

UNITED NATIONS DEVELOPMENT PROGRAMME

Project of the Government of
Brunei Darussalam, Indonesia, Malaysia,
the Philippines, Singapore and Thailand

PROJECT DOCUMENT

Number and Title : RAS/86/184 - Safety and Load Line Regulations

Duration : 12 months

ACC/UNDP Sector : Transport and Communications (06)
& Sub-Sector : Water Transport & Shipping (0640)

Govt. Sector : Transport and Communications
& Sub Sector : Maritime Transport

Govt. Implementing Agency : Ministry(s) Responsible for Maritime Affairs
Executing Agency : International Maritime Organization (IMO)


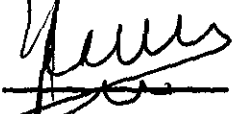
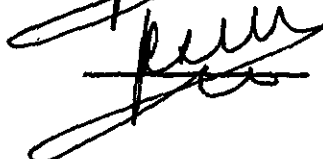
Estimated starting date : August 1988

Government Inputs : Local support services

UNDP/IPF : US\$157,000

Government cost sharing : Nil

Brief Description: This direct support project sets out to develop a set of common safety and load line regulations for the ASEAN to be applied to ships and vessels of non-conventional sizes and tonnages, such as passenger ferries and coastal and inland vessels of less than 24 metres in length and, if built before 1968 less than 150 tons gross. These are 'small' sized ships and vessels which are not covered by the existing LL 1986 and SOLAS 1974 conventions.

On behalf of	Signatures	Date	Name/Title
the Government		17/1/89	CHIEF OF MISSION UNITED NATIONS INDONESIA
Executing Agency		31 JAN 1989	Galal M. Magdi Resident Representative UNDP - Indonesia
the UNDP		31 JAN 1989	Galal M. Magdi Resident Representative UNDP - Indonesia

UN Official Exchange rate at date of last signature of project document:
\$1.00 = _____

A. CONTEXT

1. The specific sub-sector concerned, and its major characteristics

The specific sub-sector is the maritime transport or the water transport and shipping. The ASEAN sub-region, comprising of six maritime countries namely, Brunei Darussalam, Indonesia, Malaysia, the Philippines, Singapore and Thailand, depends mainly on international shipping to import or export their goods and on inter-island/coastal sea transportation for internal distribution within their countries.

2. The host country plan or strategy for the sub-sector

The overall plan of the Government(s) of the ASEAN includes, building up of an efficient merchant marine to serve the sub-region, employment of ASEAN nationals on board their ships and operation of their national fleets most efficiently and economically.

3. Prior or on-going assistance directed to the same sub-sectors

The UNDP, assistance to the ASEAN sub-region during the 4th inter-country programme for Asia and the Pacific, 1987-1991, includes assistance in areas of technical port operations, standardization of curriculum of national maritime academies and schools, and adhoc advisory service and shipboard safety training, in addition to this safety rules and regulations project, all of which, will run parallel towards the promotion of safety of ships and personnel in maritime transport.

4. The institutional framework for development efforts in the sub-sector

All ASEAN countries are eligible to participate in this project. On behalf of the recipient Government(s), the focal point(s) will liaise with IMO and UNDP in the country(s) to co-ordinate all project matters and also assist in the fielding of the consultants' missions.

IMO shall be the Executing Agency. IMO, financed by UNDP, may implement the project activities under a sub-contract to Consultants.

B. PROJECT JUSTIFICATION

1. The problem to be addressed by the project, including the present or "pre-project" situation

While the ASEAN countries depend on the international shipping to import/export their goods and products, they depend mainly on inter-island and coastal shipping and inland waterways to distribute these to the mainland and numerous archipelagos. This is particularly true in the case of passenger-cum-cargo vessels and also of passenger ferries, which are the main form of daily transport from one archipelago to another.

While the ocean going vessels as well as inter-island and coastal vessels of a certain size and tonnage are covered by the International Convention on Load Lines, 1966 (LL 1966) the International Convention for the Safety of Life at Sea, 1974 (SOLAS 1974), the unconventional 'small' ships, i.e. ships with less than 24 metres in length and 150 tons gross, such as 'small' passenger-cum-cargo ships and passenger ferries, are normally covered by the national/local rules and regulations in each country.

Also, there are exemptions in the articles of both LL 1966 and SOLAS 1974, in respect of size and nature of ships and of certain international voyages which are considered "sheltered waters".

Article 5 of the LL 1966 does not apply to:

- (a) ships of war;
- (b) new ships of less than 24 metres (79 feet) in length;
- (c) existing ships of less than 150 tons gross;
- (d) pleasure yachts not engaged in trade;
- (e) fishing vessels; and

also to ships solely navigating:

- (f) the Great Lakes of North America and the River St. Lawrence as far east as the rhumb line drawn from Cap des Rosiers to West Point, Anticosti Island and, on the north side of Anticosti Island, the meridian of longitude 63 W;
- (g) the Caspian Sea; and
- (h) the Plate, Parana and Uguguay Rivers as far east as a rhumb line drawn between Punta Norte, Argentina and Punta del Este, Uruguay.

Article 6 of LL 1966 gives exemptions to:

- (i) Ships when engaged on international voyages between the near neighbouring ports of two or more States may be exempted by the Administration from the provisions of the present Convention, so long as they shall remain engaged on such voyages, if the Governments of the States in which such ports are situated shall be satisfied that the sheltered nature or conditions of such voyages between such ports make it unreasonable or impracticable to apply the provisions of the present Convention to ships engaged on such voyages.
- (ii) The Administration may exempt any ship which embodies features of a novel kind from any of the provisions of this Convention, the application of which might seriously impede research into the development of such features and their incorporation in ships engaged on international voyages. Any such ship shall, however, comply with safety requirements, which, in the opinion of that Administration, are adequate for the service for which it is intended and are as such to ensure the overall safety of the ship and which are acceptable to the Governments of the States to be visited by the ship.
- (iii) The Administration which allows any exemption under paragraphs (i) and (ii) of this Article shall communicate to the Intergovernmental Maritime Consultative Organization [now called the International Maritime Organization] particulars of the same and reasons therefor which the Organization shall circulate to the Contracting Governments for their information.

- (iv) A ship which is not normally engaged on international voyages but which, in exceptional circumstances, is required to undertake a single international voyage may be exempted by the Administration from any of the requirements of the present convention, provided that it complies with safety requirements which, in the opinion of that Administration, are adequate for the voyage which is to be undertaken by the ship.

Regulation 3, chapter 1 of SOLAS 1974, does not apply to:

- (i) Ships of war and troopships;
- (ii) Cargo ships of less than 500 tons gross tonnage;
- (iii) Ships not propelled by mechanical means;
- (iv) Wooden ships of primitive build;
- (v) Pleasure yachts not engaged in trade;
- (vi) Fishing vessels; and
- (vii) Except as expressly provided in Chapter V, nothing herein shall apply to ships solely navigating the Great Lakes of North America and the River St. Lawrence as far east as a straight line drawn from Cap des Rosiers to West Point, Anticosti Island and, on the north side of Anticosti Island, the 63rd Meridian.

Regulation 4 of SOLAS 1974 makes exemptions to:

- (a) A ship which is not normally engaged on international voyages but which, in exceptional circumstances, is required to undertake a single international voyage may be exempted by the Administration from any of the requirements of the present Regulations provided that it complies with safety requirements which are adequate in the opinion of the Administration for the voyage which is to be undertaken by the ship.
- (b) The Administration may exempt any ship embodies features of a novel kind from any of the provisions of Chapters II-1, II-2, III and IV of these Regulations the application of which might seriously impede research into the development of such features and their incorporation in ships engaged on international voyages. Any such ship shall, however, comply with safety requirements which, in the opinion of that Administration, are adequate for the service for which it is intended and are such as to ensure the overall safety of the ship and which are acceptable to the Governments of the States to be visited by the ship. The Administration which allows any such exemption shall communicate to the Organization particulars of same and the reasons therefor which the Organization shall circulate to the Contracting Governments for their information.

It is within the context of the 'small' ships, i.e. ships of less than 24 meters in length and for existing ships of less than 150 tons gross which lie outside the scope of the LL 1966 and SOLAS 1974 Conventions, and also within the context of "sheltered waters" the ASEAN authorities are concerned with.

Because the 'small' ships do not have to conform to the requirements of the International Conventions, it has been a normal practice for national Governments to institute their own rules and to oversee the safety, of the 'small' ships within the national waters. Because of the smallness in size and because they trade in less hazardous coastal waters and inland waterways, the importance of safety of these ships and crew are quite often emphasized

much less than the bigger and ocean-going 'large' foreign trade ships. As a consequence disastrous accidents have taken place as has been reported from time to time on the sinking ferries with loss of many lives and cargo boats world wide and the blame for these disasters have been attributed to a lack of stringent rules for the construction, survey, operation and maintenance of these non-conventional ships as well as to a lack of proper training of personnel operating these ships.

The ASEAN authorities therefore desire to establish a set of common safety regulations along the lines of the existing International Conventions which could be acceptable in principle and harmonized and adopted by all ASEAN countries.

Another aspect in this project is the possibility of marking 'exemption' areas under the LL 1966 and SOLAS 1974 Conventions, as presently exist in some parts of the globe. If any such areas exist within the ASEAN waters, the authorities are desirous of taking full advantage of such exemptions.

2. The expected situation at the end of the project

Towards the end of the project the ASEAN Authorities concerned will have studied and deliberated the set of safety rules and regulations developed for the 'small' ships and also location(s) for exemptions which may be qualified under the LL 1966 and SOLAS 1974 Conventions. By adopting the former and taking full advantage of the latter, if applicable, loss of lives and cargo will be much reduced and the safety standards of ASEAN 'small' ships will be much enhanced.

3. How and by whom the results of the project will be utilized

The primary target beneficiaries are passengers of ferries and cargo-cum-passenger ships; shipping companies and coastal fleets.

4. The particular strategy of the project and why it has been chosen relative to other possible strategies

The adoption of a set of common safety rules and load line regulations is a foremost and utmost priority task in the promotion of safety standards of the 'small' ships of the ASEAN countries.

5. The reason for external assistance from the UNDP/IMO

The expertise required is very highly specialized and UNDP assistance is available for this project under the Standard Basic Assistance Agreement between the UNDP and the Governments of the ASEAN countries.

IMO is a specialized Agency of the United Nations concerned with maritime safety and acts as the depositary of the LL 1966 and SOLAS 1974 Conventions.

6. Special Conditions

The concept of this project is to safeguard lives and property in and around coastal waters and within inland waterways by improving safety standards of the inter-island, coastal and inland waterways traffic.

This project, therefore, calls for the co-operation of all the participating ASEAN Governments, also co-operation amongst the government maritime safety authorities and the private shipping sector which mainly own and operate the 'small' ships and passenger ferries.

7. Arrangements for co-ordinating this project combined with other efforts in the same sub-region

The co-ordinating authority in each country of the ASEAN may be located within the Ministry responsible for maritime affairs and may act as a focal point for this and other ASEAN/UNDP projects executed by IMO. The co-ordinating authority in each ASEAN country is well aware of this and other developments of IMO/UNDP assisted projects.

8. The capacity and commitment of the host government or institution to provide the inputs and support necessary for the project's successful operation and to sustain the results at the end of the project

The participating ASEAN Government and institutions are fully capable of providing the counterpart support and local support services to the visiting consultant(s). They are also fully capable to contribute towards the project's successful operation and sustain the results at the end of the project.

C. DEVELOPMENT OBJECTIVE

The development objective of this project is to promote maritime safety in the ASEAN sub-region and, in particular to enhance safety standards of 'small' ships plying in and out of inter-island and coastal waters, and inland waterways of the ASEAN.

D. IMMEDIATE OBJECTIVE(S), OUTPUTS AND ACTIVITIES

Immediate Objectives

The immediate objectives of this project are:

(1) Achieving a set of common safety rules and regulations for regulating 'small' ships of less than 24 meters in length and existing ships of less than 150 tons gross which are not covered by the LL 1966 and SOLAS 1974; and

(2) Identification and establishing area(s) in the sea lane(s) of the ASEAN countries which may qualify for exemption under Article 6 of LL 1966 and Regulation 4 of SOLAS 1974 Conventions.

Outputs

The outputs to immediate objective 1 are:

- 1.1 Consultant's report on his preliminary visits to all ASEAN countries and consultations with the concerned authorities.
- 1.2 Consultant's report on development of a set of common safety and load line regulations for 'small' vessels not covered by LL 1966 and SOLAS 1974.
- 1.3 Appropriate recommendations/decisions for adoption of the safety and load line regulations for the 'small' ships, to be made at the four-day meeting of Government experts.

The outputs to immediate objective 2 is:

- 2.1 Appropriate recommendation/decision regarding exemption area(s) to be made at the four-day meeting.

ACTIVITIES

Activities to Output 1.1

- 1.1.1 Activity 1: - IMO will engage a maritime safety consultant for a total of (8) man months to be located within the sub-region.
- 1.1.2 Activity 2: - The consultant will visit all six ASEAN countries for in depth discussions and consultations on the projects' requirements. He will also visit the most likely areas to determine conditions, as there might exist a similar situation whereby ships of the ASEAN might be granted exemptions by the concerned Government Administrations for the provisions of the present Conventions (approximately 18 weeks).
- 1.1.3 Activity 3: - The consultant to write up reports, and IMO to distribute to all authorities concerned (approximately 2 weeks).

Activity to Output 1.2

- 1.2.1 Activity 1: - Reference 1.1.2 Activity 2

The consultant will investigate/survey most likely area(s) of the seas, gulfs and straits surrounding all six ASEAN countries.

- 1.2.2 Activity 2: - Reference 1.1.3 Activity 2

The Consultant to draft a set of common safety and load line regulations and therein interpretation in terms of respective contract provision of SOLAS and Load-line; and write up reports on "exemption" area(s) with reference maps and other details and IMO to distribute the report (approximately 10 weeks).

Activities to Output 1.3 and 2.1

- 1.2.1 Activity 1: - IMO with assistance of the consultant to organize and conduct a four-day meeting of Government experts to deliberate on the consultants' reports based on his findings and recommendations on the development of safety and load line regulations for the 'small' ships and also on 'exemption areas' (consultant's services approximately 1 week).
- 1.3.2 Activity 2: - IMO to distribute consultant's report which will include meeting's recommendations/decisions for appropriate follow up by the ASEAN Governments (approximately 1 week report writing).

E. INPUTS

(1) Government Inputs

- (1) The Government will appoint a focal point for co-ordination with IMO and the UNDP. The focal point will oversee and assist in the smooth discharge of the consultant's mission(s) within the country.
- (ii) In agreeing to the maritime safety consultant's mission(s), the recipient Government will offer him the necessary local support services and local travel within the country, arranging and organizing meetings with appropriate officials concerned with maritime safety.
- (iii) The Government will organize and, if necessary, provide facilities for the consultant's travels within the sea limits of the recipient country for identification/survey of possible 'exemption areas'. The areas to be covered will be discussed and agreed between the consultant and the concerned Government Authorities in the country. [Normal airfare or sea transportation costs for such trips will be provided for the consultant by the project].
- (iv) The Government will agree to participate in the four-day meeting of Government Officials/Heads of maritime safety administration organizations and make appropriate recommendations/decisions for the follow up action.
- (v) The host Government, the Government of Thailand, will agree to host the maritime safety consultant during the period of the project. The Government will also undertake to host the Government officials meeting and provide a meeting venue and other facilities required for the meeting.

2. UNDP/IMO Inputs

The UNDP will provide the required finances for the following through the Executing Agency, IMO:

- | | | |
|-------|---|------------------|
| (i) | services of Maritime Safety Consultant; | 8 m/m (\$65,600) |
| (ii) | consultant's travels for identification/survey of possible 'exemption area(s); | (\$18,000) |
| (iii) | travels and DSA for 12 Govt. Officials/Heads of Maritime Safety Organizations plus one IMO Representative to participate in four-day meeting; | (\$21,000) |
| iv) | support personnel costs; | (\$ 8,000) |
| (v) | books and video tapes on maritime safety; | (\$40,000) |
| (vi) | printing and miscellaneous costs. | (\$ 4,400) |

F. RISKS

Factors which may prevent achievement of project outputs and objectives are:

1. Lack of communication and co-ordination between the project focal point and the national maritime safety administrative/organizations (low risk);
2. Lack of communication and co-ordination amongst the maritime safety administration/organization in the participating countries (low risk);
3. Lack of required funds or facilities on the part of the recipient Government(s) to meet their inputs and other commitments (medium risk).

G. PRIOR OBLIGATIONS AND PREREQUISITES

Prior Obligations

The participating Government Authorities will agree to receive the Consultant's visit(s) and to fully co-operate with him and provide him the required support facilities enabling him to visit ports of the seas/oceans, gulfs and straits within the country's boundaries.

The Project Document will be signed by the UNDP and UNDP's assistance to the project will be provided only if the prior obligations stipulated above are in accordance with UNDP's requirements.

Prerequisites

1. The participating Government Maritime Safety Authorities will agree to follow up on the recommendations/decisions made at the meeting of the Government Officials and implement safety rules and regulations for the 'small' ships.
2. The participating Government Maritime Safety Authorities will agree to follow up and act on the recommendations/decisions made at the meeting of the Government Officials regarding the 'exemption areas', if positively identified for exemption under the existing Conventions.

The Project Document will be signed by UNDP, and UNDP assistance for the project will be provided, subject to UNDP receiving satisfaction that the prerequisites listed above have been fulfilled or are likely to be fulfilled. When anticipated fulfillment of one or more prerequisites fails to materialize, UNDP may, at its discretion, either suspend or terminate its assistance.

H. PROJECT MONITORING, REPORTING AND EVALUATION

The project will be subject to tripartite review (joint review by representatives of the Government, executing agency and UNDP) at least once every twelve months, the first such meeting to be held within the first twelve months of the start of full implementation. The national project co-ordinator and/or international senior field project officer of the UN executing agency shall prepare and submit to each tripartite review meeting a Project Performance Evaluation Report (PPER). Additional PPERs may be requested, if necessary, during the project.

Towards the end of the project, the project management shall prepare the draft terminal report for review and technical clearance by the executing agency four months prior to the terminal tripartite review meeting.

I. LEGAL CONTEXT

This Project Document shall be the instrument referred to as such in Article I, of the Standard Basic Assistance Agreement between the United Nations Development Programme (UNDP) and the governments of those participating countries which have signed such an agreement.

The Government Implementing Agency shall, for the purpose of the Standard Basic Agreement refer to the Government Co-operating Agency described in that Agreement.

The following types of revisions may be made to this project document with the signature of the UNDP Resident Representative only, provided he or she is assured that the other signatories of the project document have no objections to the proposed changes:

- revisions in or the addition of any of the annexes of the project document;
- revisions which do not involve significant changes in the immediate objectives, outputs or activities of a project, but are caused by the rearrangement of inputs already agreed to or by cost increases due to inflation;
- mandatory annual revisions which rephase the delivery of agreed project inputs or increased expert or other costs due to inflation or take into account Agency expenditure flexibility.

UNITED NATIONS DEVELOPMENT PROGRAMME

PROJECT WORK PLAN

Project Title Safety and Load Line Regulations

Project Number RAS/86/184/A/01/19

Work Plan/Revision No.	-	Date Prepared	To be revised on
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For period from July 1988 to June 1989
Date Date

DESCRIPTION	Staff Responsibility		1988												1989				19..	19..
	Govt.	Executing Agency	1	2	3	4	5	6	7	8	9	10	11	12	Q	Q	Q	Q		
<u>Immediate Objective</u>																				
<u>Output 1.....</u>																				
Activity 1.1 ...																				
Activity 1.2 ...																				
Activity 1.3,4 & 5 etc.																				
<u>Output 2.....</u>																				
Activity 2.1 ...																				
Activity 2.2 ...																				
Activity 2.3 ...																				
Activity 2.4 ...																				

KEY: (to be indicated above)

 - Planned Activity - Completed Activity

* - Output Milestones
(key outputs)

Management actions should also be included as appropriate. Use same codes as in CPMP, e.g.

QI - first quarter, etc.
 PROGREP - Progress Report
 TPR/RVW - Tripartite Review Report
 EVAL - Evaluation
 TERMREP - Terminal Report
 TAR - Terminal Assessment Report of ResRep

Project Budget Covering UNDP Contribution
(in US dollars)

Country: Brunei Darussalam, Indonesia, Malaysia, the Philippines, Singapore and Thailand

Project No.: RAS/86/184/A/01/19

Project Title: Safety and Load Line Regulations

		TOTAL	1988	1989	19__	19__	19__	19__
10	PROJECT PERSONNEL	Man-Months	Man-Months	Man-Months	Man-Months	Man-Months	Man-Months	Man-Months
11	<u>Experts</u>							
11-01	Maritime Safety Consultant	8 65,600	5 40,500	3 25,100				
11-02								
11-03								
11-04								
11-05								
11-06								
11-07								
11-08								
11-09								
11-10								
11-11								
11-12								
11-13								
11-14								
11-15								
11-16								
11-17								
11-18								
11-99	Subtotal	m/m 8 \$ 65,600	m/m 5 \$ 40,500	m/m 3 \$ 25,100	m/m \$	m/m \$	m/m \$	m/m \$

		TOTAL	1988	1989	19__	19__	19__	19__
12	<u>OPAS Experts</u>	65,600	40,500	25,100				
12-01								
12-02								
12-99	<u>Subtotal</u>							
13	<u>Support Personnel</u>	8,000	4,000	4,000				
14	<u>Volunteers</u>							
15	<u>Travel on Duty</u>	18,000	15,000	3,000				
16	<u>Other Costs (Official meeting)</u>	21,000	21,000					
18	<u>Prior 1972 Expenditures</u>							
19	<u>Component total</u>							
28	<u>Prior 1972 Expenditures</u>							
29	<u>SUBCONTRACT</u>							
30	<u>TRAINING</u>							
31	<u>Individual Fellowships</u>							
32	<u>Group Training</u>							
33	<u>In-Service Training</u>							
38	<u>Prior 1972 Expenditures</u>							
39	<u>Component total</u>							
48	<u>Prior 1972 Expenditures</u>							
49	<u>EQUIPMENT</u>	40,000	35,000	5,000				
58	<u>Prior 1972 Expenditures</u>							
59	<u>Miscellaneous (+ printing)</u>	4,400	2,200	2,200				
90	<u>Subtotal</u>	157,000	117,700	39,300				
97	<u>Cost Sharing</u>	-	-	-				
99	<u>UNDP Total Contribution</u>	157,000	117,700	39,300				

Equipment Specifications

The project will provide a set of books and video cassette tapes (approximate cost US\$6,600) to each maritime safety authority to be used in their promotion of maritime safety in the country.

The list of books and cassettes required may vary from country to country. The list will be drawn up by the Consultant after his visit and in depth discussions with the authorities concerned with maritime safety.

Job Description for the Maritime Safety Consultant

1. The total assignment of the consultancy will be about eight months; while the first assignment will be of about seven months duration, the second assignment will be of about one month.
2. The Consultant will be located in Bangkok, Thailand, the host country.
3. During the first assignment of about 7 months, he will:
 - (i) take up his position in Bangkok within the Harbour Department/Ministry of Communication Govt. of Thailand;
 - (ii) make plans and will visit all six participating ASEAN countries limiting a minimum of about one week and a maximum of about four weeks in each country to include in depth discussions on the project requirements with the maritime safety authorities in the country and also a survey visit or visits to the country's seas, gulfs and straits which are most likely to qualify for 'exemption' under Article 6 of LL 1966 and Regulation 4 of SOLAS 1974. The area to be surveyed will be mutually agreed between the consultant and the national/local maritime safety authority in the country;
 - (iii) prepare a set of common safety and load line regulations for 'small' ships and vessels of the ASEAN, based on the consultant's in depth discussions with the National/local authority in each country;
 - (iv) prepare special report(s) on his survey and findings for possible 'exemption' areas in the ASEAN waters under Article 6 of LL 1966 and Regulation 4 of SOLAS 1974;
 - (v) Submit to IMO a report(s) which will include (3)(iii) and 3(iv) above together with the consultant's recommendation, if any, for any further follow up action necessary to institute 'exemption' area(s);
 - (vi) propose/draw up an agenda for the forthcoming 4-day meeting of the Government Officials/Heads of safety organizations and submit to IMO.
4. During the second assignment of about one month, he will:
 - (i) conduct and actively participate in a 4-day meeting of Government Officials/Heads of maritime safety administration organizations to be organized by IMO in co-operation with the host Government of Thailand;
 - (ii) draw up necessary papers and documents required for consideration at the meeting;
 - (iii) submit to IMO a report which will include the meeting's deliberations, recommendations and decisions and any follow up action necessary on the subject project.

FRAMEWORK FOR EFFECTIVE PARTICIPATION OF NATIONAL
INTERNATIONAL STAFF IN THE PROJECT

(a) In depth consultation between IMO Consultant and the national/local maritime safety authorities

1. Due to the limited time factor of the consultant in each country, i.e. from a minimum of about one week to a maximum of about four weeks, full opportunity should be taken to discuss with the consultant all available facilities to promote maritime safety in the country and, in particular to promote safety of 'small' ships and any existing safety rules and regulations for same.
2. An advanced schedule of the consultant's visit to the country and list of officials to meet should be prepared by the focal point/national co-ordinator of the project.
3. An advanced study of the country's seas, gulfs and straits should be made by the national authorities, if not already done so. These then should be discussed and mutually agreed with the consultant before he proceeds to survey the selected area(s) for 'exemption' under Article 6 of LL 1966 and Regulation 4 of SOLAS 1974.
4. While the national/local maritime safety authorities organize the consultant's visit(s) to the selected area(s) the national/local authorities should give the consultant every possible assistance to oversee that the consultant successfully conducts his mission(s) within the country and, whenever possible, he should be accompanied by a national officer who is thoroughly acquainted with the waters of the selected area(s).

(b) Four-day meeting of Government Officials/Heads of Maritime Safety Administration

- (1) Towards the end of the project, i.e. when the consultant has visited all the ASEAN countries for in depth discussions as well as the most likely parts of the seas, gulfs and straits within the ASEAN trading waters, and when the consultant's reports have been distributed a meeting of four-days duration will be organized by IMO with the assistance of the consultant.
- (2) The meeting will consider the consultant's reports, his findings and recommendations, and will make appropriate recommendations and/or decisions for implementation within the ASEAN countries of the set of common safety and load line regulations drafted by the consultant.
3. The meeting will also consider and make appropriate recommendations and/or decisions on the consultant's findings in his identification and survey of the likely areas in the seas, gulfs and straits of the ASEAN waters for 'exemption' from the Article 6 of LL 1966 and Regulation 4 of SOLAS 1974. In the case of positive identification(s) the Government(s) concern will be to take further steps to institute the 'exemption'.

Country(s): Brunei Darussalam, Indonesia, Malaysia, the Philippines, Singapore and Thailand

Date: _____

PART A
PROJECT FORMULATION FRAMEWORK

Project No: RAS/86/184

Project Title: Safety and Load Line Regulations

Estimated Duration: 12 months

Tentative UNDP + cost
Sharing Contribution: US\$157,000

Estimated counterpart
costs: _____

Sources of Funds (IPF, SMF, Cost-Sharing, others): IPF

A. Development Problem(s) Intended to be
Addressed by Proposed Project:

Causes

Evidence

1. At sectoral or sub-sectoral level
(development objective level):

The maritime conventions such as the International Convention on Load Lines, 1966 (LL 1966) and the International Convention for the Safety of Life at Sea, 1974 (SOLAS 1974) are designed to promote safety at sea and, in particular, to save lives of passengers, crew and ships sailing in international waters; and these conventions apply to 'large' ships. The problem to be addressed by this project is to similarly develop a set of load line rules and regulations for 'small' ships (new ships of less than 24 metres in length, and existing ships of less than 150 tons gross) to which the international conventions do not apply; the developed set of safety rules and regulations on load line would lay emphasis on the safety of passengers, crew and vessels sailing in inter-island and coastal waters, and inland waterways.

LL 1966 and SOLAS 1974 does not, apply to new ships of less than 24 mtrs. in length, and existing ships of less than 150 tons gross.

In the past few years, more and more lives have been reported lost through accidents involving coastal passenger ships and ferries in and around the ASEAN waters.

2. At level subject to solution by the
proposed project itself (immediate
obj. level):

- | | | |
|--|---|---|
| (i) Necessity to formulate and develop a common set of safety and load line regulations for 'small' ships, which may be acceptable throughout the sub-region | Lack of an established set of safety rules and regulations on load lines. | Recent international/national news that: operators of 'small' ships are not adhering to any safety rules and regulations. |
| (ii) To identify within the ASEAN waters any possible trading areas (such as sheltered waters) which may be exempted from the provisions of the existing Conventions to ships trading under certain conditions and engaged on international voyages. | LL 1966 and SOLAS 1974. | Provisions for exemption in LL 1966 and SOLAS 1974. |

B. Concerned Parties

1. Who had identified the development problem and how has it come to the attention of UNDP?

Ans: Maritime authorities in the ASEAN submitted the request to the UNDP through the ASEAN Secretariat in Jakarta.

2. What particular group or groups are intended to benefit from the achievement of the project's objective(s), (i.e. the target beneficiaries)? If appropriate, indicate the breakdown of the group(s) by gender?

Ans: (1) Passengers of ferries and cargo-cum-passenger ships;

(2) Shipping companies and coastal fleets.

3. Who are the people and/or institutions who would benefit in the first instance from the output and activities of the project (i.e. the direct recipients)?

Ans: (1) Owners of 'small' ships, passenger ferries and cargo boats;

(2) Maritime safety administrations/ship surveyors concerned with implementation of safety rules and regulations for 'small' ships.

4. The target beneficiaries and the direct recipients of the project are not likely to be the same. If they are not, how will the benefit delivered to the direct recipients lead to the benefit intended for the target beneficiaries?

(1) By making owners/operators of 'small' ships more safety conscious; and

(2) Through regular survey and examination of ship and ships' machinery; passenger/cargo loading capacity and other safety certificates; and regular checks on the validity of these certificates, and thereby improve the safety standard of coastal and inland waterways traffic

C. Pre-Project and End of Project Status

Describe in terms which are as objective and quantifiable as possible.

1. The present or pre-project situation:

All six ASEAN countries have well established maritime safety administrations which are responsible for, inter-alia, the examination of ships and ship machinery and issuance of certificates of sea-worthiness. They also have well established shipping fleets; the large vessels plying in international waters and the 'small' ships, mostly along the inter-island/coastal routes, and inland waterways.

Whilst the set of safety and load line and regulations under the aegis of LL 1966 and SOLAS 1974 Conventions cover the large ships, there are no international conventions or regulations to cover the 'small' ships. The rules and regulations for these 'small' ships are governed by the national authority in a country, and it is usually the case that the 'small' coastal and inland ships receive less priority than the foreign/ocean going ships.

2. The situation expected at the end of the proposed project:

(It will be useful here to think in terms of the systems or capacity which should be in place in order to provide on a sustained basis the desired outputs or services).

At the end of the proposed project, it is envisaged that:

(a) Awareness by the responsible maritime administrations, shipping companies and ship/ferry operators on;

- (i) importance of strictly following any adopted rules and regulations for 'small' ships along the lines of operating the large ships;
- (ii) importance of making use of the vessel's "Load Line Mark" on every occasion of loading and discharging, and thus ensuring safe operational load line conditions at all times;
- (iii) importance of strictly adhering to the number of passengers to be carried on board and/or volume/tonnage of cargoes to be loaded as specified in the ship's certificate.

(b) Conditions will have been determined in areas within the ASEAN waters for which there may exist a case(s) for exemption under Article 6 of LL 1966/Regulation 4 of SOLAS 1974, i.e. if any sheltered waters conditions exist or not. If the investigation is positive, the local Government Administration concerned can then grant these 'small' ASEAN ships exemptions from the provisions of the present Conventions, thereby gaining relaxation on such international voyages.

D. Special conditions

1. Identify these special considerations (i.e. the integration of women in development, the environment, collaboration with NGO's/grass roots organization, TCDC, collaboration with private sector, etc.) which may be relevant to the proposed project and describe how they influence either the content (i.e., target beneficiaries, the objectives, outputs and activities), or form of the project (i.e. method of execution, using TCDC, NGO's private organizations, etc.).

- (1) This project would bring together, the authorities from all six ASEAN countries concerned with maritime safety at sea as well as safety on inter-island coastal waters and inland waterways, creating opportunities to co-operate with one another on this and other maritime safety subjects;
- (2) The 'safety and load line regulations', being a common priority life saving subject of top most interest to the ASEAN, technical co-operation amongst the ASEAN countries and also between governments and the private commercial shipping sector in each country is highly relevant;
- (3) The concept of this project, if all six ASEAN countries would agree, is to adopt a relevant and common set of safety rules and load line regulations for 'small' ships. This concept could easily be adapted in other sub-regions/regions and perhaps world wide similar to the LL 1966/SOLAS 1974 Conventions.

2. Identify any negative impact which the project may have on the environment or on particular groups, etc.

Having positive trends only, no negative impact is foreseen in the immediate future.

E. Other Donors, Programmes Active in the same Sub-sector

This is the only project of this kind being planned in the ASEAN sub-region under UNDP assistance. No other donor or agencies are involved in this project.

F. Development Objective and its relation to the Country Programme

The development objective is to promote maritime safety in the ASEAN sub-region and, in particular to enhance safety standards of 'small' ships plying in inter-island and coastal waters, and inland waterways of the ASEAN.

Whilst the country programme of the ASEAN countries encompass programmes and activities to promote economic and social development in maritime transportation, the objective of this project will further enhance safety of passengers and cargoes thereby reducing loss of lives and cargo carried on board 'small' ships.

G. Major Elements

(It is suggested that a separate sheet be used for each immediate objective - please refer to the outline on pp.93-4 for the layout).

How can it be determined if and when this proposed objective has been achieved (i.e., success criteria).

Immediate Objective One:

Formulation of a set of safety rules and regulations for regulating 'small' ships not covered by the LL 1966 as well as SOLAS 1974 Conventions.

On acceptance and implementation of the formulated rules and load line regulations by all ASEAN Governments.

Outputs	Activities	Party responsible for the Activity
1.1 Consultant's report on his preliminary visits to all ASEAN countries and consultations with concerned authorities.	1.1.1 Recruit and field consultant (for a total of 8 m/m).	IMO
	1.1.2 Organize meetings with concerned Government authorities.	IMO/Government Co-ordinating Authority(s)
	1.1.3 Distribute consultant's report.	IMO
1.2 Consultant's report on development of a set of common safety and load line regulations for 'small' ships not covered by LL 1966/SOLAS 1974 Conventions.	1.2.1 Visits and surveys most likely areas of the seas, gulfs and straits surrounding all six ASEAN countries.	Consultant
	1.2.2 Report writing with reference maps and other details.	Consultant
	1.2.3 Distribute consultant's report.	IMO
1.3 Appropriate recommendations/decisions for adoption of the common safety and load line regulations for 'small' ships, to be made at the four-day meeting of Government experts.	1.3.1 Organise meeting.	IMO
	1.3.2 Conduct meeting with assistance of the consultant.	IMO
	1.3.3 Make appropriate recommendations/decisions to ASEAN Governments/IMO.	Government Authority(s)

Immediate Objective Two:

Under Article 6 of LL 1966 and Regulation 4 of SOLAS 1974 Conventions, ships trading under certain conditions (such as sheltered waters) are exempted from the provisions of the present Conventions to ships engaged on such voyages. It is in this context that a part of the project activity is aimed at determining the conditions in areas within ASEAN waters for which there might exist a similar condition and ships of the ASEAN might be granted exemptions by the concerned Government Administrations from the provisions of the present Conventions.

ASEAN Governments reporting to IMO on positive identification of such areas and henceforth acceptance by IMO.

Outputs	Activities	Party responsible for the Activity
<hr/>		
2.1 Appropriate recommendations/decisions regarding 'exemption area(s)' to be made at the four-day meeting.	2.1.1 Refer to 1.1.1 through 1.3.2.	Government Authority(s)
	2.1.2 Make appropriate recommendations/decisions to ASEAN/IMO.	Government Authority(s)

- H. Risks- (the instructions for heading F of the project document format refer). List below all those significant risks which could seriously delay or prevent the achievement by the project of its outputs and objectives.

Description of risk	Estimated likelihood of occurrence (i.e. high, medium, low)
<hr/>	
1. Factors which may at the outset threaten major delays or prevent achievement of the projects' outputs and objectives. (These are to be anticipated in the design of the project.	
1.1 Lack of funds necessary to meet the proposed amount by UNDP;	(Low)
1.2 Lack of funds necessary to meet the host country's commitments and to sustain the local support services;	(High)
1.3 Delay in approval of the project document.	(Low)
2. Factors which could, through time, grow to threaten major delays or prevent achievement of the project's inputs and opportunities. (These are to be described in Part F of the project document as may add to project appraisal and management).	
2.1 Lack of communication and co-ordination between the project focal point and the national maritime safety administrations/ organizations of the ASEAN countries;	(Low)
2.2 Lack of communications and co-ordination amongst the maritime safety administrations in the participating countries;	(Low)
2.3 Lack of required funds or facilities on the part of the recipient Government(s) to meet their inputs and other commitments	(Medium)

I. Host Country Commitment

1. A focal point for co-ordination with IMO and UNDP to oversee and assist the smooth discharge of the consultant's mission within the country.

2. The recipient Government(s) will offer the consultant the necessary local supporting services such as, for travels within the country, arranging and organizing meetings with the appropriate safety authorities and the staff of the maritime administrations.
3. If it becomes necessary, one safety administration office will offer the consultant the use of an office with typing and photocopy assistance which he can use for drafting the reports.

J. Inputs

1. Skeleton Budget: Provide a summary estimate of total costs by major budget category.

	<u>National Inputs</u>	<u>External Inputs</u>
	(specify currency and (UN exchange rate)	(US dollars)
Personnel	Local support services	\$ 73,600
Travel on duty	Local support services	\$ 18,000
Officials meeting	Local support services	\$ 21,000
Equipment	Nil	\$ 40,000
Miscellaneous	Nil	\$ 4,400
Totals:		US\$157,000 *****

2. Comment on any proposed inputs which may raise policy issues on which headquarters guidance is sought, (e.g. high equipment component, payment of local and recurrent costs, incentive payments).

Person primarily responsible for
this formulation framework: _____

Signature

Name :

Title: