-type: none"> - The Shipping Administration is ready to assign the staff for the training and guarantee their further employment in the relevant units.
	<p>Sub-Result 1.6: The capacity of the personnel of the Shipping administration to carry out <i>inspections of the maritime education and training institutions</i> is improved.</p>	<p>Establishment of the system of organisation and control of training, retraining, advanced training and certification of crew members of seagoing vessels according to international treaties.</p> <p>Baseline: 2023 – n/a. Target: By the end of project – the system of organisation and control of training, retraining, advanced training and certification of crew members is established, based on the respective Ukrainian legislation brought in line with EU acquis according to STCW and STCW-F.</p>	<ul style="list-style-type: none"> - Analyses of the legal and regulatory documents (including elaborated drafts) and preparation of recommendations, drafts of legislation, rules and procedures based on international and EU Acquis standards; - Project reports with relevant analysis and recommendations; - Compliance checks elaborated. 	<ul style="list-style-type: none"> - Insufficient dedication, motivation, resources of the Shipping Administration to implement the project; - Insufficient cooperation between the Shipping Administration” and the industry. 	<ul style="list-style-type: none"> - The Shipping Administration is ready to assign the staff for the training and guarantee their further employment in the relevant units.
<p>Mandatory results/outputs by components</p>	<p>Component 2: Institutional support for the State Service for Maritime, Inland Waterway Transport and Shipping of Ukraine (Shipping Administration) in development</p>	<p>Further developed and improved maritime search and rescue system through a number</p>	<ul style="list-style-type: none"> - Project reports with relevant analysis, methodology, recommendations; 	<ul style="list-style-type: none"> - Risks associated with lack of financial and human resources that would hinder 	<ul style="list-style-type: none"> - Sustainable implementation of the maritime transport reform;

	<p>and improvement of the maritime search and rescue system</p> <p>Mandatory Result 2: Improved maritime search and rescue system</p>	<p>of regulations adopted and protection measures taken.</p> <p>Baseline: 2023 – n/a. Target: By the end of project - the Ukrainian search and rescue system is established and improved. Alert system in the search and rescue is implemented.</p>	<ul style="list-style-type: none"> - New legislation or amendments to the legislation related to traffic monitoring and information system drafted and adopted; - No of staff trained. 	<p>implementation of the maritime search and rescue system;</p> <ul style="list-style-type: none"> - Insufficient dedication, motivation, resources of the Shipping Administration and SE “MSRS” to implement the project; - Insufficient cooperation between the Shipping Administration, SE “MSRS” and the industry. 	<ul style="list-style-type: none"> - SE “MSRS” is ready to assign the staff for the training and guarantee their further employment in the relevant units.
	<p>Sub-Result 2.1: Legal acts which results from <i>provisions of the Directive 2002/59/EC</i> of the European Parliament and of the Council of 27 June 2002 establishing a Community <i>vessel traffic monitoring and information system</i> are developed and adopted by the Ministry for Restoration of Ukraine.</p>	<p>Availability of legal acts related to vessel traffic monitoring and information system.</p> <p>Baseline: 2023 – n/a. Target: By the end of project - legal acts related to vessel traffic monitoring and information system, resulted from the respective EU legislation are adopted.</p>	<ul style="list-style-type: none"> - New legislation or amendments to the legislation related to traffic monitoring and information system drafted and adopted; - No of staff trained. 	<ul style="list-style-type: none"> - Insufficient dedication, motivation, resources of SE “MSRS” to implement the project; - Insufficient cooperation between the Shipping Administration, SE “MSRS” and the industry. 	<ul style="list-style-type: none"> - SE “MSRS” is ready to assign the staff for the training and guarantee their further employment in the relevant units.
	<p>Sub-Result 2.2: <i>Ship alert system in the search and rescue region of Ukraine</i> is implemented</p>	<p>Implementation of alert system in the search and rescue region of Ukraine.</p> <p>Baseline: 2023 – n/a. Target: By the end of project - the alert system in the search and rescue region of Ukraine is implemented.</p>	<ul style="list-style-type: none"> - Project reports with relevant analysis, methodology, recommendations; - No of staff trained. 	<ul style="list-style-type: none"> - Insufficient dedication, motivation, resources of SE “MSRS” to implement the project; - Insufficient cooperation between the Shipping Administration SE “MSRS” and the industry. 	<ul style="list-style-type: none"> - SE “MSRS” is ready to assign the staff for the training and guarantee their further employment in the relevant units.

ANNEX 2: List of Relevant Laws and Regulations of Ukraine

Merchant Shipping Code of Ukraine

Law of Ukraine “On Transport”

Law “On Seaports of Ukraine”

Resolution of the Cabinet of Ministers of Ukraine of October 7, 2009 No. 1307 "About Approval of the Sea Doctrine of Ukraine for the Period till 2035" (as amended on 18.12.2018)

Resolution of the Cabinet of Ministers of Ukraine of December 30, 2022 No. 1499 “Some Issues of Assigning Ranks to Officers of Seagoing Ships”).Resolution of the Cabinet of Ministers of Ukraine of June 30, 2015 No. 460 "About Approval of the Regulations on the Ministry for Communities, Territories and Infrastructure Development of Ukraine"

Resolution of the Cabinet of Ministers of Ukraine of March 6, 2022 No. 212 “Some Issues of Optimization of Functioning of the Central Executive Bodies in the Sphere of Sea and Inland Water Transport and Navigation", which approved the Regulations on the State Service for Maritime, Inland Waterway Transport and Shipping of Ukraine

Resolution of the Cabinet of Ministers of Ukraine of May 15, 2008 No. 459 «Some Issues of Long-Range Identification and Vessels Location Control”

Resolution of the Cabinet of Ministers of Ukraine of March 5, 2009 No. 178 “On Increasing the Efficiency of Functioning of the System of Search and Rescue at the Sea”

Resolution of the Cabinet of Ministers of Ukraine of October 20, 2011 No. 1069 "On Ensuring the Functioning of the Unified Search and Rescue System at Sea"

Resolution of the Cabinet of Ministers of Ukraine of November 14, 2012 No. 1037 “On measures to Improve the Organization and Conduct of Aviation Work on Search and Rescue”

Resolution of the Cabinet of Ministers of Ukraine of November 28, 2012 No. 1090 “On Approval of Procedure for Crossing the State Border while Search and Rescue at the Sea”

Resolution of the Cabinet of Ministers of Ukraine of February 24, 2016 No. 158 “On Restoration of the Unified Search and Rescue System at the Sea”

Resolution of the Cabinet of Ministers of Ukraine of November 16, 2016 No. 830 "About Formation of Coordinating Committee on Search and Rescue at the Sea"

Resolution of the Cabinet of Ministers of Ukraine of March 6, 2022 No. 227 "About National System of Search and Rescue at the Sea"

The Decree of the Cabinet of Ministers of Ukraine of May, 2018 No.430 “About Approval of the National Transport doctrine of Ukraine for the Period till 2030”

Order of the Ministry of Infrastructure of Ukraine of November 17, 2021 No. 621 “On Approval of the Regulation on the Sea Port Captain and Sea Port Captain Service”

Order of the Ministry of Infrastructure of Ukraine of December 03, 2004 No. 1062 “On Approval of the Regulation on Training and Assessment of the Officials Carrying out State Supervision over Ensuring the Safety of Navigation for Maritime and River Transport”

Resolution of the Cabinet of Ministers of Ukraine of August 10, 1994 No. 545 “On Approval of the Rules for Vessel Control to Ensure Maritime Safety”

Order of the Ministry of Transport of Ukraine of November 20, 2003 No. 904 “On Approval of the Regulations on the Maritime Safety Management System for Maritime and River Transport”

Order of the Ministry of Transport of Ukraine of March 27, 2013 No. 198 “On Approval of Procedure of Sea and River Ports Security Management”

Order of the Ministry of Transport of Ukraine of June 09, 2003 No. 428 “On Approval the Approval of the Regulation on the procedure for issuing mandatory orders by officials on the elimination of violations of the requirements of regulatory and legal acts on shipping safety and monitoring their implementation”

Resolution of Board of the National Bank of Ukraine of September 15, 2022 No. 203 "About Approval of Rules of Creation and Submission of the Plan of Recovery of Activities of Credit Union to the National Bank of Ukraine"

Order of the Ministry of Transport of Ukraine of April 10, 2001 No. 205 "About Approval of Rules of Registration of Transactions with Hazardous Substances in Courts, Sea Installations and in the Ports of Ukraine"

Order of the Ministry of Transport of Ukraine of August 13, 2004 No. 221 “On Approval of On of Standard Recommendations for Development of Enterprise Security Management System”

Order of the Ministry for Restoration of Ukraine dated June 23, 2023 No 535 “Some Issues on Specimen Copies of Documents of Officers and Ratings of Seagoing Ships Certifying the Appropriate Qualification for Holding a Capacity on a Ship and Identifying Their Holders”, registered at the Ministry of Justice of Ukraine under No 1214 on 10/08/2023

Order of the Ministry of Infrastructure of Ukraine dated 18.10.2013 No. 812 “On Approval of the Procedure for Issuing Qualification Documents to Officers and Ratings of Seagoing Ships”

The Order of the Ministry of Infrastructure of Ukraine dated 18.10.2013 No. 813 “On Approval of the Procedure for Confirming Qualifications and Certificates of Officers and Ratings of Seagoing Ships”

The Order of the Ministry of Infrastructure of Ukraine of September 22, 2015 No. 379 “On Approval of the Resolution on the National Center of Long-Range Identification and Vessels Location Control” registered at the Ministry of Justice of Ukraine under No. 1214 on 07.10.2015

ANNEX 3: Structural Chart of the State Service for Maritime, Inland Waterway Transport and Shipping of Ukraine (Shipping Administration)

