SUMMARY PROJECT FICHE

1. Basic Information

1.1. Désirée Number: BG 0101.07
    Twinning code: BG/IB/2001-TR-01

1.2. Title: Maritime Safety institution building

1.3. Sector: AD

1.4. Location: BULGARIA, Maritime Administration at the Ministry of Transport and Communications

2. Objectives

2.1. Overall Objectives

   a. To align Bulgarian legislation on Maritime Safety in accordance with the short-term priorities in the Accession Partnership.
   b. To strengthen the capacity of the Bulgarian Maritime Administration to implement the requirements of the acquis communautaire on Maritime Safety;

2.2. Project purpose:

To strengthen the capacity of the Bulgarian Maritime Administration to achieve international standards of Flag State Implementation (FSI), Port State Control (PSC), and Coastal State Control (CSC).

2.3. Accession Partnership and NPAA priority

2.3.1 Accession Partnership

As well as addressing the short and medium-term priorities of the Accession Partnership on aligning legislation on Maritime Safety (paragraph 4.1- Transport) and aligning maritime transport, inland waterways (technical requirements for vessels) - (paragraph 4.2 - Transport) , this project is oriented to meeting the specific recommendations of the 2000 Regular Report by the European Commission on Bulgaria’s progress towards accession. The objective to strengthen the administrative capacity of the Bulgarian Maritime Administration addresses the assessment that:

“Improving the performance of maritime safety administrative institutions firstly as a Flag State and then as Port State must be a priority. Care should be taken that there is a sufficient number of trained inspectors to apply the acquis”;

The objective on legal alignment addresses the assessment that:

“In maritime transport further alignment and institutional strengthening is required in order to reach full compliance with the acquis.”

And..

“In addition, important secondary legislation needs to be adopted and implemented in relation to maritime safety, including rules for issuing ship certificates, carriage of dangerous goods and ship registers.”
2.3.2 NPAA

Maritime Safety is given a high priority in the NPAA. It is envisaged that a number of EC Directives and Regulations in the field of Maritime Safety will be transposed into Bulgarian legislation through the adoption of the “Law on the Amendment of the Merchant Shipping Code”. This law has been approved by the Council of Ministers and has been submitted to the National Assembly for adoption in 2001.

To create the administrative capacity to implement the above law, an executive agency, the Maritime Administration was established in 1999 at the Ministry of Transport and Communications.

3. Description

3.1. Background and justification:

3.1.1 Background situation

Bulgaria has made consistent progress on improving its Maritime Safety performance by creating the administrative structures and progressively adapting its broad framework of legal instruments in this field and aligning them with those of the European Union and the international maritime institutions.

The law on Maritime Spaces, Inland Waterways and Ports provides the framework for further alignment with the acquis and the Accession Partnership on maritime transport, in particular on maritime safety issues.

The Maritime Administration in Sofia, which performs the executive functions, hosts the State Shipping Inspectorate, and its four regional offices on the Black Sea coast and on the River Danube. These regional offices are responsible for implementing the tasks associated with Flag State Implementation, Port State Control, and Coastal State Control.

In April 2000 a Memorandum of Understanding on Port State Control and Flag State Implementation in the Black Sea Region was signed on Bulgaria’s initiative. The Memorandum aims at gradual removal from operation of sub-standard vessels by strengthening the training of inspectors and creating (by 2001) an Information Centre to which all Black Sea countries will have access. Furthermore, a vessel traffic control system (VTS) is being introduced on the Bulgarian Black Sea Coast with the assistance from the Phare Programme.

As mentioned above, the Law on the Amendment of the Merchant Shipping Code is in process of adoption by the National Assembly. The draft is expected to be adopted in early 2001.

3.1.2 Measures specific to Maritime Safety

In general Bulgarian legislation complies with the requirements for safety of navigation and is currently in process of alignment with EC standards. Following the adoption of the Law on the Amendment of the Merchant Shipping Code several relevant EC Directives and Regulations progressively will be incorporated under Bulgarian Law. This process will be completed by the end of 2006.

Other measures launched by the Bulgarian Maritime Administration are:

- A training programme for PSC inspectors, currently under development;
- The Bulgarian shipping company NAVIBULGAR was certified under ISO 9002 by Germanisher Lloyd Certification in 2000. In order to secure international investment and know-how, and ultimately with the view to improve Flag State performance and compliance, privatisation procedures have been opened for NAVIBULGAR.
3.1.3 Key issues Addressed by this Project

Despite the measures described above taken by the Maritime Administration to strengthen maritime safety, the safety performance of vessels under the Bulgarian flag remains a matter of concern. The level of Bulgarian vessels, detained under the Paris Memorandum of Understanding on Port State Control system has decreased from 12.5% in 1998, to 8.1% in 1999 and 7.2% in 2000. This is to be compared with an average of 3.6% for EU-flagged vessels.

Although the legal framework is either adopted or planned, the capacity of the Bulgarian Maritime Administration effectively to implement this legislation is currently limited, by a lack of trained inspectors and effective enforcement of international standards. Also to be taken into account is the capacity to adopt new EC Directives currently under consideration.

Assistance from this project will improve the performance of the BMA in operating Flag State and Port State Control by developing the institutional capacity, and create robust organisational structures with effective human resource management, especially training, required to achieve a change in culture and attitude at the implementing level.

This project also addresses the issue of implementing Coastal State Control, as there is an urgent need of equipment and trained inspectors relating to search and rescue (SAR) operations and pollution control in Bulgarian territorial waters.

3.1.4 Specific Issues Addressed by the Project

Specifically, this project will enhance Bulgaria’s performance in maritime safety, by developing a sustainable management capability at the Maritime Administration and by introducing a comprehensive series of training programmes for sufficient numbers of Bulgarian Flag, Port and Coastal State Control inspectors to achieve accelerated progress in the execution of their duties. This programme will also provide training to a sufficient number of trainers, to ensure future sustainability. This project will have a significant impact on Bulgaria’s commitment to improving its performance in Flag State Implementation, and will contribute to progress to improvements in implementing Port and Coastal State Control.

In addition, this project will include a comprehensive review of existing and planned Bulgarian legislation concerning all aspects of maritime safety, identifying gaps and possible divergence from the acquis. This review will then be used for drafting new legislation closely approximating to the acquis.

3.2 Linked Activities

A 2000 Phare programme focused on achieving improvements to maritime safety in Bulgaria is currently under implementation:

Project Title: Vessel Traffic Management and Information System (VTMIS)
Sector: Transport – investment in the acquis.
Project Location: Bulgarian Black Sea Coastal waters, Port approaches, Inland Waterways and Ports
Allocation: Total €11.4 million (Phare €3.4 million (30%), National Co-financing €7.1 million (60%), Government of Netherlands €1.0 million (10%)).

The wider objectives of this programme are to promote maritime safety in Bulgarian territorial waters; promote economic development through improvements to transport facilities; and to promote environmental protection through improvements to water quality, and prevention of environmental damage as a result of a reduction of accidents.
3.3. Results

Recalling the objectives of this project:

a. To align Bulgarian legislation on Maritime Safety in accordance with the short-term priorities in the Accession Partnership.

b. To improve the capacity of the Bulgarian Maritime Administration to implement the requirements of the *acquis communautaire* on Maritime Safety,

the following results are within the control of the project and are deliverable by the end of the disbursement period.

3.3.1 The compliance of national legislation with European directives on Flag State, Port State and Coastal State controls;

3.3.2 The identification of gaps between existing and planned Bulgarian legislation relating to Maritime Safety and the *acquis communautaire*, together with recommendations for modifications to legal texts and timing;

3.3.3 Revisions to existing management practices concerning Flag State Implementation, Port and Coastal State Control, delivering improvements to human resources management to achieve Paris MoU inspection standards;

3.3.4 Fully trained Bulgarian inspectors of Flag State Implementation, and Port State Control procedures to standards defined by the Paris MoU and other internationally agreed Maritime Conventions, sustainable beyond the period of the project.

3.3.5 A prioritised list of the equipment and software required to achieve significant improvements to Coastal State Control regarding Search and Rescue and Pollution Control in line with the financial allocation of the Investment Support component of this programme.

3.3.6 The installation of the equipment and software required to improve Search and Rescue and pollution prevention and control.

3.3.7 The Bulgarian Maritime Administration will have the capacity to manage the continued sustainability of the project.

3.4 Activities

The following Activities will lead to the achievement of the results indicated above:

3.4.1 Performing a full analysis with conclusions comparing Bulgarian legislation with European Directives, Internationally agreed Maritime Conventions and Paris MoU Secretariat requirements on Flag State, Port State and Coastal State controls;

3.4.2 Performing a comprehensive analysis of existing and planned Bulgarian legislation in Maritime safety, identifying gaps from the *acquis communautaire*, and proposals for modifications to legal texts and timing;

3.4.3 Performing a critical analysis of existing management practices concerning Flag State Implementation and Port State Control, with recommendations for improvements to human resources management and training needs at the implementation level resulting in vessel inspection by trained inspectors performed to Paris MoU standards;

3.4.4 Organising the design, preparation and delivery of a series of sustainable modular training programmes, including documentation, involving both lectures and practical experience focused on improvements to the knowledge, practical skills and professionalism of existing and potential Bulgarian Flag State and Port State inspectors;
3.4.5 Organising the delivery of training courses for the planned number of BMA officials selected for FSI, PSC and CSC responsibilities.

3.4.6 Certifying that the selected BMA officials have fully completed the training programmes indicated in 3.4.5 above.

3.4.7 Organising the design, preparation and delivery of programmes designed to train BMA officials selected as trainers of Flag State and Port State inspectors.

3.4.8 Organising a needs assessment of the equipment and software required to achieve significant improvements to Coastal State Control regarding Search and Rescue and pollution prevention and control, with recommendations for the most effective allocation of the Investment Support component of the project.

3.4.9 Completing the disbursement of the Investment Support component on equipment and software procurement identified by activity 3.4.8, including installation and training of Bulgarian Maritime Administration personnel.

3.4.10 Managing the on-the-job-training in all aspects of the project provided to the Bulgarian Maritime Administration counterpart official or team designated to assist the Pre-Accession Advisor.

*Note on activities concerning Training Components (3.4.4, 3.4.5, 3.4.6, 3.4.7):*

A needs assessment on training requirements will be necessary at the start of the project, however, it is envisaged that to achieve the optimum benefit for Bulgarian officials, programmes will be designed in co-operation with Member States’ Maritime services and will take place both in Bulgaria and at suitable locations within Member States’ Maritime institutions. Training will take the form of study visits by Bulgarian officials, including extended practical work experience alongside experienced practitioners, combined with “classroom” format lectures and workshops, using computer-based interactive tools where appropriate. In this way, Bulgarian officials will benefit from both the transfer of skills and experience but also obtain exposure to the culture and professional climate in Member States’ maritime environments. It is considered an advantage if longer term reciprocal arrangements can be concluded with Member States’ maritime services and the Bulgarian Maritime Administration to sustain the benefits of these programmes beyond the period of the project.

*Note on activities concerning Investment Support Component (3.4.8, 3.4.9)*

The investment in equipment to provide the BMA with the means to implement effective Coastal State Control is the principal activity within this project to reach conformity with the international conventions in the field: UNCLOS, MARPOL, OPRC and SAR. Specific priorities for the equipment to be purchased will be developed by the PAA with technical assistance and submitted to the Steering Committee for endorsement. Among items already identified are radio and radar devices used in search and rescue, laboratory equipment for the analysis of pollutants and water quality, specialist software for predicting the movement and chemical composition of slicks.

4. **Institutional Framework**

4.1 **Beneficiary institution**

The Bulgarian Maritime Administration at the Ministry of Transport and Communications will be the beneficiary institution and will co-ordinate the implementation of the project by means of a Steering Committee.

Under the chairmanship of the Executive Director of the Maritime Administration membership of the Steering Committee will include representatives of the following institutions and organisations:

Maritime Administration;  
Legal Advisor;  
Central Financing and Contracting Unit;  
European Commission Delegation to Bulgaria.
If necessary representatives of the following institutions and organizations might be included as well:

- Bulgarian Register of Shipping;
- NAVIBULGAR;
- Pilots’ Association;
- Bulgarian Maritime Training Center – Varna;
- Transport Policy Department of the Ministry of Transport & Communication;

In addition the Executive Director of the Maritime Administration will appoint a person (or a small team) from within the organisation to act as counterparts and assistants to the Pre-Accession Advisor in the co-ordinating of the project. This person (or team) will work alongside the PAA throughout the project with the objective of acquiring the necessary professional experience and background, to sustain the momentum of the project after its completion. In this way, the Maritime Administration will acquire expertise and experience in the legal, institutional, and practical aspects of Flag State Implementation and Port and Coastal State Control.

4.2 Changes to institutional framework

It is not envisaged that the planned activities of this project will create any institutional changes such as the creation of new bodies.

5. Detailed Budget in Euro.

<table>
<thead>
<tr>
<th></th>
<th>Phare Investment Support</th>
<th>Phare Institution Building</th>
<th>Total Phare (=I+IB)</th>
<th>National co-financing</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Twinning</td>
<td></td>
<td>800,000</td>
<td>800,000</td>
<td></td>
<td>800,000</td>
</tr>
<tr>
<td>2. Investment support</td>
<td></td>
<td>240,000</td>
<td>240,000</td>
<td>80,000</td>
<td>320,000</td>
</tr>
<tr>
<td>Total</td>
<td>240,000</td>
<td>800,000</td>
<td>1,040,000</td>
<td>80,000</td>
<td>1,120,000</td>
</tr>
</tbody>
</table>

*Note: Phare will finance (max 75%) of the total cost of the investment component, up to a maximum of 200,000 Euro. The remaining co-financing will be provided by the beneficiary institution. Should the total cost of the equipment exceed the estimate, the beneficiary institution will provide the necessary additional co-financing.

Notes on Budget allocation and contract assumptions:

1. Twinning Covenant:

A twinning covenant of Euro 800,000 will provide the following services:

a. One Pre-Accession advisor resident in Bulgaria for two years including expenses and allowances estimated at Euro 350,000.

b. A training component to be developed in co-operation with Member States’ maritime services. The Bulgarian Maritime Administration believe it is essential for its officials implementing FSI, PSC and CSC receive exposure to best practice established at Member States’ port and coastal locations. It is considered equally important to achieve the objectives of the project that training officers from Member States visit Bulgarian locations to conduct training, and recommend changes to current practices.

The exact numbers of candidates and a precise allocation of this component will be the result of the needs assessment exercise performed by the PAA. In total it will amount to Euro 400,000.

c. The activities on legal harmonisation will require specialist international assistance for legal reviews and text drafting and translation working with the BMA legal team. An allocation of maximum Euro 50,000 is foreseen.
2. Procurement of Equipment

Identification and specification of the items to be purchased will be elaborated by the PAA with technical assistance and submitted to the Steering Committee for approval. Each item will be justified by the beneficiary and endorsed by the CFCU and Delegation of the European Commission before funds can be committed.

6. Implementation Arrangements

6.1. Implementing Agency

All contractual and financial issues will be the responsibility of the CFCU, which will be the Implementing Agency.

The Bulgarian Maritime Administration at the Ministry of Transport and Communications will be the beneficiary institution and will be responsible for the day-to-day implementation of the project by means of a Steering Committee. (See above: 4. Institutional Arrangements)

Contact details:

Ministry of Transport and Communications
Executive Agency “Maritime Administration”

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6.2. Twinning

In all twinning projects, success in delivering a guaranteed result will depend on the coherence of a number of successive inputs, the continuity of those inputs, and steady progress. Every twinning project will therefore include a Member State Project Leader, who continues to work in his/her Member State administration but who devotes some of his/her time to conceiving, supervising and coordinating the overall thrust of the project. S/he will always be complemented by at least one full-time expert, known as a Pre-Accession Advisor (PAA), from a Member State to work on a day-to-day basis with the beneficiary in the candidate country and accompany the implementation of the twinning project.

Under a Twinning Covenant, a Pre-Accession Advisor will be appointed to act as coordinator of this project.

Profile of Pre Accession Advisor

The Pre-Accession Adviser (PAA) shall comply with the requirements, set out in Paragraph 4.3.1. of Annex A of the revised version of “A Reference manual on ‘Twinning’ Projects”, dated 15 February 2000, and shall have vast experience within a Maritime Administration of a Member State and practical knowledge of the acquis communautaire in the field of maritime safety and its implementation, and the principles of harmonisation with national and international laws and directives.

In depth knowledge and practical experience of the managerial, organisational and practical aspects of Flag State Implementation, Port and Coastal State Control procedures and detailed knowledge of the provisions of the Paris Memorandum of Understanding, and the relevant statutes of Internationally agreed Maritime Conventions is a pre-requisite.
Experience in organising and knowledge of training activities concerned with Maritime Safety, and the training for PSCOs within the Paris MoU. Specific training experience is also desirable, including distance learning and the use of interactive training materials.

Experience in preparing Terms of Reference for the contracting of short-term Technical Assistants, and the procurement rules of the Phare Decentralised Implementation System is desirable.

He/she shall be based in Bulgaria, in the BMA Headquarters in Sofia for the duration of the assignment, which is estimated at 24 months.

The working language of the PAA will be English. A high standard of reporting communication skills, and diplomacy are needed for the effective performance of the assignment.

2.2.1 Profile of other experts

a. Legal Harmonisation

International experts on maritime safety legislation will be needed to complete the assessment of the status of alignment of Bulgarian law with the acquis and to provide professional text drafting and possibly translation services.

b. Specialist Technical Support

International experts with specific technical skills in the procurement and use of equipment used to reinforce Coastal State Control procedures will be needed to assist the PAA prepare the needs assessment, procurement documents, including technical specifications and tender dossier preparation. Such experts will be selected on their ability to provide specialist advice on Search and Rescue equipment and its application in Bulgarian territorial waters, as well as laboratory measuring and other equipment needed to implement Coastal State Controls on Pollution control and environmental protection.

2.2.2 Bulgarian Counterpart or assistant to PAA

It is considered a pre-requisite that the BMA should actively support the project throughout its implementation and sustain it beyond the completion date. The nature of this support will be decided by the Director of the BMA, and could take the form of either a single individual or a small team possessing the required skills and management capabilities. Either option would make a significant contribution to institution building at the BMA.

A single counterpart should be a senior individual from the BMA with experience in administration of the requirements of the procedures of Flag State Implementation and Port and Coastal State Controls, selected by the Director for his or her ability to absorb the objectives of the project and posses the potential to sustain its achievements and momentum after the completion date.

Alternatively a small team of, say, three or four officials, each specialised in key areas of the project, legal harmonisation, Flag State Implementation, Port State and Coastal State Control, would assist the PAA in the performance of each activity and take joint responsibility for the achievement of the results.

6.3. Non-standard aspects

There are no non-standard contract/tender procedures (eg grant or fund mechanisms) applicable to this project. The DIS Manual will strictly be followed.

6.4. Contracts

Two contracts, a twinning covenant and an investment component are foreseen.
7. **Implementation Schedule**

Assuming the timetable indicated by the European Commission for the preparation of Twinning projects for the 2001 Phare programme is adhered to the following schedule of events indicates that the earliest date for the start of project activity is in the second quarter of 2002:

<table>
<thead>
<tr>
<th>Key Event</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acceptance of Project Fiche</td>
<td>May 2001</td>
</tr>
<tr>
<td>Letter of Notification circulated to Member States</td>
<td>June 2001</td>
</tr>
<tr>
<td>Appointment of Pre-Accession Advisor</td>
<td>December 2001</td>
</tr>
<tr>
<td>Signing of Financing Memorandum</td>
<td>December 2001</td>
</tr>
<tr>
<td>Pre-Accession Advisor commences work</td>
<td>2nd quarter 2002</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Contract Amount (Euro)</th>
<th>Tendering/Contracting</th>
<th>Start of Contract Activity</th>
<th>End of Disbursement</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Twinning Covenant</td>
<td>800,000</td>
<td>1st Q 2002</td>
<td>End 2nd Q 2002</td>
</tr>
<tr>
<td>2. Investment Support</td>
<td>320,000</td>
<td>3rd Q 2002</td>
<td>3rd quarter 2002</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>1,120,000</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

8. **Equal Opportunity**

Male and female participation in the project will be based on the relevant standards of the European Union concerning EOE and will be assured by official announcements published in order to recruit the personnel needed for the project completion.

The main criterion for staff recruitment will be appropriate qualifications and experience in similar projects, not sex or age. Both men and women will have equal opportunities and salaries.

9. **Environment**

The Bulgarian Maritime Administration is responsible for environmental situations arising in its territorial waters. The Investment Support component is concerned with the control and prevention of such incidents, and has no adverse affect on the environment. There is no conflict or overlap with any other Phare programme in the field of environmental protection.
10. Conditionality and sequencing

10.1 Conditionality

Projects implemented through twinning require the full commitment and participation of the senior management of the beneficiary institution. In addition to providing the twinning partner with adequate staff and other resources (including translation and interpretation) to operate effectively, the senior management must be whole-heartedly involved in the development and implementation of the policies and institutional change required to deliver the project results.

The engagement of the allocation for Investment Support is conditional on the list of equipment to be provided is justified in terms of its relevance to the achievement of the objectives of this project, and is approved by the Steering Committee for this project and endorsed by the CFCU and the Delegation of the European Commission.

The adoption by the Bulgarian National Assembly of the Amendment of the Merchant Shipping Code is a pre-requisite for the execution of the project. This process is expected to be completed in 2001.

10.2 Sequencing

The appointment and availability of the Pre-Accession Advisor in Bulgaria is the trigger to the start of this project.

10.3 Impact

Key milestones in terms of the impact of the project are:

- The application by the inspectors of the Maritime Authority of the skills and procedures in FSI, PSC and CSC elaborated in the training programmes:
  
  **Impact:** Progressive enhancement in Bulgaria’s capacity for Flag State Implementation, and Port and Coastal State Control to EU standards.

- Revisions to management processes for effective measurement of performance of inspectors:

  **Impact:** Enhancement in Bulgaria’s ability to implement procedures for Flag State Implementation, and Port and Coastal State Controls.

- Completion of the assessment of the harmonisation of national legislation with EU acquis and international directives and regulations:

  **Impact:** Milestone to enable planning of further activities in pursuance of the project’s objectives

- Operation of equipment purchased under the Investment Support component:

  **Impact:** Enhancement of Bulgaria’s capacity to implement effective Coastal State Control.
## Annex 1: Logical Framework Matrix

### LOGFRAME PLANNING MATRIX FOR

**Project:** Maritime Safety: Institution Building and Legal Harmonisation

<table>
<thead>
<tr>
<th>Source of Verification</th>
<th>Objective verifiable indicators</th>
</tr>
</thead>
<tbody>
<tr>
<td>BMA operates effective processes for implementing best practice Flag State/Port State Controls</td>
<td>a. To align Bulgarian legislation on Maritime Safety in accordance with the short-term priorities in the Accession Partnership.</td>
</tr>
<tr>
<td>Evidence that measures to align Bulgarian legislation with AP priorities and acquis are capable of implementation</td>
<td>b. To strengthen the capacity of the Bulgarian Maritime Administration within the Ministry of Transport and Communications to meet the requirements of the <em>acquis communautaire</em> on Maritime Safety;</td>
</tr>
<tr>
<td>PAA and BMA reports on project implementation;</td>
<td>• FSI/PSC inspection reports</td>
</tr>
<tr>
<td>2003/4 EC regular reports on Accession Partnership</td>
<td>• Paris Memorandum Annual reports</td>
</tr>
<tr>
<td>Government documentation on legislative activities supported by BMA reports.</td>
<td>• PAA and BMA reports on Bulgarian legislation</td>
</tr>
</tbody>
</table>

### Overall objective

- To strengthen the capacity of the Bulgarian Maritime Administration to achieve international standards of Flag State, Port and Coastal State Controls.

### Project purpose

- Bulgarian Maritime Administration

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**Total budget:** € 1,000,000  
**Phare budget:** € 1,000,000

**Contracting period expires:** November 30th 2003  
**Disbursement period expires:** November 30th 2004
<table>
<thead>
<tr>
<th>Results (summarised from 3.3 above)</th>
<th>Objectively verifiable indicators</th>
<th>Sources of Verification</th>
<th>Assumptions</th>
</tr>
</thead>
<tbody>
<tr>
<td>• The compliance of national legislation with European directives on Flag State, Port State and Coastal State controls;</td>
<td>• Exceptions to compliance of Bulgarian legislation with European Directives;</td>
<td>• PAA and Technical Assistance reports</td>
<td>• Bulgarian National Assembly adopts the Law on the Amendment of the Merchant Shipping Code</td>
</tr>
<tr>
<td>• The identification of gaps between existing and planned Bulgarian legislation relating to Maritime Safety and the acquis communautaire, together with recommendations for modifications to legal texts and timing;</td>
<td>• Management practices for FSI and PSC conform to international standards, and Paris MoU reporting requirements;</td>
<td>• Office for European Integration reports on progress towards Accession Partnership</td>
<td>• Bulgaria adopts acquis on Maritime Safety</td>
</tr>
<tr>
<td>• Revisions to existing management practices concerning Flag State Implementation, Port and Coastal State Control, delivering improvements to human resources management to achieve Paris MoU inspection standards;</td>
<td>• Curricula of training courses conform to Paris MoU guidelines on advanced training for PSCOs;</td>
<td>• Monitoring by EC Delegation</td>
<td>• Institution building will be sufficient to achieve objectives on FSI, PSC and FSC</td>
</tr>
<tr>
<td>• Fully trained Bulgarian inspectors of Flag State Implementation, and Port State Control procedures to standards defined by the Paris MoU and other internationally agreed Maritime Conventions, sustainable beyond the period of the project.</td>
<td>• Training course attendees meet selection requirements agreed by BMA</td>
<td>• Paris MoU guidelines on advanced training for Port State Control Officers</td>
<td>• Tendering and contracting processes for equipment will be completed on time.</td>
</tr>
<tr>
<td>• A prioritised list of the equipment and software required to achieve significant improvements to Coastal State Control regarding Search and Rescue and Pollution Control in line with the financial allocation of the Investment Support component of this programme.</td>
<td>• FSI and PSC inspection procedures and reporting systems fully implemented according to manuals.</td>
<td>• Investment Support component satisfies Internationally Agreed Maritime Conventions on CSC</td>
<td></td>
</tr>
<tr>
<td>• The installation of the equipment and software required to improve Search and Rescue and pollution prevention and control.</td>
<td>• Internationally Agreed Maritime Conventions</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• The Bulgarian Maritime Administration will have the capacity to manage the continued sustainability of the project.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Activities (Summarised from 3.4.above)</td>
<td>Means</td>
<td>Assumptions</td>
<td></td>
</tr>
<tr>
<td>----------------------------------------</td>
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<td></td>
</tr>
<tr>
<td>• Performing a full analysis with conclusions comparing Bulgarian legislation with European Directives and Internationally agreed Maritime Conventions;</td>
<td>• Twinning Covenant to appoint experienced Pre-Accession Advisor</td>
<td>• Effective co-operation between institutions involved in the project</td>
<td></td>
</tr>
<tr>
<td>• Performing a comprehensive analysis of existing and planned Bulgarian legislation in Maritime safety, identifying gaps from the acquis communautaire, and proposals for modifications to legal texts and timing;</td>
<td>• Short-term Technical Assistance (STTA) contracts with experts on International Maritime Law</td>
<td>• Effective co-operation between services exists to achieve progress on legal harmonisation</td>
<td></td>
</tr>
<tr>
<td>• Performing a critical analysis of existing management practices concerning Flag State Implementation and Port State Control, with recommendations for improvements to human resources management and training needs;</td>
<td>• Contracts with Member States’ maritime organisations to provide training services in MS ports or institutions</td>
<td>• Availability of candidates with required qualifications and background for training programmes.</td>
<td></td>
</tr>
<tr>
<td>• Organising the design, preparation and delivery of a series of sustainable modular training programmes, including documentation, involving both lectures and practical experience;</td>
<td>• STTA contracts with MS experts in Maritime Safety to provide training services in Bulgaria</td>
<td>• All processes concerning equipment supply procurement can be completed within project period.</td>
<td></td>
</tr>
<tr>
<td>• Organising the delivery of training courses for the planned number of BMA officials selected for FSI, PSC and CSC responsibilities.</td>
<td>• STTA contracts with maritime equipment specialists for needs assessment and preparation of specifications and tender dossiers</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Annex 2: Implementation schedule of the programme

<table>
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<tr>
<th>IMPLEMENTATION SCHEDULE OF THE PROGRAMME</th>
<th>Date of drafting:</th>
<th>February 2001</th>
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<tbody>
<tr>
<td>Programme Title</td>
<td>Planning period</td>
<td>01 2002 – 12 2004</td>
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<tr>
<td>Maritime Safety: Institution Building and Legal Harmonisation</td>
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<tr>
<th>Project</th>
<th>Implementation Schedule (Quarterly)</th>
<th>Cost Estimate</th>
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<tbody>
<tr>
<td>Total programme</td>
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<td><strong>1 000 000 EUR</strong></td>
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Legend: D- design of project; C- tendering and contracting; I - contract implementation and payment
### Annex 3: Quarterly commitment schedule

**COMMITMENT (CONTRACTING) SCHEDULE OF THE PROGRAMME**

<table>
<thead>
<tr>
<th>Programme Title</th>
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<th>Commitment Schedule (Quarterly)</th>
<th>Cost Estimate</th>
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<tbody>
<tr>
<td>Maritime Safety: Institution Building and Legal Harmonisation</td>
<td>01 2002 – 12 2004</td>
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<td>1 million EUR</td>
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**PLANNED (thousand Euro)**

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<tr>
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<tr>
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<tr>
<td>Total programme</td>
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### Annex 3a: Quarterly disbursement schedule

**DISBURSEMENT (PAYMENTS) SCHEDULE OF THE PROGRAMME**

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<thead>
<tr>
<th>Programme Title</th>
<th>Planning period</th>
<th>Disbursement Schedule (Quarterly)</th>
<th>Cost Estimate</th>
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<tbody>
<tr>
<td>Maritime Safety: Institution Building and Legal Harmonisation</td>
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<td>1,12 million EUR</td>
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**PLANNED**

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<tr>
<td>1. Twinning Covenant (Assumes most pre-covenant processes completed in 2001)</td>
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Annex 4: List of relevant Laws and Regulations

OVERVIEW OF THE
ACQUIS COMMUNAUTAIRE
IN THE FIELD OF
MARITIME SAFETY

Notes:

- Only administrative and legislative measures (Directives, Recommendations, Decisions, Regulations) are mentioned here. No reference is made to the implementation and/or application level in different Member States.

- Administrative and legislative measures under consideration also can be considered (at least to a certain extent) part of the acquis. These are mentioned in grey print.

- Some measures concerning pollution fighting are also mentioned here, as both these kinds of measures (safety and pollution prevention) are closely interwoven.

- Measures regarding the economic aspect of shipping are also mentioned, as the competitive position of shipping operators determines to a great extent their financial margin and capability (and willingness) to adhere to the safety rules and regulations.

- Measures relating to inland navigation, whenever possibly relevant to navigational safety, have also been incorporated into the list.

- The list has no pretension to be fully exhaustive. It gives a broad outline of the European measures in the maritime safety and related fields. Measures directly related to maritime safety are printed on a yellow background.

- The listing of measures follows a logical heading order, and a chronological order per heading. For the general measures, from older to more recent, for the other headings the more recent ones are mentioned first.

- The references printed in blue mention the number under which these documents can be consulted on the website of the European Union http://www.europa.eu.int.

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<th>Section</th>
<th>Page</th>
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<tr>
<td>General</td>
<td>3</td>
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<tr>
<td>International Conventions and international relations</td>
<td>6</td>
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<tr>
<td>Ship inspections</td>
<td>8</td>
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<td>Registration of ships</td>
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<tr>
<td>Navigation</td>
<td>9</td>
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<td>Communication</td>
<td>10</td>
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<tr>
<td>Marine equipment</td>
<td>10</td>
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<tr>
<td>Dangerous and polluting goods</td>
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</tr>
<tr>
<td>Inland waterways and navigation</td>
<td>11</td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>13</td>
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</tbody>
</table>
General

- Council Decision 78/774/EEC concerning the activities of certain third countries in the field of cargo shipping (378D0774)

- Council Regulation 4056/86 laying down detailed rules for the application of Articles 85 and 86 of the Treaty to maritime transport (as amended and incorporated) (386R4056)

- Council Regulation 4057/86 on unfair pricing practices in maritime transport (386R4057)

- Council Regulation 4058/86 concerning coordinated action to safeguard free access to cargoes in ocean trades (386R4058)


- Council Regulation 479/92 on the application of Article 85 (3) of the Treaty to certain categories of agreements, decisions and concerted practices between liner shipping companies (consortia) (392R0479)

- Council Regulation 3577/92 applying the principle to provide services to maritime transport within Member States (maritime cabotage) (392R3577) and Commission Decision 93/125EEC (Spain) (393D0125) and prolongation (393D0396) and Commission Proposal COM (1998) 251 final: proposal for a Council Regulation amending Council Regulation 3577/92 (598PC0251(01)),

- Council Resolution of 1993 on a common policy on safe seas (393Y1007(1))

- Council Resolution of 1994 on telematics in the transport sector (394Y1105(01))


- Council Directive 95/64/EC on statistical returns in respect of carriage of goods and passengers by sea (as amended and with derogation) (395L0064) and Commission Decision 98/385/EC on same subject (398D0385)


- Council Resolution of 11 March 1996 on short sea shipping (396Y0402(01))


- Council Directive 97/70/EC setting up a harmonised safety regime for fishing vessels of 24 m in length and over (as amended) (397L0070)


- Council Directive 98/41/EC on the registration of persons sailing on board passenger ships operating to or from ports of the Member States (398L0041)


• Council Resolution of 14 February 2000 on the promotion of intermodality and intermodal freight transport in the European Union (300Y0229(01))

• Council Resolution of 14 February 2000 on the promotion of short sea shipping (300Y0229(02))

• Proposal for a Council Decision establishing a Community mechanism for the coordination of Civil Protection intervention in the event of emergencies (500PC0593).
**International Conventions and International Relations**

- Commission Proposal COM (1996) 707 final: Proposal for a Council Decision on relations between Member States and Third Countries in shipping matters and on action relating to such matters in International Organizations and an authorization procedure for agreements concerning maritime transport (596PC0707)

- Council Regulation 2978/94 on implementation of IMO Resolution A.747 (18) on the application of tonnage measurement of ballast spaces in segregated ballast oil tankers (394R2978)

- Commission Regulation 2158/93 on the application of amendments to SOLAS and MARPOL Conventions for the purpose of Council Regulation 613/91 (393R2158)

- Council Decision 83/573/EEC concerning counter-measures in the field of international Merchant shipping (383D0573)


- Council Recommendation 80/907/EEC on the ratification of the International Convention for the Safety of Fishing Vessels (Torremolinos Convention) (380X0907); see also fishing vessels under the heading “general”.


- Council Recommendation 79/114/EEC on the ratification of the STCW 1978 Convention (379X0114)


- Council Recommendation 78/584/EEC (378X0584) and Council Recommendation 78/564/EEC on the ratification of Conventions on Safety of Shipping (378X0584)

- Council Decision 77/587/EEC 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 (377D0587)
Ship inspections


Registration of Ships

- Council Regulation 613/91 on **transfer of ships from one register to another** within the Community (391R0613)


Navigation

- Council Resolution of 1999 on the involvement of Europe in a new generation of **satellite navigation services** (399Y0803(01))


- Agreement on European contribution to a **Global Navigation Satellite System GNSS** (298A0710(01)) (Directive 398D0434)


- Council Decision 92/143/EEC on **radionavigation systems for Europe** (392D0143)
**Communication**

- Commission Decision 2000/638/EC on the application of article 3 (3)(e) of Directive 1999/5/EC to marine radio communication equipment for seagoing non-SOLAS vessels in GMDSS (300D0638)

**Marine equipment**


**Dangerous and polluting goods**

Inland waterways and navigation

- Commission Decision 2000/637/EC on the application of article 3 (3)(e) of Directive 1999/5/EC to radio equipment (radiotelephone service on inland waterways) (300D0637)

- Council Regulation 718/1999/EC on a community-fleet capacity policy to promote inland waterway transport (399R0718) and Commission Regulation 805/1999/EC on measures for implementing this Regulation (as amended) (399R0805)


- Council Directive 96/50/EC on the harmonization of conditions for obtaining national boatmasters’ certificates for the carriage of goods and passengers by inland waterway in the Community (396L0050)

- Council Directive 96/35/EC on the appointment and vocational qualification of safety advisers for the transport of dangerous goods by road, rail and inland waterway (396L0035) and Directive 2000/18/EC of the European Parliament and the Council on minimum examination requirements for safety advisers for the transport of dangerous goods by road, rail or inland waterway (300L0018)

- Commission Regulation 2812/94/EC amending Council Regulation 1101/89/EEC as regards the conditions which apply to the putting into service of new capacity in inland waterway transport (394R2812).

- Agreement in the form of an exchange of letters between the European Community and Bulgaria concerning inland transport infrastructure (294A1231(26)) and agreement in the form of an exchange of letters between the European Community and Bulgaria concerning transit (294A1231(25))

- Council Regulation 1101/89 on structural improvements in inland waterway transport (as amended) (389R1101),


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• Commission Opinion 81/681/EEC on a draft law relating to safety and working conditions in inland waterway transport (Netherlands) (381X0681).

• Council Directive 76/135/EEC on reciprocal recognition of navigability licenses for inland waterway vessels (as amended) (376L0135) and Commission Decision 77/527/EEC establishing a list of maritime shipping lanes (377D0527)

• Council Regulation 1107/70 on the granting of aids for transport by rail road and inland waterway (as amended) (370R1107),

• Council Regulation 1191/69 on action by Member States concerning the obligations inherent in the concept of a public service in transport by rail road and inland waterway (as amended) (369R1191), Commission opinion 75/300/EEC (375X0300),

• Commission Recommendation 68/335/EEC to the Member States on the structural improvement of the market in the carriage of goods by inland waterway (368X0335).

• Exchange of letters on cooperation between the EEC and the Central Commission for the Navigation on the Rhine (261A0606(1))

Miscellaneous

• Council Directive 1999/63/EC concerning the Agreement on the organisation of working time of seafarers (399L0063), and Directive 1999/95/EC concerning enforcement of provisions in respect of seafarers’ hours of work on board ships calling at Community ports.

• Council Directive 92/29/EEC on the minimum safety and health requirements for improved medical treatment on board vessels (392L0029),

• Council Decision 78/774/EEC concerning the activities of certain third countries in the field of cargo shipping (as amended) (378D0774),