

## STANDARD TWINNING PROJECT FICHE

AL 08 IB TR 01

### 1. Basic Information

- 1.1 Programme: IPA 2008
- 1.2 Twinning Number:
- 1.3 Title: Support to Albanian Civil Aviation Safety Management Systems to the requirements of the Council Regulation (EEC) No 787/2007
- 1.4 Sector: Transport
- 1.5 Beneficiary country: Albania

### 2. Objectives

#### 2.1 Overall Objective(s):

To improve social and economic development of Albania by upgrading its civil aviation safety standards in compliance with the European regulatory framework.

#### 2.2 Project purpose:

To support the Albanian Civil Aviation Authority in adopting and implementing EU air safety oversight standards and in upgrading the skills of its human resources.

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

The project will assist to achieve the priorities included in the proposal of the European Commission dated 06.11.2007 for a Council Decision on the principles, priorities and conditions contained in the **European Partnership** with Albania repealing Decision 2006/54/EC. Under the European Partnership (EP) Albania in the short term should implement its commitments under the first transitional phase of the European Common Aviation Area Agreement, including the implementation of the relevant aviation legislation. Also, it should implement the action plan to address the deficiencies identified within the civil aviation authority as regards safety oversight of the country's airlines. In terms of mid term priorities, Albania should implement its commitments taken on under the second (and third) transitional phase of the European Common Aviation Area Agreement.

The **Stabilisation and Association Agreement (SAA)** between the Government of Albania and the

European Community was signed in June 2006. According to Article 106 of the SAA the parties should co-operate together in the field of air transport *acquis*, especially with the aim of modernizing the Albanian air transport mode, improving the free movement of passengers and goods, enhancing the access to the air transport market and facilities, including airports, achieving operating standards comparable to those in the Community, developing an air transport system in Albania compatible and aligned with the Community system and improving the protection of environment in air transport.

Besides, this project is in line with Article 70 of the SAA, where the approximation of Albania's existing legislation to that of the Community and of its effective implementation is a requirement. Albania shall endeavour to ensure that its existing laws and future legislation shall be gradually made compatible with the Community *acquis*. Albania shall ensure that existing and future legislation shall be properly implemented and enforced. The same provisions have been foreseen under Article 56 of the SAA, where Albanian obligation to adapt its legislation, including administrative, technical and other rules, to that of the Community existing at any time in the field of air, maritime and inland transport insofar as it serves liberalisation purposes and mutual access to markets of the Parties and facilitates the movement of passengers and of goods, is cited.

In order to address the obligations deriving from the main strategic documents, the Albanian government has drafted the **National Plan of the Implementation of the Stabilization and Association Agreement**, approved by the Decision of the Council of Ministers No. 577, dated on 05.09.2007. In this document, several important legal initiatives and implementing activities for the period 2008 – 2010 are foreseen. Some of them aim to address the important laws such as “On approval of Air Code” and the relevant by-laws. Also, measures to establish the needed structures have been foreseen. A detailed list of the short and mid term legal initiatives and implementing activities is found in Annex 3.

### **3. Description**

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

There has been progress in the air transport sector. Albania has ratified the European Common Aviation Area Agreement (ECAA) and undertook to gradually integrate into the EU internal aviation market and to apply EU aviation standards. The construction of new infrastructure at Tirana International Airport was completed in mid-March 2007. The airport is located about 25 km to the north-west (16 km in air line) of Tirana. The latest master plan for the development of the airport was implemented on 2000 and it was accompanied with an overall rehabilitation of the "Mother Theresa" airport, including workings which consisted in the reconstruction of the runway, extension of the airport, instalment of the new runway lights system, navigation and approach aid equipment as well as meteorological equipment. The international airport "Mother Theresa" has judicially passed into the concession of the BOOT (Build, Own, Operate, Transfer) form for 20 years to the concessionaire company “Tirana International Airport” (TIA) L.t.d according to law no. 9312, dated 11 November 2004.

On 23 April 2005 the Rinas “Mother Theresa” International Airport started the airport construction and operation based on the Concession Agreement. The monitoring of the "construction and utilization of the airport", in compliance with the standards anticipated in the contract and those of the best international practice in the area, was done by means of sartorial policies and the authority that the concessions law has recognized to the Project Implementation Unit. Monitoring of the constructions was carried out in timely manner and at the defined quality, as well as the capacities

at the service of the concessionaire company, shall be carried out by considering the minimum C service level, imposed by IATA with regard to one-way traffic of the service to the passenger.

Also the Kukës airport has been build but is not yet operational. There are eight civil aviation fields in the Republic of Albania, most of which have a non-asphalted runway. There are no regular internal services at the moment. The harmonization of the international transport with the national transport, as well as making the latter efficient for public service represents a political sectorial challenge. The sector policies of air transport envisage the functioning, administration and monitoring of the airports and the airport services in general as well.

In the framework of the development of the internal air transport and the coordination with the tourist development of the country, the rehabilitation and construction of internal and regional airports is an objective. The construction of the airport of Saranda and Vlora, for touristic reason is in focus. The Ministry of Public Works, Transport and Telecommunication is in charge of the development and modernization of air transport in the Republic of Albania.

Implementation of the first transitional phase of the relevant aviation *acquis* under the ECAA is underway but further efforts are needed, particularly in the fields of aviation safety, security, and air traffic management. In terms of security and safety, currently the air operations apply intensive legislative, regulatory and structural measures for implementation purposes of ICAO Document 8973, ECAC Document 30 (on Safety) and the Security Management and Control system at the airport is constantly improved.

The content of acts and subjects involved in activities that ensure “Improvement of security and safety” are being reviewed and planned to be re-dimensioned in compliance with ECAC Document 30 and ICAO Document 8973. European Commissions regulatory acts are in the process of implementation in the sector of security and safety. The Republic of Albania intends to become an associate member of EASA and will implement a convergence plan to that effect.

The strengthening of the administrative capacity of Albania's institutions in the field of air transport safety oversight is still outstanding. Work on the new draft Air Code is underway but its alignment with the *acquis* in line with Albania's commitments under the ECAA remains to be verified. Albania needs to implement the action plan to address the deficiencies identified within its Civil Aviation Authority as regards safety oversight of the country's airlines. Preparations in the field of air transport remain at an early stage.

In this framework, Air Traffic Management Master Plan, approved by the Council of Ministers' decision no. 571, dated 23 October 2000, is applicable and fully coherent with the mid-term and long-term political challenges since it is extended in a 10 year timeframe. The objective of the master plan is to find out ways for the modernization of air space infrastructure and to increase air space management capacities, as well as air safety level.

On the other hand, modernization of the air traffic service, as an objective of the air transport sectoral policy aims to modernize the services and supportive logistics, to establish an institutional organization in compliance with the CoE recommendations and to standardize its activity adapting it to the European unification practices. In the context of working for the implementation of these policies, it is aimed at integrating subjects which carry out the activity of air traffic management in terms of their standards.

This is done following and complying with the requirements imposed by Albania's obligations

deriving from the Multilateral Agreement, ratified by law no. 9658, dated 18.12.2006, as well as Albania's membership in other relevant international organizations such as Eurocontrol, ICAO and ECAC. The institutional organization of the subjects, which will monitor the activity of the air traffic management, is also a legal obligation of Multilateral Agreement, ratified by law no.9658, dated 18.12.2006. This task is being adopted for implementation.

The Republic of Albania shall be institutionally involved and meet all the regulatory requirements for the implementation of the "Single European Sky" initiative

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

The sector benefitted by assistance from CARDS 2004. Program/ASATC Project for improving Civil Aviation, especially in the ATM safety area. ASATC was organized in six working pages, for specific aviation sectors. This project ended in May 2007 and the results of the project were deliverables and recommendations respectively for each working page. Even though, a lot of work is still needed for the implementation of the ASATC outcome.

In the context of the implementation and break-down of the Master Plan objective mentioned above, the Republic of Albania contracted through the respective authority, the "Lockheed Martin Global Inc" company to carry out the Feasibility Study on the National Air Space Project (NAMP). The study recommended the contracting of a foreign provider for the air traffic management systems. Such provider would assist the Republic of Albania to ensure the necessary commercial funding and the implementation of the project modernization.

The "Lockheed Martin Global Inc.", acts at the capacity of the provider based on the contract approved by the CoM decision no.665, dated 18 December 2002. It provides assistance for goods and services which modernize the Albanian Air Traffic Management. The project is monitored so that it may reach the objectives foreseen in the Contract and the Air Traffic Master Plan.

Following a fact-finding mission audit in June 2007, which found a number of shortcomings in the oversight of aircraft operations and airworthiness by Albanian CAA, an addendum was agreed to the on-going Technical Assistance to MPWTT Financed through CARDS 2004 in order to extend further technical support to ACAA by means of an additional Expert in Air Safety. The technical support was able to develop a Corrective Action Plan (CAP) which was accepted by the EC Air Safety Committee in November 2007 and is in the final stages of implementation. It is foreseen that the CAP will finally converge with this Twinning project.

In terms of membership in International Institutions, Albania is an ICAO member and ECAC member, a member of the European Organization for Air Navigation Security (EUROCONTROL).

### **3.3 Results:**

1. National legal framework reviewed and revised to ensure compliance with EU legislation and ECAA obligations;
2. European and International aviation regulatory practices and procedures reviewed, revised and augmented;
3. Organisational structures reviewed and any necessary reforms implemented;

4. Training needs analysed, appropriate staff training developed and delivered to ensure project sustainability.
5. Improvements in management processes

### **3.4 Activities:**

1. Training in implementing EC Reg. & Dir. in civil aviation air safety – including personnel licensing and safety management.
2. On the job training and exchange of experience with EU Ministry Transport's aviation safety oversight organisation & related institutions in the CA sector to include aviation regulatory agencies at a management and inspector level.
3. Training in civil aviation oversight at a management and inspector level in the areas of operating safety, airworthiness and safety management at an institutional level.
4. Advice on development of strategy, policy and procedures for the safety oversight of air safety – including personnel licensing, airworthiness management to include institutional safety management and quality systems
5. Advice on the management of occurrence and incident reporting systems as well as accident investigation procedures insofar as they affect a Civil Aviation Authority
6. Advice on the development of Albanian DGCA strategies to ensure a fully cooperative, open and just culture exists insofar as it affects the other stakeholders in the civil aviation sector in Albania
7. Advice as necessary on the development of high level primary legislation in the civil aviation sector to meet International Conventions and agreements (e.g. ICAO, EASA)
8. Advice on the development of management and Inspection staff personal career development programmes to meet institutional needs of an aviation safety oversight regulatory organisation

All training will be carried out as co-operative activities between MS experts and beneficiary in accordance with the relevant safety standards including taking additional measures to ensure Albanian CAA safety oversight given the recognized deficiencies of the national civil aviation authorities and high level Air Transport structures in the Albanian Ministry of Transport.

With the implementation of this project it is anticipated that it will increase the competencies of Al. DGCA in its all sectors

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

Standard twinning procedures/Twinning covenant are to be used.

All experts mobilised under this contract must be proficient in English, have excellent communication and analytical skills, be proficient in report drafting and have excellent team working abilities.

### **3.5.1 Profile and tasks of the Project Leader**

The Member State organisation should provide a Project Leader experienced in civil aviation policy formulation, regulations, and organisation management.

The Project Leader will act as the Member State representative on a Project Steering Committee, which will meet in Albania on a quarterly basis.

#### Profile:

- Minimum 10 years of experience in the civil aviation or equivalent field relevant to the nature of the project.
- Be an administrator from public administration of an EU member's state with expertise in public procurement issues. He/she should have the status of civil/public servant.
- Sound comparative knowledge of relevant EU legislative and institutional requirements related to the various components of this project.
- Wide knowledge of related good practice/acquis communautaire.
- Have excellent management, leadership, communication and coordination skills.
- Proven abilities of manager in forming an appropriate team of short-term experts.
- Experience in developing similar projects implemented in other countries.
- Good training, public speaking and written communication skills.
- Excellent computer literacy (Word, Excel, Power Point).
- Excellent command of spoken and written English.

#### Tasks:

- To lead and direct the overall project implementation.
- The coordination of all activities.
- The management of the project administration.
- Permanent contact with the Twinning M.S counterpart.
- Overall supervision of the project implementation and coordination of all activities, as well as management of the project administration;
- Coordination of the activities of the team members in line with the agreed work programmes to enable timely completion of project outputs;

- Coordination of work with other relevant institutions in Albania for the implementation of the project.

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

The Member State organisation should provide a long term expert as Resident Twinning Adviser (RTA) experienced in the civil aviation policy formulation and regulations, and organisation management.

The RTA will be mobilised for the entire duration of the project. The RTA has the responsibility to implement the above-listed components and to guide the work of the team. The medium/short term experts will work in close cooperation with the RTA and the staff in order to meet the specific objectives as set out above.

He/she will work on a day to day basis with the beneficiary and should have the following qualifications and the experience:

- Be an administrator from public administration of an EU member's state with the status of civil/public servant
- Relevant University degree or equivalent and professional experience in aviation acquired in the field of civil aviation safety regulatory oversight.
- Minimum 15 years of experience to include policy-making and inspection within a Government civil aviation department engaged in the planning and delivery of an aviation safety regulatory management system.
- Fully trained in the Regulatory Oversight disciplines that the RTA claims to be their expert field (e.g. Airworthiness, Flight Operations)
- Broad knowledge of International Aviation Regulations outside of primary discipline of RTA
- Experience of working with external aviation regulatory agencies
- Sound comparative knowledge of relevant EU legislative and institutional requirements related to the various components of the project.
- Wide knowledge of related good practice/acquis communautaire.
- Excellent management, leadership, communication and coordination skills.
- Proven abilities of manager in forming an appropriate team of short-term experts.
- Experience in developing similar projects implemented in other countries.
- Good training, public speaking and written communication skills.
- Excellent computer literacy (Word, Excel, Power Point).
- Excellent command of spoken and written English.

#### Additional assets :

- Sound background in drafting and/or implementing strategies, policies or regulations
- Previous experience as project coordinator/project manager in similar projects;
- Some relevant working experience in the new Member States and the Western Balkans or States with similar development issues;
- Relevance of other language skills will be considered as well.

#### Tasks:

- Overall supervision of the project implementation and coordination of all activities, as well as management of the project administration;
- Coordination of the activities of the team members in line with the agreed work programmes to enable timely completion of project outputs;
- Preparation of project progress reports;
- Permanent contact with the beneficiary RTA counterpart;
- Liaison with EC Task Manager;
- Liaison with other relevant projects.
- Assistance with management of technical decision making and problem solving on a day to day basis

The RTA is expected to ensure, together with the beneficiary administration, the achievement of the objectives listed in 2.1; 2.2. In order to meet these purposes, and if fully justified, the RTA may propose alternative and/or complementary project activities and/or outputs to those identified in the section 3.4.

### **3.5.3 Profile and tasks of the short-term experts**

Short term experts will be required on an ad hoc basis to provide on-site assistance to the beneficiary. The need for the short-term experts will become apparent as the Project matures and in particular as EU Regulations may develop or events dictate (e.g. Mandatory Occurrence Reports, Incidents etc.). Short term experts shall have the following qualifications and experience.

The Terms of Reference for short-term adviser(s) will be elaborated by Project Leader/RTA at the work plan preparation stage.

The actual duration of the assignments of each of the short-term expert(s) (in principle from 2 to 8 months) will be defined during the drafting of the twinning agreement. The medium-term experts will work in close co-operation with the RTA and the Beneficiary in order to meet the specific objectives as set out above.

The short-term experts are expected to have:

- Professional background in management of Regulatory civil aviation issues
- Solid training skills and experience in organizing training courses
- Sound knowledge of relevant EU legislative and institutional requirements related to the various components of this project;
- Very good command of English (oral and written);
- Excellent computer skills (Word, Excel);
- University degree or equivalent in relevant aviation topic
- Minimum of 5 years recent experience working as an Inspector in an Aviation Regulatory authority
- Fully trained in the aviation regulatory oversight discipline relevant to the project

#### **4. Institutional Framework**

The Ministry of Public Works, Transport and Telecommunications is responsible for civil aviation in Albania. Its Directorate of Air Transport (DAT) is in charge of the ministry's policy functions in the field of air transport as established in Regulation 441 of 2003 of MPWTT. An important part of the work for this Directorate is the ratification of several legal instruments such as laws, decisions of council of ministers, conventions, protocols (on international civil aviation and signing bilateral air agreements with 29 foreign states).

Under the Ministry DGCA (created in 1997) is in charge of overseeing air transport and managing the day-to-day oversight of civil aviation including tasks such as an Aeronautical Inspectorate for Airlines and Airports inspection, Technical Standards, Air Traffic Services and Airports, Statistics, Charges and other economical aspects. Albtransport created in 1959 as a state enterprise of international air transport, was transformed in 1999 into a joint stock company. Furthermore, before 1999, Albtransport had already separated air traffic control and vested it in an agency, ANTA (the National Air Traffic Agency) responsible for Air Traffic Management (ATM) under DGCA.

The Minister of Public Works Transport and Telecommunication (MPWTT) is the highest/senior authority of the Albanian Civil Aviation. Institutional structural construction of Albanian air transport is based on three key levels:

At the level of policy development, is the General Directorate of Transport Policies and the Department for Air Transport Policies responsible for policy making in this field.

At the regulatory level, is the General Directorate of Civil Aviation (DPAC) which is directly dependent on the Minister of Transport. DGCA of Albania is responsible for the implementation of the policies in the civil aviation field.

MPPTT based on recommendations and international experiences shall change the performance of the General Directorate of Civil Aviation (DPAC) with the Authority of the Civil Aviation (AAC).

The Authority of the Civil Aviation shall represent a specialized technical entity of the Civil

Aviation as a state structure with financial autonomy.

The operational level or that of aviation services, represented by the one that offers Air Traffic Services (NATA), Offerer of Aeroportual Services (TIA), Air Companies, and other supporting structures.

## 5. Budget

	<b>Programme</b>	<b>Support</b>				
	Investment Support (I)	Institution Building (IB)	<b>Total Programme( =I+IB)</b>	<b>National Co-financing</b>	<b>IFI</b>	<b>TOTAL</b>
Twinning		1.0 M E	1.0 M E	65 900 E *		
<b>Total</b>						

\* 1 In kind contribution by the Beneficiary.

## 6. Implementation Arrangements

### 6.1 Implementing Agency:

The European Commission Delegation in Tirana will be responsible for tendering, contracting, payments and financial reporting, and will work in close cooperation with the beneficiary. The Programme Manager at the EC Delegation, OPS II, will be Mr Daniele Maniscalco, Rruga e Duresit, no. 127/1, Tirana, Albania. Tel.: + 355 42 228 320 Fax: +355 42 270 678 E-Mail: Daniele.MANISCALCO@ec.europa.eu

### 6.2 Counterpart in the BC:

The beneficiary of the Twinning is the Albanian General Directorate of Civil Aviation (GDCA).

The Project Leader Counterpart within the GDCA is Ervin Mazniku, Director General, Rruga Muhamet Gjollësja, P.O. Box 205, Tirana, Albania. Tel.: +355 42 223969 Fax: +355 42 223969 E-Mail: emazniku@dgca.gov.al

The RTA Counterpart within the GDCA is Mr Genci Resuli, Air Safety Director, Rruga Muhamet Gjollësja, P.O. Box 205, Tirana, Albania. Tel.: +355 42 223969 Fax: +355 42 223969 E-Mail: genci.resuli@dgca.gov.al

### 6.3 Contracts

The project will be implemented through one twinning agreement.

## 7. Implementation Schedule (indicative)

- 7.1 Launching of the call for proposals** (4<sup>th</sup> May 2009)
- 7.2 Start of project activities** (July 2010)
- 7.3 Project completion** (October 2012)
- 7.4 Duration of the implementation period (number of months):** 24 months + 3 months  
(inception and closure phase)

## **8. Sustainability**

The achievements of a Twinning project (mandatory results) 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.

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

The immediate impact of the proposed project is to strengthen the high level air transport structure, responsible for national civil aviation and Directorate General of Civil Aviation, in its short and medium term priorities.

## **10. Conditionality and sequencing**

- Implementation of a corrective action plan for safety matters (GDCA);
- Preparation for EASA associate membership;
- Implementation of JARs or PARTs (EASA);
- Training air safety, security, ATM inspectors & legal employees and exchange experience;
- Implementation of JARs or PARTs in Albanian regulations ;
- Development of Safety Management Systems inside of DGCA (NSA);
- Implementation of *acquis communautaire* in civil aviation field (especially safety, security, ATM, airport matters).

## **ANNEXES TO PROJECT FICHE**

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

4. Reference to feasibility /pre-feasibility studies. For all investment projects, the executive summary of the economic and financial appraisals, and the environmental impact assessment should be attached (optional)
5. List of relevant Laws and Regulations (optional)
6. Reference to relevant Government Strategic plans and studies (may include Institution Development Plan, Business plans, Sector studies etc) (optional)

**ANNEX 1**  
**Log frame in Standard Format**

Project Logframe		Project name and number	Twinning Project in Albanian Civil Aviation Safety Management Systems	
		Contracting period expires	Disbursement period expires:	
		Total Budget <b>1.0 million Euro</b>	IPA / pre-accession budget : <b>1.0 million Euro</b>	
<b>Overall objective</b>	<b>Objectively verifiable indicators</b>	<b>Sources of Verification</b>		
To improve social and economic development of Albania by upgrading its civil aviation safety standards in compliance with the European regulatory framework.	Compliance with EU and International Regulatory standards	Manuals, audit reports, etc  External and internal audit		
<b>Project purpose:</b>	<b>Objectively verifiable indicators</b>	<b>Sources of Verification</b>	<b>Assumptions</b>	
To support the Albanian Civil Aviation Authority in adopting and implementing EU air safety oversight standards and in upgrading the skills of its human resources.	Achievements in effectively managing processes with dispatch and minimum disruption	Timely delivery of certificates and decisions	Willingness and commitment of political system to continue to support change	
<b>Results</b>	<b>Objectively verifiable indicators</b>	<b>Sources of Verification</b>	<b>Assumptions</b>	
1. National legal framework reviewed and revised to ensure compliance with EU legislation and ECAA obligations;	Regulations within Albania	Internal and external audit	Implementation of regulations and directives are short term obligations, and their fulfilments will give the opportunity to Albania to enter in European Common Aviation Market.	
2. European and International aviation regulatory	Implementation of Regulations	Internal and external audit		

<p>practices and procedures reviewed, revised and augmented;</p> <p>3. Organisational structures reviewed and any necessary reforms implemented;</p> <p>4. Training needs analysed, appropriate staff training developed and delivered to ensure project sustainability</p>	<p>Changes in organisation</p> <p>Implementation of Continuing Professional Development programme for personnel</p>	<p>Internal audit</p> <p>Improvements in process and training delivery</p>	
<b>Activities</b>	<b>Means</b>	<b>Costs</b>	<b>Assumptions</b>
<p>1. Training in implementing EC Reg. &amp; Dir. in civil aviation security, air safety – including personnel licensing, ATM, Safety Management and TA .</p> <p>2. On the job training and exchange of experience with EU Ministry Transport’s aviation safety oversight organisation &amp; related institutions in CA sector to include aviation regulatory agencies at a management and inspector level.</p> <p>3. Training in civil aviation oversight at a management and inspector level in the areas of operating safety,</p>	<p>Organisation and implementation of the documents, manuals and procedures, necessary on the above mentioned issues in the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks , according to EU legislation.</p>	<p>1.0 million Euro</p>	<p>1. Development of Safety Management Systems inside of GDCA (NSA);</p> <p>2. Assistance to apply duties for a full JAA membership</p>

<p>airworthiness, security, safety management at an institutional level, ATM</p> <p>4. Advice on development of strategy, policy and procedures for the safety oversight of Air Safety – including personnel licensing, Airworthiness Management, security, ATM and TA to include institutional safety management and quality systems</p> <p>5. Advice on the management of occurrence and incident reporting systems as well as accident investigation procedures insofar as they affect a Civil Aviation Authority</p> <p>6. Advice on the development of Albanian DGCA strategies to ensure a fully cooperative, open and just culture exists insofar as it affects the other stakeholders in the civil aviation sector in Albania</p> <p>7. Advice as necessary on the development of high level primary legislation in the civil aviation sector to meet</p>			
---	--	--	--

<p>International Conventions and agreements (e.g. ICAO, EASA)</p> <p>8. Advice on the development of management and Inspection staff personal career development programmes to meet institutional needs of an aviation safety oversight regulatory organisation</p>			
---	--	--	--

## ANNEX 2

### Amounts (in € million) contracted and Disbursed per Quarter over the full duration of Programme (Indicative)

<b>Contracted</b>	1 <sup>st</sup> Quarter 2009	2 <sup>nd</sup> Quarter 2009	3 <sup>rd</sup> Quarter 2009	4 <sup>th</sup> Quarter 2009	1 <sup>st</sup> Quarter 2010	2 <sup>nd</sup> Quarter 2010	3 <sup>rd</sup> Quarter 2010	4 <sup>th</sup> Quarter 2010
Contract 1.1							<b>1 000 000</b>	
<b>Cumulated</b>								
<b>Disbursed tbc by ECD</b>	1 <sup>st</sup> Quarter 2009	2 <sup>nd</sup> Quarter 2009	3 <sup>rd</sup> Quarter 2009	4 <sup>th</sup> Quarter 2009	1 <sup>st</sup> Quarter 2010	2 <sup>nd</sup> Quarter 2010	3 <sup>rd</sup> Quarter 2010	4 <sup>th</sup> Quarter 2010
Contract 1.1							<b>400 000</b>	
<b>Cumulated</b>							<b>400 000</b>	

<b>Contracted (cont'd)</b>	1 <sup>st</sup> Quarter 2011	2 <sup>nd</sup> Quarter 2011	3 <sup>rd</sup> Quarter 2011	4 <sup>th</sup> Quarter 2011	1 <sup>st</sup> Quarter 2012	2 <sup>nd</sup> Quarter 2012	3 <sup>rd</sup> Quarter 2012	4 <sup>th</sup> Quarter 2012
Contract 1.1								
<b>Cumulated (cont'd)</b>								
<b>Disbursed tbc by ECD</b>	1 <sup>st</sup> Quarter 2011	2 <sup>nd</sup> Quarter 2011	3 <sup>rd</sup> Quarter 2011	4 <sup>th</sup> Quarter 2011	1 <sup>st</sup> Quarter 2012	2 <sup>nd</sup> Quarter 2012	3 <sup>rd</sup> Quarter 2012	4 <sup>th</sup> Quarter 2012
Contract 1.1								
	<b>500 000</b>							<b>100 000</b>
<b>Cumulated</b>	<b>900 000</b>							<b>1 000 000</b>

### ANNEX 3

#### Reference to laws, regulations and strategic documents

##### Reference list of relevant laws and regulations

1. Law no. 9658, dated 18.12.2006 “On ratification of “The Multilateral Agreement between the European Community and its Member States, Republic of Albania, Bosnia and Herzegovina, Republic of Bulgaria, Republic of Croatia, Republic of Macedonia, Republic of Iceland, Republic of Montenegro, Republic of Norway, Republic of Rumania, Republic of Serbia and the Temporary Administrative Mission of the United Nations in Kosovo, for the creation of a European Common Aviation Area”.
2. Law no. 9586, dated 20.07.2006 “On ratification of “The Agreement between the Council of Ministers of the Republic of Albania and the European Community for specified aspects of the air services“.
3. Montreal Convention for the Unification of Certain Rules for International Carriage by Air (Montreal, 28 May 1999).
4. Presidium Decree dated 28/03/91, Convention on International Civil Aviation, signed in Chicago on 7/12/44,
5. Law no. 7877, dated 30.11.1994, “On Albanian Civil Aviation”
6. Law no. 8910, dated 19.03.1998, “On safety of civil aviation”
7. Law no. 8374, dated 15.07.1998, “On the use of air space of the Republic of Albania”
8. Law no. 9312 dated 11.11.2004, “On ratification of Concession Agreement between the Council of Ministers of the Republic of Albania and the Concessionaire Company “Tirana Airport Partners” Ltd., to construct, operate and maintain the International Airport “Mother Teresa”.
9. Law no. 9149 dated 30.10.2003 “On some supplements and amendments to the Law No. 8130, dated 19.03.1998 “On safety in the Albanian civil aviation”, referring to Annex 17 “Safety” of ICAOS, Document 8973 “Safety manual”;
10. DCM no. 270, dated 10.05.06 “On approval of the National Transport Plan”.
11. DCM no. 48, dated 28.01.1999, “On establishment of the board to investigate air accidents and incidents of civil aviation”.
12. DCM no. 665 dated 18.12.2002, “On approval of the contract between the Government of the Republic of Albania and Lockheed Martin Global inc. for the modernisation of service in the Albanian Air Traffic”
13. DCM no. 296, dated 14.05.2004 “On establishment of the safety committee of Rinas Airport”
14. DCM no. 3, dated. 07. 01.1999, “On establishment and operation in the area of search-rescue (SAR) airplanes in case of air accidents”.
15. DCM no. 224 dated 15. 05.1995, “On establishment of Consultant Board of the Civil Aviation”,
16. DCM no. 91 dated 20.02.2004 “On approval of the national safety program of the Civil Aviation”.

##### **The Republic of Albania has adhered to and ratified the following international acts:**

1. International air services transit agreement signed in Chicago on 07 December 1944 (Transit Agreement)
2. International Air Transport Agreement,

3. Protocol in the authentic text in three languages of the Convention on International Civil Aviation , signed in Buenos Aires on 24/09/68
4. Article 83 signed in Montreal on 06/10/80,
5. Convention for the Protection from acts committed on the board of the airplane, signed in Tokyo on 14/09/63,
6. Convention on Offences and Certain Other Acts Committed on Board Aircraft, adopted in Tokyo in 1963,
7. Convention on Suppression of Illegal Acts against the safety in the Civil Aviation, signed in Montreal on 23/09/71,
8. Additional Protocol for the suppression of unlawful acts of violence at airports serving international civil aviation (Montreal, 1988), to the Convention on Suppression of Illegal Acts against the safety in the Civil Aviation, signed in Montreal on 23/09/71
9. “On the adherence of the Republic of Albania to Convention “Convention on International ... Guarantee trusts over movable property” and its Protocol”, law no. 9551, dated 05.06.2006.
10. “On the adherence of the Republic of Albania to the Dispositions on Development, Acceptance and Implementation of Aviation Joint Requirements (JAR)”, law. 9489, dated 13.03.2006.
11. “On the adherence of the Republic of Albania to the International Convention of EUROCONTROL, law no. 8821, dated 15.10.2001.
12. On Albania’s Membership at the European Civil Aviation Conference (ECAC), Law no. 8259, dated 26.11.1997.

#### Reference to European Partnership

The project will assist to achieve the priorities included in the proposal of the European Commission dated 06.11.2007 for a Council Decision on the principles, priorities and conditions contained in the European Partnership with Albania repealing Decision 2006/54/EC. Under the European Partnership (EP) Albania:

#### Short – term priorities:

- Implement Albania's commitments under the first transitional phase of the European Common Aviation Area Agreement, including the implementation of the relevant aviation legislation.
- Implement the action plan to address the deficiencies identified within the civil aviation authority as regards safety oversight of the country's airlines.

#### Mid – term priorities:

- Implement commitments taken on under the second transitional phase of the European Common Aviation Area Agreement.

#### Reference to SAA

### **ARTICLE 59**

1. With regard to supply of transport services between the Community and Albania, the following provisions shall apply:

2. With regard to international maritime transport, the Parties undertake to apply effectively the principle of unrestricted access to the market and traffic on a commercial basis, and to respect international and European obligations in the field of safety, security and environmental standards.

The Parties affirm their commitment to a freely competitive environment as an essential feature of international maritime transport.

3. In applying the principles of paragraph 2:

(a) the Parties shall not introduce cargo-sharing clauses in future bilateral Agreements with third countries;

(b) the Parties shall abolish, upon the date of entry into force of this Agreement, all unilateral measures and administrative, technical and other obstacles that could have restrictive or discriminatory effects on the free supply of services in international maritime transport.

(c) each Party shall grant, inter alia, no less favourable treatment for the ships operated by nationals or companies of the other Party than that accorded to a Party's own ships with regard to access to ports open to international trade, the use of infrastructure and auxiliary maritime services of the ports, as well as related fees and charges, customs facilities and the assignment of berths and facilities for loading and unloading.

4. With a view to ensuring a coordinated development and progressive liberalisation of transport between the Parties adapted to their reciprocal commercial needs, the conditions of mutual market access in air transport shall be dealt with by special Agreements to be negotiated between the Parties.

5. Prior to the conclusion of the Agreements referred to in paragraph 4, the Parties shall not take any measures or actions which are more restrictive or discriminatory as compared with the situation existing prior to the date of entry into force of this Agreement.

6. Albania shall adapt its legislation, including administrative, technical and other rules, to that of the Community existing at any time in the field of air, maritime and inland transport insofar as it serves liberalisation purposes and mutual access to markets of the Parties and facilitates the movement of passengers and of goods.

7. In step with the common progress in the achievement of the objectives of this Chapter, the Stabilisation and Association Council shall examine ways of creating the conditions necessary for improving freedom to provide air and inland transport services.

## ARTICLE 70

1. The Parties recognise the importance of the approximation of Albania's existing legislation to that of the Community and of its effective implementation. Albania shall endeavour to ensure that its existing laws and future legislation shall be gradually made compatible with the Community *acquis*. Albania shall ensure that existing and future legislation shall be properly implemented and enforced.

2. This approximation shall start on the date of signing of this Agreement, and shall gradually extend to all the elements of the Community *acquis* referred to in this Agreement by the end of the transitional period as defined in Article 6.

3. During the first stage as defined in Article 6, approximation shall focus on fundamental elements of the Internal Market *acquis* as well as on other important areas such as competition, intellectual, industrial and commercial property rights, public procurement, standards and certification, financial services, land and maritime transport – with special emphasis on safety and environmental standards as well as social aspects – company law, accounting, consumer protection, data protection, health and safety at work and equal opportunities. During the second stage, Albania shall focus on the remaining parts of the *acquis*.

Approximation will be carried out on the basis of a programme to be agreed between the Commission of the European Communities and Albania.

4. Albania shall also define, in agreement with the Commission of the European Communities, the modalities for the monitoring of the implementation of approximation of legislation and law enforcement actions to be taken.

## **ARTICLE 106**

### **Transport**

1. Cooperation between the Parties shall focus on priority areas related to the Community *acquis* in the field of transport.

2. Cooperation may notably aim at restructuring and modernising the Albanian transport modes, improving the free movement of passengers and goods, enhancing the access to the transport market and facilities, including ports and airports, supporting the development of multi-modal infrastructures in connection with the main trans-European networks, notably to reinforce regional links, achieving operating standards comparable to those in the Community, developing a transport system in Albania compatible and aligned with the Community system and improving the protection of environment in transport.

#### Reference to National Plan for the Implementation of the SAA

In the National Plan of the Implementation of the Stabilization and Association Agreement, the following legal initiatives and implementation activities are foreseen:

#### ***Short-term Legislative Initiatives (2007 – 2008)***

The following legislative initiatives will be undertaken so as to address short-term priorities:

- Draft DCM “On approval of regulative requirements of EUROCONTROL on Albanian Civil Aviation safety”;
- Draft law “On approval of Air Code”, which will govern the activity in the area of Air Transport. In order to include European standards in this Code, it will be fully in accordance with Regulations 2407/92/EC, 2343/90/EC, 2320/2002/EC, 2027/97/EC, 889/2002/EC, 785/2004/EC, 549/2004EC, 550/2004EC, 551/2004EC, 552/2004EC and the Directives 94/56/EC, 2002/30/EC and Montreal Convention;
- Draft Decision of the Council of Ministers to define the structure and way of financing the Civil Aviation Authority;
- Draft Decision of the Council of Ministers to establish the National Board for the

- Investigation of Incidents and Accidents in Aviation, as an independent aviation body;
- Draft decision of the Council of Ministers “On organisation of air space and the air rules in the Republic of Albania”;

### ***Short-term Implementing Activities (2007 - 2008)***

The following implementing activities will be undertaken so as to address short-term priorities:

- Updating and fulfilling the obligations that derive from the membership of the Republic of Albania to the International Aviation Bodies: ICAO, ECAC, JAA, EUROCONTROL;
- Organisation of round tables with the groups of interest related to the final preparation of the Air Code draft;
- Acquaintance with the communitarian legislation related to the implementation of SAA and implementation of other communitarian acts of air transport: ECAA Agreement, etc.;
- Collaboration and co-ordination meanwhile exchanging experiences with the EU Member States that have consolidated this practice. Identification of reference material, “On establishment of Civil Aviation Authority” (the bibliography, internal normative acts if any, respective communitarian acts, that serve as orienting and base for the drafting of the act, work-tables with consultants and collaboration institutions for the final drafting of the act);
- Study on the application of airport and airport services tariffs;
- Collaboration and co-ordination meanwhile exchanging experiences with the EU Member States that have consolidated this practice. Identification of reference material, “On establishment of the National Board for the Investigation of Incidents and Accidents in Aviation” (the bibliography, internal normative acts if any, respective communitarian acts, that serve as orienting and base for the drafting of the act), work-tables with consultants and collaboration institutions for the final drafting of the act.
- Perfection of the way of elaborating and publishing of statistical aviation data (passengers, posts and cargo);
- Practical implementation of the suggestions given from the Study of internal air traffic by the analysis of development of traffic in the airport of Kukës and Sarande-Vlore Area.

### ***Medium-term Legislative Initiatives (2009 - 2010)***

The following legislative initiatives will be undertaken to address medium-term priorities (2009-2010):

- Draft DCM “On procedures to issue permissions for the international flights of airplanes”
- Instruction issued by the Minister of Public Works, Transport and Telecommunications to keep the state register Instruction of the Minister of Public Works, Transport and Telecommunications on permissions for the companies of foreign aviation in cases of international transport and/or Air works in the territory of the Republic of Albania;
- Instruction by the Minister of Public Works, Transport and Telecommunications on setting the requirements for issuing the Authorisation of Air Operator and Certificate of Operation in the Air (C.O.A);
- Draft-Instruction by the Minister “On licensing the engineer and technical staff of

- ANTA Anonymous Company concerning the safety of the Air Traffic Service”;
- Instruction by the Minister of Public Works, Transport and Telecommunications on requirements and procedures for the safety in the air traffic services in accordance with ICAO and EUROCONTROL standards;
  - Draft-Decision of the Council of Ministers “On making use of cameras and other methods from the board of the „« Draft DCM “On appointment of the company that will be in charge of Meteorological Service for the aviation

### **3.2.2 Medium-term Implementing Activities (2009 - 2010)**

The following implementing initiatives will be undertaken to address medium-term priorities:

- Collaboration and co-ordination meanwhile exchanging experiences with the EU Member States that have consolidated this practice. Identification of reference material, “On procedures to issue permissions for the international flights of airplanes” (the bibliography, internal normative acts if any, respective communitarian acts, that serve as orienting and base for the drafting of the act), work-tables with consultants and collaboration institutions for the final drafting of the act;
- Collaboration and co-ordination meanwhile exchanging experiences with the EU Member States that have consolidated this practice. Identification of reference material, “On the Instruction issued by the Minister of Public Works, Transport and Telecommunications to keep the state register of civil and experimental aerodromes” (the bibliography, internal normative acts if any, respective communitarian acts, that serve as orienting and base for the drafting of the act), work-tables with consultants and collaboration institutions for the final drafting of the act;
- Collaboration and co-ordination meanwhile exchanging experiences with the EU Member States that have consolidated this practice. Identification of reference material, “Instruction of the Minister of Public Works, Transport and Telecommunications on permissions for the companies of foreign aviation in cases of international transport and/or Air works in the territory of the Republic of Albania” (the bibliography, internal normative acts if any, respective communitarian acts, that serve as orienting and base for the drafting of the act), work-tables with consultants and collaboration institutions for the final drafting of the act.
- Collaboration and co-ordination meanwhile exchanging experiences with the EU Member States that have consolidated this practice. Identification of reference material, “Instruction by the Minister of Public Works, Transport and Telecommunications on setting the requirements for issuing the Authorisation of Air Operator and Certificate of Operation in the Air (C.O.A)” (the bibliography, internal normative acts if any, respective communitarian acts, that serve as orienting and base for the drafting of the act), work-tables with consultants and collaboration institutions for the final drafting of the act.
- Collaboration and co-ordination meanwhile exchanging experiences with the EU Member States that have consolidated this practice. Identification of reference material, “Instruction by the Minister of Public Works, Transport and Telecommunications on requirements and procedures for the safety in the air traffic services in accordance with ICAO and EUROCONTROL standards” (the bibliography, internal normative acts if any, respective communitarian acts, that serve as orienting and base for the drafting of the act), work-tables with consultants and collaboration institutions for the final drafting of the act.

Reference to MIPD

The proposed project is in line with section 2.2.3.3 of the MIPD “Programmes to be implemented” where assistance to continue with the implementation of the National Transport Plan and developing institution and capacity of relevant authorities in the transport sector (road, rail, air, and maritime) to align with the *acquis*, including infrastructure is foreseen. In the case of air transport, assistance shall be used to continue with the implementation of the ECAA Agreement. This would ensure that the following results foreseen under Section 2.2.3.2 “Expected results” – the alignment of the transport sector to the *acquis* will be advanced and transport infrastructure will be improved; the area of air transport, the ECAA agreement will be applied – are achieved until the end of the first IPA programming cycle (2009).

#### Reference to National Development Plan

The abovementioned EU strategic documents have been included as a substantial part of the Albanian Government’s National Strategy of Development and Integration. In the area of civil aviation this strategy foresees the improvement of the climate for the development of internal and international aviation in compliance with European standards.