

**2nd meeting of the Consultative Network
on Technical Assistance**

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EMSA LISBON

Jean-François LEVY

Ingénieur général des Ponts et Chaussées



EXPERIENCE OF TWINNINGS

Experience of Project Leader and Short term expert in Malta (twinning finalised) and in Morocco (twinning still running)

TOPICS COVERED

Three main topics:

- Assistance in the development of legislation for the implementation of the acquis
- Assistance in the organisation of the administration for the implementation of the new legislation
- Assistance with the drafting of technical specifications

Development of legislation 1

Malta had to adopt the acquis as a future member of EU.

Morocco has agreed to have a «legislation as close as possible to the EU acquis»

Development of legislation 2

There is a difference between a twinning covenant and a consultant contract:

in the latter case, the obligations of the consultant are only to the contracting authority;

in the case of a twinning covenant both parties have obligations to EU. If the beneficiary does not do what is proposed it has either to replace it or to justify its position to the EU.

Development of legislation 3

The legislation should be in line with the *acquis* and at the same time introduce a minimum of changes in what does exist (example: port reception facilities)

Difficulty to draft a legislation without an answer to the question of “who does what”

Example of difficulties

The question of places of refuge raises a large number of difficulty:

Definition of the authority in particular that in charge of the actions listed in annex 4 of directive 2002-59

Existence of sufficient knowledge of the coastline: sensibility mapping, adequate contingency planning

Organisation of the administration

- If new functions are to be created following the new legislation, it has to be organised. Examples:
- Processing of the data on dangerous goods may need new personnel in port authorities
- Same for the follow up of use of port reception facilities

Drafting specifications

- **It may need very specialised expertise**
- **It needs to take into account the existing organisations;**
- **Example: software for hazardous material**

Specific problem with Morocco

A twinning with a country not in the EU and not a possible future member raises further difficulties;

- To which extent should there be alignment on the acquis?
- What will be the link with EU systems; example Safeseanet

Other types of assistance

I assisted IMO and REMPEC in developing agreements in various regions and in presenting existing legislation, international or national.

One great difficulty is to adapt the presentation to the previous knowledge of participants; example: liability and compensation.

Thank You