The European Union's Tacis TRACECA programme
for Armenia, Azerbaijan, Bulgaria, Georgia, Kazakhstan, Kyrgyz Republic, Moldova, Romania, Tajikistan, Turkey, Turkmenistan, Ukraine, Uzbekistan

EUROPEAID/120540/C/SV/MULTI

Freight Forwarders Training Courses
for Armenia, Azerbaijan, Georgia, Kazakhstan, Kyrgyz Republic, Moldova, Tajikistan, Turkmenistan, Ukraine, Uzbekistan

Interim Report 1
December 2005 – March 2006

This project is funded by the European Union

A project implemented by NEA and its partners STC, TRADEMCO and Wagener & Herbst Management Consultants
## Report cover page

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**Date of report:** March 2006  
**Reporting period:** December 2005 – March 2006  
**Author of report:** René Meeuw, Team Leader
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1 Project synopsis

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**Overall project objectives:** To facilitate multi-modal transport and enable faster, safer and more reliable and efficient transport on the TRACECA corridor in order to increase security and improve access to international markets and increase the competitiveness of the TRACECA corridors.

**Specific project objectives:** The strengthening of the freight forwarder sector in the TRACECA countries through transfer of knowledge, capacity building for freight forwarders associations that are strong and able to take ownership of the further development and professionalism of the freight forwarding and develop improvement measures for the regulatory set-up.

**Planned outputs:**

- 10 country reports containing a comprehensive analysis of the existing situation with regard to the regulatory framework and the actual situation of the freight forwarding and transport industry in each of the TRACECA countries.
- Report containing recommendations concerning the documents that are currently used in freight forwarding activities, improvement of restrictive practices, the creation of a level playing field and the improvement of the regulatory framework in each of the TRACECA countries.
- Workshops for key stakeholders concerning abovementioned analysis and recommendations in each of the TRACECA countries.
- Study tour for decision makers to disseminate project findings.
- A sound basis for the foundation of 3 freight forwarders Associations in respectively Kyrgyz Republic, Turkmenistan and Tajikistan.
- Report containing an analysis of the current position of freight forwarder associations and a strategy for strengthening this position.
- Study tour aimed at familiarizing the freight forwarders associations with best practices in Europe.
- Comprehensive training materials according to FIATA minimum standard in English and Russian.
- 6 regional training measures, each minimum one week.
**Project activities:**

**Phase 1: Promotion of necessary changes in the regulation**

Task 1A: Analysis of the existing situation.
Task 1B: Benchmark with European countries and recommendations for changes in the regulatory framework.
Task 1C: Promotion of changes in regulatory framework.
Task 1D: Study tour aiming at dissemination of project findings among major decision-makers of regulatory bodies.

**Phase 2: Strengthening of national freight forwarders associations**

Task 2A: Setting up freight forwarders association in Kyrgyz Republic, Turkmenistan and Tajikistan; re-establish freight forwarders association in Azerbaijan.
Task 2B: Inventory of difficulties encountered and an outline of a strategy for strengthening association.
Task 2C: Advising existing freight forwarders associations.
Task 2D: Encouragement of and assistance to the foundation of training centres.
Task 2E: Dissemination of information for freight forwarders.
Task 2F: Study tour for freight forwarding associations.

**Phase 3: Specialist Training for freight forwarders**

Task 3A: Training needs assessment.
Task 3B: Selection of trainees.
Task 3C: Selection and development of training materials.
Task 3D: Execution of training measures.
Task 3E: Training Impact Assessment.

**Project starting date:** 28 September 2005

**Start date of activities:** 28 September 2005

**Project duration:** 24 months

**Inputs:**

International expertise:
- 295 man-days Team Leader
- 200 man-days Trade and Transport Expert
- 165 man-days Academic Director
- 420 man-days Training and Project Coordinator

Local expertise:
- 290 man-days Short-term international senior experts
- 240 man-days Short-term local senior experts

Organisation of local support point in the beneficiary countries

**Project implemented by:**

NEA Transport Research and Training (The Netherlands) and its partners in the consortium:
- Wagener & Herbst Management Consultants (Germany)
- TRADEMCO (Greece)
- Shipping and Transport College Rotterdam (The Netherlands)
2 Summary of project progress since the start

2.1 A chronological overview of main visits and meetings

Some activities of the project preparation have already started after the notification of the contract award. As both the FIATA World Congress in Moscow, Russia and the IRU 3rd Euro Asian Road Transport Conference Beijing, PR of China took place in September 2005 and were considered to be important by the Contractor, these conferences were visited in order to collect relevant information for the project and establish a first network of business contacts.

September 2005

FIATA World Congress in Moscow, Russia, September 11-16, 2005

The Training and Project Coordinator, Mr. Mikhail Prokofiev participated in the world Congress in Moscow between September 11-16, 2005 under the private invitation of Mr. V. Zhinkin, the Vice-President of the Freight Forwarders Association of the RF and the Honorary Member of FIATA.

All interlocutors had shown great interest in the project planned in the TRACECA member countries and consider that the project can provide substantial assistance to the development of the international transport performances on the TRACECA corridors and their infrastructures and carry out vocational training for freight forwarders under standards accepted in EU.

IRU 3rd Euro Asian Road Transport Conference Beijing, PR of China, September 26-27, 2005

Mr. René Meeuws, the Team Leader, and Mr. Harrie de Leijer, the Trade and Transport Expert, participated in the IRU 3rd Euro Asian Road Transport Conference in Beijing held on September 26-27, 2005. The IRU was informed about the project and provided its co-operation for the successful implementation of the project.

IRU Academy Conference in Istanbul, Turkey, September 29-30, 2005

Mr. René Meeuws participated in the conference organized by the IRU Academy in Istanbul on September 29-30, 2005. For the project it is important to learn from the experiences of the IRU Academy in setting training standards for road transport operators and professional drivers to enhance the quality of the performance of the international and national road transport industry. Also the experience of the IRU Academy in the establishment of distance learning for road transport operators will be used for a successful implementation of distance learning for freight forwarders in the TRACECA region.

October 2005

German Transport Forum in Berlin, Steering Committee for Cargo Transportation, October 27, 2005-11-21

Mr. Norbert Wagener took part in the steering committee meeting and introduced the project to the managing director of the German Association for Forwarding and Logistics, Mr. Heiner Rogge. Mr. Rogge expressed interest and offered support to the project.
November 2005

Visit TRACECA Permanent Secretariat in Baku, Azerbaijan, November 1-4, 2005

A visit took place to Baku, Azerbaijan between November 1-4, 2005 by the Team Leader of the Project. Discussions were held with the Secretary-General of the TRACECA Intergovernmental Commission, Mrs. Lyudmilla Trenkova; representatives of the TRACECA Trade Facilitation and Institutional Support Project; the TRACECA National Secretary of Azerbaijan, Mr. Akif Mustafayev; the Head of TRACECA & International Projects Unit of the Ministry of Transport of Azerbaijan Republic, Mr. Elmar Farajov; and the monitor of the TACIS and the Balkans/Cards Monitoring Programme in Baku, Mr. Fuad Bagirov. The project will be located in the facilities of the TRACECA Permanent Secretariat. All showed interest in the project and committed themselves for full co-operation.

Visit EuropeAid Co-operation Office in Brussels, Belgium, November 9, 2005

On November 9, 2005 a visit was paid by Mr. René Meeuws to the EuropeAid Co-operation Office of the European Commission in Brussels, Belgium. The parameters of the project were discussed with Mr. Athanasios Boitsios.

Visit FIATA in Zürich, Switzerland, November 11, 2005

On November 11, 2005 a visit was paid to the headquarters of FIATA in Zürich, Switzerland. Meetings were held with Mr. Markus Schoeni, Manager and Mr. Marco Sangaletti, Director General of FIATA.

FIATA training standards

If there is a national association in a certain country this association (and only the association) can apply for validation a course according to FIATA Training Standards. The FIATA committee validates the course material and if it is accepted it issues a certificate. FIATA then also issues after successful examination FIATA DIPLOMA IN FREIGHT FORWARDING to the successful person.

Mr. Schoeni explained that it is very important to develop a didactical material. That means it should comprise questions, solutions, examples etc. The question how to ensure practice was discussed. Eventually a 2-3 year period of working in a relevant company or function could be a precondition in order to obtain FIATA diploma.

- FIATA expressed its full support to the project. Mr.Schoeni is ready to participate in key meetings if necessary.
- The consortium will develop a reference course material (about 600 pages) which will be approved by FIATA and which could then used by national associations as public domain material.
- A next meeting with FIATA should take place when necessary, with the Training &Project Coordinator and the Legal Expert of the project.

Visit Ukraine and project presentation for the TRACECA Permanent Secretariat and Legal Working Group Meeting on November 15-16, 2005 in Kiev

A visit was paid to Ukraine by Mr. René Meeuws (November 14-18, 2005) and Mr. Wagener (November 15-17, 2005) to set the first steps for a comprehensive investigation and analysis of the existing situation with regard to the regulatory framework and the actual situation of the freight forwarding and transport industry in Ukraine.

On November 16, 2005 a presentation of the project was given for the meeting of the TRACECA Permanent Secretariat and Legal Working Group Meeting in Kiev, where all TRACECA National Secretaries except from Uzbekistan and Turkmenistan were present.
Visit Kazakhstan, 22-24 November 2005

Mr. Harrie de Leijer visited Almaty from 22-24 November and arranged meetings with the relevant parties in Kazakhstan, e.g. the National Secretary, the Forwarding Association and the EC Delegation. From all sides there is great support for the project and parties are very eager to participate.

Visit Uzbekistan, 24-26 November, 2005

Mr. Harrie de Leijer and Mr. Mikhail Prokofiev visited Tashkent from 24-26 November and have held meetings with all stakeholders in the project. The NCU has arranged meetings with amongst others the Uzbek International Forwarding Association, the Road Hauliers Association, the Association for Transport and Transport Communications and the Agency for Automobile and River Transport. A visit was paid to the Europa House so as to discuss possible project support and communications concerning the project.

December 2005

Visit Kazakhstan, Kyrgyz Republic and Tajikistan, 12-20 December, 2005

The visit to Kazakhstan, the Kyrgyz Republic and Tajikistan was carried out by Harrie de Leijer and Mikhail Prokofiev between December 12-20, 2005.

Kazakhstan

The Association of National Freight Forwarders of Kazakhstan (ANEK) was established in 1997 and has a high profile. A license is not needed. Certificates are issued by the Association, this however, is not mandatory. There is a separate training institute which has FIATA accredited programmes. In addition they have their own training programmes. A proposal for distance learning was developed, this could be used for other CIS countries as well. They want to discuss this proposal in the coming FIATA Conference in February 2006 and hope the project can give support.

Kyrgyz Republic

The Kyrgyz Republic Freight Forwarding Association was set up in a TACIS project. Mr. Zakirov, the Traceca National Secretary, is at the same time also the Chairman of the Association. The Association has been recognized and accepted by FIATA as member. 21 companies are a member of the Association, including several foreign ones. A few of the member companies are also individual FIATA member. The Association has a small office and a General Secretary and an Office Manager.

Tajikistan

A Freight Forwarders Association has been established in September 2005 under the umbrella of Abbat, the Association of Road Carriers. Abbat is related to the Ministry of Transport (it also has offices within the Ministry), but is privately financed. According the Chairman, they have established contacts with FIATA and have applied for membership. The project is requested to assist in this process.

January 2006

Meeting project team in the Netherlands, 4-5 January, 2006

On January 4-5 the entire project team met in the Netherlands to discuss the progress and the further planning of the project.
Visit to Azerbaijan, 10-15 January, 2006

Rene Meeuws and Mikhail Prokofiev have visited Azerbaijan between January 10-15, 2006.

A project office was installed at the premises of the TRACECA Permanent Secretariat in Baku and visits were paid to the Ministry of Transport, freight forwarding companies and the Azerbaijan Technical university.

There used to be a freight forwarders association in Azerbaijan, but it does not exist anymore. Some of the major freight forwarding companies are individual member of FIATA.

Visit to Georgia, 17-20 January, 2006

The visit to Georgia was carried out by Rene Meeuws and Harrie de Leijer.

The Georgian Freight Forwarders Association was set up a number of years ago and has been recognized by FIATA. The organization is small (6 staff members), and operates for 18 member companies.

The forwarders association has financial constraints as the sources of income are limited. The association issues the FIATA Multimodal Bill of Lading (FBL). This creates some additional income to the membership fees. The FBL seems to be the major drive for the companies to be member of the association.

Strengthening the Freight Forwarding Association:
- This issue is to be discussed directly with the Freight Forwarding Association, no direct involvement of the Ministry.
- Ideas could relate to:
  - Review of the present business plan.
  - Development of a web-site.

Regulatory issues:
- The short list of questions and the extensive questionnaire will be filled in by the Transport Department. In a next visit of the experts, the conclusions need to be discussed.
- Based on that discussion, it will be decided which Laws and Codes will have to be studied in more detail concerning the freight forwarding issues.
- The Ministry would like to receive a clear advice on how to improve the current legal codes in this respect.

Training programmes and study tours:
- The Ministry proposes to have a different focus in the two study tours: one tour focused especially at the organization and functioning of a freight forwarding association, and one tour focused at the practical side of forwarding and logistics.
- Preferably the study tours are carried out in 2006, so that recommendations can be implemented during the course of the project.
- For the training programmes the Ministry would like programmes to be carried out in Georgia, also where possible involving Georgian trainers.
- From the contents point of view three types of programmes are proposed:
  1. training of trainers
  2. training of management
  3. training of professionals
- The creation of one training centre for transport is preferred by the Ministry. This centre (not existing yet) could be used by the freight forwarding association for its programmes.
A training needs assessment for the whole transport sector could give more insight in the feasibility of such a centre. NEA has given the training needs assessment results and the impact assessment of the TRACECA project Capacity Development of Senior Transport Officials to the Ministry.

February 2006

Visit to FIATA in Zurich, February 2, 2006

Rene Meeuws paid a visit to FIATA to discuss the progress of the project.

Training

Agreement was reached about exploring ways to organise official exams at the end of the Training of Trainers programmes in FIATA standardized training course. The National Freight Forwarders Association which are hosting the training event may send an application form to FIATA in Zurich for an official FIATA diploma after successful completion of the exam. The costs of 100 euro per diploma should be covered by the project. This exam will not be compulsory for all participants.

Visit to Armenia, 6-10 February, 2006

A visit was paid to Armenia between February 6-10, 2006 by Rene Meeuws.

The Association of Armenian Freight Forwarders AAFF is a small association with 10 members, of which 7 are also individual members of FIATA. Only three members do use the FBL as only they use insurance contracts. It is estimated that 100 FBL per year are being used.

As there is a very small basis for the association – 10 companies with 250-300 staff in total – it is also to be considered to integrate the training course ‘freight forwarding’ in the (professional) technical education.

All companies are supporting any training initiatives for freight forwarders.

On February 10, 2006 a general meeting of the members of the AAFF took place in Yerevan during which the project was discussed.

Visit to Ukraine, 13-15 February, 2006


Ukrzovnishtrans and Plaske did show interest in the TRACECA project and would like to participate in the programmes. Ukrzovnishtrans and Plaske made an invitation to come to Odessa on May 30 and 31, 2006 to participate in a conference for freight forwarders. The aim of the conference is to match Ukrainian companies with foreign companies. The project is going to make a presentation of the TRACECA project.

Visit to Moldova, February 13-16, 2006


AEM-Trans, the Freight Forwarding Association of Moldova, is a non-governmental organization and was set up in 1997. It is FIATA member since 1998. At present, the organization has 45 member companies, mainly active in railway transport and road transport.
As the Association is well developed, support may be less than in other countries. A welcome contribution is to review the services now offered by the Association, in comparison with the services of the associations in other countries. Especially the development of a modern website could be helpful: use the web-site for information downloading by its members, information on FIATA courses, consultation on dangerous cargoes.

Training for the transport sector is well organised in Moldova, especially through CIPTI, which is the training centre for international transport. CIPTI was set up by AITA, the International Road Haulage Association in Moldova, and is accredited by the IRU Academy. The facilities of CIPTI are used by AEM-Trans to execute FIATA training programmes.

Visit to Uzbekistan, February 13-17, 2006

Mikhail Prokofiev paid a visit to Uzbekistan between February 13-17, 2006.

The Uzbek International Forwarders Association (UIFA) was established and became member of the International Federation of Forwarding Associations (FIATA) in 1996. At present the Association includes 45 organizations: 13 ordinary members, 9 of which are the associated members of FIATA; 7 associated members, 1 of which is the associated member of FIATA; 23 individual members; and 2 organizations as observers. The Uzbek International Forwarders Association is registered within the Ministry of Justice of the Republic of Uzbekistan (registration number 1152). By the order of the Cabinet of Ministries of the Republic of Uzbekistan JV 133-f of 2.04.97. the Uzbek International Forwarders Association is authorized to carry out execute the tasks to maintain and further develop transport-forwarding services in Uzbekistan in compliance with international standards and requirements of FIATA, and also to implement a uniform policy in field of freight forwarding.

The management of UzbyuroKES expresses complete support to the project and assures, that it will promote duly issue of visa to all participants of the project in the terms stipulated by the legislation of Uzbekistan.

Visit to UN-ECE in Geneva, February 16-17, 2006

Mark Booker and Rene Meeuws visited UN-ECE and UNCTAD in Geneva on February 16-17, 2006.

UN ECE is becoming more involved in the TRACECA countries albeit slowly and would like to be informed about the progress of the project and may contribute later in one of the seminars the project is going to organise.

Visit to Azerbaijan, 20-23 February, 2006

A visit was paid to Azerbaijan between February 20-23, 2006 by Rene Meeuws, Robbert Lunsingh Scheurleer and Elizabeth van Groll.

Meetings were held with the National Secretary of the TRACECA Inter Governmental Commission and several freight forwarding companies. Also a meeting was held with senior monitor Mr. Tornike Gotsiridze and Mr. Fuad Bagirov, monitor in Azerbaijan.

The National Secretary of the TRACECA Inter Governmental Commission in Azerbaijan, Mr. Akif Mustafayev would like to see a working association re-established in Azerbaijan. The re-establishment of such a FIATA based association should be supported and promoted by the Ministry of Transport.

The possibility of organizing a seminar to present the project to the key stakeholders in Azerbaijan is discussed. The seminar will bring together representatives from the freight forwarding sector and the Ministry of Transport. The Seminar will focus on finding a common ground for the possible future
establishment of a freight forwarder association. A starting point could be the drafting of a code of conduct for freight forwarding in Azerbaijan. This could be the first step towards re-establishing an association. Invitations will be sent out by Mr. Mustafayev. He will convene with the Ministry of Transport for the compilation of the list of invitations. The Ministry might host the seminar. The proposed date for the seminar will be May 24, 2006.

Several freight forwarders in Azerbaijan are very much in favour of a Freight Forwarders Association that is able to represent and defend the interests of the sector. Such an association cannot be set up by one of the companies because of the fierce competition in the sector. Therefore such an initiative should be taken through the Ministry of Transport or through TRACECA.

Visit EuropeAid Co-operation Office in Brussels, Belgium, February 24, 2006

On February 24, 2006 a visit was paid by Mr. René Meeuws to the EuropeAid Co-operation Office of the European Commission in Brussels, Belgium.

CVs of foreign experts and local experts (coordinators) should be submitted to Mr. Boitsios for approval. This should be done one month prior to use their expertise. It is thus urgent to submit the CV’s of the local experts.

Mr. Boitsios informed several institutions in the TRACECA countries that the project only provides technical assistance and not material assistance. Translation of course materials into the national language should not be carried out.

Many associations expressed the wish to receive technical assistance for the setting-up of a website. It is a good idea to try to establish a network between them. Mr. Boitsios would like to receive names of responsible persons of the associations in this respect.

Visit to Ukraine, February 27 – March 2, 2006

Rene Meeuws paid a visit to Ukraine between February 27 until March 2, 2006.

Meetings were held with the Ministry of Transport and the deputy of the National Secretary of the TRACECA Inter Governmental Commission.

Visit to Kazakhstan and the Kyrgyz Republic, February 27 – March 3, 2006

A combined visit was paid to Kazakhstan and the Kyrgyz Republic by Mikhail Prokofiev, Norbert Wagener and Menno Langeveld between February 27 and March 3, 2006.

Kazakhstan

ANEK is the Kazakhstan Freight Forwarder Association. (website [www.kffanek.kz](http://www.kffanek.kz)) and founded in 1997 by 27 leading freight forwarders, the Ministry of Transport and Communication and the National Railways. ANEK associates now about 70 companies; 16 of them are full members; the remaining are associated members. Four freight forwarder liability insurance companies are member of ANEK.

The annual membership fees differ between 7,500 USD (full member) and 1,000 USD (associated member). The differentiation of members and membership fees is under discussion now. An exchange of experiences with European associations would be most welcomed.
Legal situation of the freight forwarding industry

The development and adoption of regulations on freight forwarding is in process now. There is a discussion to which extent regulations on forwarding should be mandatory state law or recommendations for contracts. The FIATA Model Rules and the MLA Technical Annex on Freight Forwarding Operations should be taken as a point of departure for discussion and adaptation to the Kazakh context.

Training

In 2001 the Association established the Logistics Centre offering vocational training in the freight forwarding business. The Logistic Centre of ANEK provides various training courses for specialists and managers in forwarding.

The ANEK course material on FIATA Minimum Standards (approved by FIATA) was received in Russian language, which is comprehensive, adjusted to Kazakhstan conditions and according to our first impression very suitable. The course material could benefit from adding interactive components. The examination material is done in multiple choice questions. An off-line software based learning material is available on CD. Although the course material is already well developed, the institute could benefit from the project by implementing distance learning solutions. The institute receives financial support from ANEK but tries to become self-sustainable.

Strengthening of the Association

ANEK is well developed organization. The project may contribute to a review of the services of the Association, the organizational setting and financial base (membership fees).

Kyrgyz Republic

On March 1 meetings took place with the Deputy Minister of Education Prof. Dr. Kanybek and the national coordinator Dr. Davljaev. The deputy minister was informed about the project objectives and he promised full support. On March 2 a project presentation and discussion was organized with 28 participants from the Autotransport Technikum; University; freight forwarding industry; and the Freight Forwarder Association. Also the deputy Minister of Transport, Mr. Isakov, expressed his full support to the project.

AEK Association of Freight Forwarders of the Kyrgyz Republic and KTA Association of Transport Operators of the Kyrgyz Republic work together within one Union. AEK is already accepted member of FIATA. This information was expressed by Mr. Shabdanaliev (General Secretary of AEK) and is also mentioned on the FIATA website. So the statement in the Terms of Reference that the Kyrgyz Republic has no forwarder association is obsolete. However, AEK needs technical support to further develop member services.

AEK does not carry out training programmes for forwarders, according to our information. Kyrgyz Forwarders expressed that they lack of professional education. They mainly “learn by doing”. The forwarder training programmes of ANEK in Kazakhstan are well known and sometimes Kyrgyz forwarders participate in training programmes organized by ANEK. However, there are considered to be quite expensive.
March 2006

Visit to Romania, March 15-16, 2006

Rene Meeuws paid a visit to Romania on March 15-16, 2006.

Meetings were held the National Secretary of the TRACECA Inter Governmental Commission and the Ministry of Transport, Construction and Housing. Also contacts were established with the U.S.E.R., the association of freight forwarders in Romania.

Visit to FIATA in Zurich, March 24, 2006

Norbert Wagener and Mikhail Prokofiev visited FIATA in Zurich to present the project at the meeting of the Advisory Body Vocational training of FIATA and to discuss the contents of the FIATA Diploma training course materials and the methodology of training.

Visit to Uzbekistan and Kazakhstan, March 27-31, 2006

Rene Meeuws and Mikhail Prokofiev paid a visit to Uzbekistan to start the preparations for the training event that will take place in Tashkent in June 2006. Final agreement has been reached with the Uzbek International Forwarders Association (UIFA) about the joint implementation of the project and the establishment of a regional project support unit in Tashkent managed by UIFIA. The visa problems experienced in the inception stage of the project seem to be solved.

2.2 Synthesis of project results

The project is on schedule in the realization of the main project objectives.

2.2.1 Promotion of necessary changes in the regulation

In the period from October-March all countries have been visited with the exception of Turkmenistan and a start has been made to analyse the existing situation of the freight forwarding industry and in particular the existing legal framework for freight forwarding activities. This analysis will continue in the next reporting period and will form the basis for the country reports.

A preliminary legal analysis has been made of international conventions and international business practices, which affect freight forwarding activities. The following documents have been analyzed:

- Technical Annex on Freight Forwarding of the TRACECA Multi Lateral Agreement.
- Technical Annex on Multimodal Transport of the TRACECA Multi Lateral Agreement.
- FIATA Model Rules for Freight Forwarding Activities.
- FIATA Multimodal Bill of Lading (FPL).

The results of this analysis will be used for the drafting of a workable, simplified scheme to define the civil liability regimes for freight forwarding activities in the beneficiary countries.

2.2.2 Strengthening of National Freight Forwarders Associations

Important steps have been made in the carrying out of Task 2A, Setting-up of freight forwarders associations in the Kyrgyz Republic, Turkmenistan and Tajikistan an the re-establishment of a freight forwarders association in Azerbaijan.

In the Kyrgyz Republic a freight forwards association does exist: AEK Association of Freight Forwarders of Kyrgyz Republic. AEK is member of FIATA. The Association works together with KTA Association of Transport Operators of the Kyrgyz Republic within one Union.
Under the umbrella of Abbat, the Association of Road Carriers, a Freight Forwarders Association was established in Tajikistan in September 2005. This new association is applying for FIATA membership and the project was requested to assist in this application.

In Azerbaijan the National Association of Freight Forwarders ceased to exist a couple of years ago. However, discussions held with several freight forwarding companies, with the Ministry of Transport and with the National Secretary of the IGC of TRACECA of Azerbaijan resulted in an initiative to try to re-establish an national association.

An inventory of the main difficulties of the national associations of freight forwarders has been made. One of the main reasons for becoming member of a national association of freight forwarders acknowledged by FIATA is the opportunity to make use of FIATA documents in international freight forwarding operations.

2.2.3 Specialist Training for freight forwarders

A training needs assessment among the main stakeholders in the freight forwarding industry is being carried out, which will be finalized by the end of April 2006. This training needs assessment is carried out through completion of a disseminated questionnaire, which also serves as an application form for the training programmes, that the project plans to implement. The outcome of the training needs assessment and the completion of the application form will be used to select trainees for the different training events.

One of the most important training events will be the organization of three training programmes in Georgia, Uzbekistan and Ukraine, respectively on the FIATA Diploma in Freight Forwarding. For this FIATA Diploma Course in Freight Forwarding training materials are being developed. The first draft of these materials was finalized in March 2006 and is now in the process of revision. The training materials consist of 12 modules and follow in detail the training requirements defined by the FIATA Advisory Body Vocational Training (see Annex 7).

Also a start has been made to translate the training materials into an e-learning environment to facilitate distance learning. A Instruction Guide has been elaborated (Annex 8) for this purpose.

2.3 Project administration

On February 6, 2006 Side letter No. 1 to contract 120540 was received with the approval of the short term international experts. A copy of this letter is attached in Annex 9.
3 Summary of project planning for the remainder of the project

The main milestones of the project in terms of events, which will be organized are the following:

**June 5-9, 2006**
- Training (of trainers) in training programme for FIATA Diploma Freight Forwarding and presentation of training materials.
- Venue: Tbilisi, Georgia.
- Participants: in principle 6 participants from each of the following countries: Armenia, Georgia and Azerbaijan, totalling 18 participants.

**June 19-23, 2006**
- Training (of trainers) in training programme for FIATA Diploma Freight Forwarding and presentation of training materials.
- Venue: Tashkent, Uzbekistan.
- Participants: in principle 6 participants from each of the following countries: Kazakhstan, Kyrgyz Republic, Tajikistan, Uzbekistan and Turkmenistan.

**July 3-7, 2006**
- Training (of trainers) in training programme for FIATA Diploma Freight Forwarding and presentation of training materials.
- Venue: Odessa, Ukraine.
- Participants: in principle 6 participants from each of the following countries: Ukraine and Moldova.

**August 28–September 1, 2006**
- Training of managers/trainers in distance learning and e-learning management.
- Venue: Almaty, Kazakhstan.
- Participants: in principle 2 participants from each of the following countries: Kazakhstan, Kyrgyz Republic, Tajikistan, Uzbekistan, Turkmenistan, Azerbaijan, Georgia, Armenia, Ukraine, Moldova.

**October 12-21, 2006**
- Study tour for managers of freight forwarders associations.
- Venue: The Netherlands, Belgium, Germany.
- Participants: in principle 2 participants from each of the following countries: Kazakhstan, Kyrgyz Republic, Tajikistan, Uzbekistan, Turkmenistan, Azerbaijan, Georgia, Armenia, Ukraine, Moldova.

**November 9-18, 2006**
- Study tour for managers of freight forwarding industry.
- Venue: The Netherlands, Belgium, Germany.
- Participants: in principle 2 participants from each of the following countries: Kazakhstan, Kyrgyz Republic, Tajikistan, Uzbekistan, Turkmenistan, Azerbaijan, Georgia, Armenia, Ukraine, Moldova.

**November 20-24, 2006**
- Training programme/seminar on tasks and functions of national freight forwarders associations.
- Venue: Istanbul, Turkey.
- Participants: in principle 2 participants from each of the following countries: Kazakhstan, Kyrgyz Republic, Tajikistan, Uzbekistan, Turkmenistan, Azerbaijan, Georgia, Armenia, Ukraine, Moldova.
March 12-17, 2007  
Training programme/seminar on the legal situation of the freight forwarding industry in the TRACECA region.  
Venue: Baku, Azerbaijan.  
Participants: in principle 2 participants from each of the following countries: Kazakhstan, Kyrgyz Republic, Tajikistan, Uzbekistan, Turkmenistan, Azerbaijan, Georgia, Armenia, Ukraine, Moldova.

May 7-12, 2006  
Dissemination tour for stakeholders of the freight forwarding industry in the TRACECA region.  
Venue: Uzbekistan, Georgia, Ukraine.  
Participants: in principle 2 participants from each of the following countries: Kazakhstan, Kyrgyz Republic, Tajikistan, Uzbekistan, Turkmenistan, Azerbaijan, Georgia, Armenia, Ukraine, Moldova.

It is planned that before April 1, 2007 the most important deliverables of the project will have been produced:

- An analysis of the legal situation of the freight forwarding industry in each of the TRACECA countries.
- Recommendations for a national and international legal framework for the freight forwarding industry in the TRACECA countries.
- Guidelines for business planning of the national freight forwarders associations to strengthen the associations.
- Technical assistance in (re)establishing national associations of freight forwarders in Kyrgyz Republic, Tajikistan, Turkmenistan and Azerbaijan.
- A full set of course materials for the FIATA Diploma training programme in freight forwarding in English and Russian in full compliance with the FIATA requirements.
- A training plan including training materials for offering training through distance learning working in an e-learning environment.
- Capacity development of managers, trainers and experts in several issues relevant for the freight forwarding industry through the organisation of workshops, seminars and training programmes.
4 Project progress in the reporting period

4.1 A chronological overview of main visits and meetings

Some activities of the project preparation have already started after the notification of the contract award. As both the FIATA World Congress in Moscow, Russia and the IRU 3rd Euro Asian Road Transport Conference Beijing, PR of China took place in September 2005 and were considered to be important by the Contractor, these conferences were visited in order to collect relevant information for the project and establish a first network of business contacts.

September 2005

FIATA World Congress in Moscow, Russia, September 11-16, 2005

The Training and Project Coordinator, Mr. Mikhail Prokofiev participated in the world Congress in Moscow between September 11-16, 2005 under the private invitation of Mr. V. Zhinkin, the Vice-President of the Freight Forwarders Association of the RF and the Honorary Member of FIATA.

All interlocutors had shown great interest in the project planned in the TRACECA member countries and consider that the project can provide substantial assistance to the development of the international transport performances on the TRACECA corridors and their infrastructures and carry out vocational training for freight forwarders under standards accepted in EU.

There were encouraging signals regarding the further development of a National Freight Forwarders Association in the Kyrgyz Republic.

IRU 3rd Euro Asian Road Transport Conference Beijing, PR of China, September 26-27, 2005

Mr. René Meeuws, the Team Leader, and Mr. Harrie de Leijer, the Trade and Transport Expert, participated in the IRU 3rd Euro Asian Road Transport Conference in Beijing held on September 26-27, 2005. The IRU was informed about the project and provided its co-operation for the successful implementation of the project. Information was collected on the documents used in international freight forwarding and transport industry in the TRACECA countries.

IRU Academy Conference in Istanbul, Turkey, September 29-30, 2005

Mr. René Meeuws participated in the conference organized by the IRU Academy in Istanbul on September 29-30, 2005. For the project it is important to learn from the experiences of the IRU Academy in setting training standards for road transport operators and professional drivers to enhance the quality of the performance of the international and national road transport industry. Also the experience of the IRU Academy in the establishment of distance learning for road transport operators will be used for a successful implementation of distance learning for freight forwarders in the TRACECA region. The Conference was useful in learning about the development of training materials according to the latest educational methods.
October 2005

**German Transport Forum in Berlin, Steering Committee for Cargo Transportation, October 27, 2005-11-21**

Mr. Norbert Wagener took part in the steering committee meeting and introduced the project to the managing director of the German Association for Forwarding and Logistics, Mr. Heiner Rogge. Mr. Rogge expressed interest and offered support to the project. The German association is ready to receive representatives from the forwarding industry and from regulatory bodies from the Traceca countries to exchange experiences, e.g. during the study tours within the project.

November 2005

**Visit TRACECA Permanent Secretariat in Baku, Azerbaijan, November 1-4, 2005**

A visit took place to Baku, Azerbaijan between November 1-4, 2005 by the Team Leader of the Project. Discussions were held with the Secretary-General of the TRACECA Intergovernmental Commission, Mrs. Lyudmilla Trenkova; representatives of the TRACECA Trade Facilitation and Institutional Support Project; the TRACECA National Secretary of Azerbaijan, Mr. Akif Mustafayev; the Head of TRACECA & International Projects Unit of the Ministry of Transport of Azerbaijan Republic, Mr. Elmar Farajov; and the monitor of the TACIS and the Balkans/Cards Monitoring Programme in Baku, Mr. Fuad Bagirov. The project will be located in the facilities of the TRACECA Permanent Secretariat. All showed interest in the project and committed themselves for full co-operation.

Information was collected about the legal and regulatory framework of the freight forwarding industry in Azerbaijan.

**Visit EuropeAid Co-operation Office in Brussels, Belgium, November 9, 2005**

On November 9, 2005 a visit was paid by Mr. René Meeuws to the EuropeAid Co-operation Office of the European Commission in Brussels, Belgium. The parameters of the project were discussed with Mr. Athanasios Boitsios. It was requested to submit the first draft of the Inception Report on November 28 by electronic mail because of a delay in the obtaining of visa of Dutch experts for Uzbekistan. This request was granted. It was further agreed that co-operation would be sought with the IRU and its training centres in the TRACECA region.

**Visit FIATA in Zürich, Switzerland, November 11, 2005**

On November 11, 2005 a visit was paid to the headquarters of FIATA in Zürich, Switzerland. Meetings were held with Mr. Markus Schoeni, Manager and Mr. Marco Sangaletti, Director General of FIATA.

**FIATA training standards**

If there is a national association in a certain country this association (and only the association) can apply for validation a course according to FIATA Training Standards. The FIATA committee validates the course material and if it is accepted it issues a certificate. FIATA then also issues after successful examination FIATA DIPLOMA IN FREIGHT FORWARDING to the successful person.

About 400 diplomas are awarded per year. The main country is France where the FMST / Diploma is compulsory in the professional education system. Training material from the following TRACECA countries has been validated already: Georgia, Kazakhstan, Moldova (web-based material), Ukraine and Uzbekistan. The quality of the training material is quite different. Mr. Schoeni stressed the very good quality in the Ukraine, where the company Plaske (director Ivan Liptuva, owner Oleg Platanov, [www.plaske.ua](http://www.plaske.ua)) is responsible on behalf of the association Ukrzovnishtrans.
Mr. Schoeni explained that it is very important to develop didactical material. That means it should comprise questions, solutions, examples etc. The question how to ensure practice was discussed. Eventually a 2-3 year period of working in a relevant company or function could be a precondition in order to obtain FIATA diploma.

FIATA documents
We received a brochure with specimen of the FIATA documents. Mr. Sangaletti explained that today about 2 Mio FIATA B/L are issued worldwide. In order to prevent fraud (fake documents) the FIATA will establish an international IT-databank in which all the FIATA B/L have to registered. The banks could then prove the documents.

Licensing of Freight Forwarders
In most of the countries no licensing of freight forwarders is required. This is due to the very wide and different scope of forwarding and the difficulty to define it but also to the high level of self-regulation of the industry (e.g. by FIATA standard documents, FIATA Model Rules for Freight Forwarders, etc.). It was not recommended by Mr. Schoeni to develop a complicated licensing scheme in the TRACECA countries.

Information on the TRACECA Freight Forwarders Training Courses project
The project was explained and the Terms of Reference and the Technical Proposal of the Contractor were handed-out. It was agreed to keep communication open and to work together very closely in the implementation of the project.

Conclusions
- FIATA expressed its full support to the project. Mr. Schoeni is ready to participate in key meetings if necessary.
- The consortium will develop a reference course material (about 600 pages) which will be approved by FIATA and which could then be used by national associations as public domain material.
- A next meeting with FIATA should take place when necessary, with the Training & Project Coordinator and the Legal Expert of the project.

Visit Ukraine and project presentation for the TRACECA Permanent Secretariat and Legal Working Group Meeting on November 15-16, 2005 in Kiev
A visit was paid to Ukraine by Mr. René Meeuws (November 14-18, 2005) and Mr. Wagener (November 15-17, 2005) to set the first steps for a comprehensive investigation and analysis of the existing situation with regard to the regulatory framework and the actual situation of the freight forwarding and transport industry in Ukraine.

Meetings have been set-up with AIFFU, the Association of International Freight Forwarders of Ukraine; AIRCU, the Association of International Road Carriers of Ukraine; Ministry of Transport and Communications; and various training centres.

On November 16, 2005 a presentation of the project was given for the meeting of the TRACECA Permanent Secretariat and Legal Working Group Meeting in Kiev, where all TRACECA National Secretaries except from Uzbekistan and Turkmenistan were present.

Visit Kazakhstan, 22-24 November 2005
Mr. Harrie de Leijer visited Almaty from 22-24 November and arranged meetings with the relevant parties in Kazakhstan, e.g. the National Secretary, the Forwarding Association and the EC Delegation. From all sides there is great support for the project and parties are very eager to participate. Training centres and facilities in the field of transport, logistics and forwarding have been established in previous years and are ready to contribute to the project. Freight forwarding is now included in some articles in...
different laws, but it may very well be possible that a separate law on freight forwarding is issued in the very near future, after the implementation of the Transport Code. This will closely be followed.

Visit Uzbekistan, 24-26 November, 2005

Mr. Harrie de Leijer and Mr. Mikhail Prokofiev visited Tashkent from 24-26 November and have held meetings with all stakeholders in the project. The NCU has arranged meetings with amongst others the Uzbek International Forwarding Association, the Road Hauliers Association, the Association for Transport and Transport Communications and the Agency for Automobile and River Transport. A visit was paid to the Europa House so as to discuss possible project support and communications concerning the project.

Uzbekistan does not have a Ministry of Transport according to the European concept, though partially functions of the ministry are assigned to the Uzbek Agency for Automobile and River Transport. Many tasks that are ministerial in Europe are carried out by the associations, as mentioned before. Tasks and responsibilities in this field are unclear and so are the relations with the government bodies.

The Uzbek International Forwarding Association in Uzbekistan is in existence for nearly ten years and the major forwarding companies are among its members. As FIATA member, the association carries out training programmes. The association hopes that the project will support the plan to establish a freight forwarding training centre in the very near future. At present other training facilities for the transport sector are in existence, mainly focusing at a specific mode of transport, e.g. the IRU training centre for road haulage.

There is no license requirement for freight forwarding, this was abolished a number of years ago. In the new law on freight forwarding, which has been prepared in draft, this will not be reintroduced. An increase in professionalism in the sector is seen as a necessity and the Uzbek International Forwarding Association hopes that the project will raise the general level of freight forwarding operations in Uzbekistan through professional training.

December 2005

Visit Kazakhstan, Kyrgyz Republic and Tajikistan, 12-20 December, 2005

The visit to Kazakhstan, the Kyrgyz Republic and Tajikistan was carried out by Harrie de Leijer and Mikhail Prokofiev between December 12-20, 2005.

Kazakhstan

The Association of National Freight Forwarders of Kazakhstan (ANEK) was established in 1997 and has a high profile. A license is not needed. Certificates are issued by the Association, this however, is not mandatory. There is a separate training institute which has FIATA accredited programmes. In addition they have their own training programmes. A proposal for distance learning was developed, this could be used for other CIS countries as well. They want to discuss this proposal in the coming FIATA Conference in February 2006 and hope the project can give support.

Kyrgyz Republic

The Kyrgyz Republic Freight Forwarding Association was set up in a TACIS project. Mr. Zakirov, the Traceca National Secretary, is at the same time also the Chairman of the Association. The Association has been recognized and accepted by FIATA as member. 21 companies are a member of the Association, including several foreign ones. A few of the member companies are also individual FIATA member. The Association has a small office and a General Secretary and an Office Manager.
FIATA documents have not been used and no training programmes accredited by FIATA are been organized.

The Minister of Transport, Mr. Sulaimanov, is in favour of the project and supports its activities. He would like to establish a logistics training centre within the framework of this project.

A Law for Freight Forwarding has been developed, but not yet adopted. According to a representative of the private industry, freight forwarding has no legal status in the Kyrgyz Republic. No responsibilities are taken, they work only on the basis of good trust. A good insurance system does not exist.

There are hardly any training programmes for freight forwarding, and no organized training structure. Existing training programmes through ASMAP (IRU) have some freight forwarding components.

The Bishkek Automobile Transport Technical College has good premises, and proper facilities, including PC’s. They already have trainers for freight forwarding.

**Tajikistan**

A Freight Forwarders Association has been established in September 2005 under the umbrella of Abbat, the Association of Road Carriers. Abbat is related to the Ministry of Transport (it also has offices within the Ministry), but is privately financed. According the Chairman, they have established contacts with FIATA and have applied for membership. The project is requested to assist in this process.

There are no specific freight forwarding companies in Tajikistan. Forwarding is part of activities of the transport companies.

A Law on Forwarding is in preparation and not adopted yet.

Abbat has a training centre for road transport in a city 380 km from Dushanbe. They also do organize training programmes on forwarding, logistics and multimodal transport. Abbat would like to set up a logistics centre (for training) and requests assistance from the project.

In the TRACECA project Capacity Development of Senior Transport Officials, Mrs. Manzura Rustamova was the local coordinator. She is Deputy Head of the Transport Policy Department of the Ministry of Transport. She may be local coordinator in this project again, but this still has to be confirmed.

**January 2006**

*Meeting project team in the Netherlands, 4-5 January, 2006*

On January 4-5 the entire project team met in the Netherlands to discuss the progress and the further planning of the project.

*Visit to Azerbaijan, 10-15 January, 2006*

Rene Meeuws and Mikhail Prokofiev have visited Azerbaijan between January 10-15, 2006.

A project office was installed at the premises of the TRACECA Permanent Secretariat in Baku and visits were paid to the Ministry of Transport, freight forwarding companies and the Azerbaijan Technical university.

There used to be an freight forwarders association in Azerbaijan, but it does not exist anymore. Some of the major freight forwarding companies are individual member of FIATA.
The Azerbaijan Technical University, founded in 1950, is one of the leading Universities of the country. The University provides study and research opportunities in 8 faculties: Transport; Electrical engineering and energetics; Radio engineering and communication; Metallurgy; Machine building; Automation and computing machines; Technological and light industry machines; Engineering business and management. About 72 professors and 490 associate professors are engaged in teaching and research activities. There are following Departments at the faculty of Transport: Automobile transportation and organization of transport; Automobile transport means; Internal combustion engines; Exploitation of railway transport; Strength of materials; Theoretical mechanics. The academic staff of the Faculty consists of 76 highly qualified lecturers. The following training programmes are offered for transport students: and transport means and exploitation of transport; railway transport and economy; improvement of automobile transportation and transport in conditions of market economy; freight forwarding services. The Rector of the University Mr. H. Mamedov and the Head of Transport Faculty Mr. S. Geozalov have shown interest in the project and indicate willingness to provide trainers for the project and to offer use of their premises for carrying out seminars.

**Visit to Georgia, 17-20 January, 2006**

The visit to Georgia was carried out by Rene Meeuws and Harrie de Leijer.

The Georgian Freight Forwarders Association was set up a number of years ago and has been recognized by FIATA. The organization is small (6 staff members), and operates for 18 member companies.

The forwarders association has financial constraints as the sources of income are limited. The association issues the FIATA Multimodal Bill of Lading (FBL). This creates some additional income to the membership fees. The FBL seems to be the major drive for the companies to be member of the association.

In Georgia there are hardly any legal requirements for freight forwarding companies to operate, other than the regular requirements to operate a company. There is no licensing system and no demands for diplomas.

Training programmes accredited by FIATA were developed several years ago, as part of project financed by USAID. Two training programmes were carried out and around 20 participants have received FIATA diplomas. Participants were mainly students. Since that time almost no more training courses were carried out. It is the expectation of the association that, because of the absence of any requirements, there is little interest in the industry itself to send people to training programmes in daytime. New training programmes in an e-learning environment could create additional value for the association though.

Georgia does not have a Ministry of Transport, the tasks are under a Department for Transport in the Ministry of Economic Development. The responsible Deputy Minister is at the same time National Secretary of the TRACECA Inter Governmental Commission.

Present policy in Georgia is at deregulating the economy, including the transport sector and consequently the forwarding industry is not controlled in any way whatsoever. It is acknowledged that the freight forwarding companies have a weak position as compared to the transport companies. For the specific modes of transport codes have been developed, but refreshment is still needed to bring them in line with European standards. There is no specific code for multimodal transport, here the international conventions are followed.

Partly as a result of personal background and experiences, the Deputy Minister attaches great importance to training in the transport sector and has a preference of integrating all training programmes in the sector into one training centre. The Technical University is mentioned as a potential partner in this.
After a long discussion the following conclusions are drawn and proposals made by the Ministry:

Strengthening the Freight Forwarding Association:
- This issue is to be discussed directly with the Freight Forwarding Association, no direct involvement of the Ministry.
- Ideas could relate to:
  - Review of the present business plan.
  - Development of a web-site.

Regulatory issues:
- The short list of questions and the extensive questionnaire will be filled in by the Transport Department. In a next visit of the experts, the conclusions need to be discussed.
- Based on that discussion, it will be decided which Laws and Codes will have to be studied in more detail concerning the freight forwarding issues.
- The Ministry would like to receive a clear advice on how to improve the current legal codes in this respect.

Training programmes and study tours:
- The Ministry proposes to have a different focus in the two study tours: one tour focused especially at the organization and functioning of a freight forwarding association, and one tour focused at the practical side of forwarding and logistics.
- Preferably the study tours are carried out in 2006, so that recommendations can be implemented during the course of the project.
- For the training programmes the Ministry would like programmes to be carried out in Georgia, also where possible involving Georgian trainers.
- From the contents point of view three types of programmes are proposed:
  - training of trainers
  - training of management
  - training of professionals
- The creation of one training centre for transport is preferred by the Ministry. This centre (not existing yet) could be used by the freight forwarding association for its programmes.
- A training needs assessment for the whole transport sector could give more insight in the feasibility of such a centre. NEA has given the training needs assessment results and the impact assessment of the TRACECA project Capacity Development of Senior Transport Officials to the Ministry.

Mr. Mamuka Chantladze will be the local coordinator.

February 2006

Visit to FIATA in Zurich, February 2, 2006

Rene Meeuws paid a visit to FIATA to discuss the progress of the project.

Training

Agreement was reached about exploring ways to organise official exams at the end of the Training of Trainers programmes in FIATA standardized training course. The National Freight Forwarders Association which are hosting the training event may send an application form to FIATA in Zurich for an official FIATA diploma after successful completion of the exam. The costs of 100 euro per diploma should be covered by the project. This exam will not be compulsory for all participants.
Norbert Wagener will discuss this issue further with FIATA on March 24, 2006.

The training materials will cover mainly the international part. Maybe some guidelines could be given for elaboration of some country specific items (liability, insurance, legislation, geography, etc.).

FIATA will try to include the project in the programme of the FIATA World Congress in Shanghai to disseminate its first results. These results will be mainly in the field of e-learning of the FIATA Training Programme. These presentations could be given by one of the beneficiary countries and/or project staff.

FIATA was informed about the legal analysis of the freight forwarding industry in the TRACECA countries that the project team is carrying out. Markus Schoeni suggested to contact Mrs. Kay Pysden (tel. +44 207 702 44 42; fax +44 207 702 17 79; kay.pysden@pysdens.com), chairman of ABLM (legal matters) for feedback.

The project stressed that it would be interesting to make an analysis of the use of FIATA documents over the past years (geographical distribution; quantity; problems; etc.). the project is in particular interested in the development in the TRACECA countries in this respect.

Only National Associations are entitled to issue FIATA documentation; no individual members. The Association also may not issue documents for companies based in other countries.

Markus Schoeni was informed about the principles of the FENEX Guarantee Fund Indemnity Payments in the Netherlands. He would enquire whether other countries do have a similar facility and whether this facility could be recommended in the TRACECA region as well.

**Visit to Armenia, 6-10 February, 2006**

A visit was paid to Armenia between February 6-10, 2006 by Rene Meeuws.

The Association of Armenian Freight Forwarders AAFF is a small association with 10 members, of which 7 are also individual members of FIATA. Only three members do use the FBL as only they use insurance contracts. It is estimated that 100 FBL per year are being used.

15-20 per cent of the freight is by air. Armenian Railways seems to be in a recovery process. There is growing interest in re-establishing the railway lines to Russia (via Sochi) and Ukraine (ferry Georgia-Ilijishevsk). This was stressed in February 2006 during a visit of the Ukrainian Minister of Transport to Armenia.

AAFF has been promoting a draft law on freight forwarding as there is no current legislation on freight forwarding. In the Civil Code only reference is made to transport. This draft law would legalise the profession and would make the use of insurance systems obligatory for the freight forwarding industry. Transport was the only ministry that did object to this draft (“there is no need for such law”) and the Parliament did not approve it. Assistance was requested to convince the Ministry of Transport of the usefulness of this law.

AAFF wants to submit a project proposal to the Eurasia Foundation to support the freight forwarding associations in the Caucasus. However, due to the fact that Azerbaijan has no freight forwarders association anymore since 2004 (they apparently had not paid the membership fee to FIATA for two consecutive years), the project can not be approved yet. As soon as there is an association established in Azerbaijan, a new project proposal can be submitted. The next round of proposals is by the end of 2006. This project could include the translation of the developed course materials in the three national languages (Azeri, Georgian and Armenian) as well as the development of a website for the association in the national language and in Russian and/or English with the complete e-learning packages developed by the TRACECA project. The Consortium will provide technical assistance in this respect.
As there is a very small basis for the association – 10 companies with 250-300 staff in total – it is also to be considered to integrate the training course ‘freight forwarding’ in the (professional) technical education.

Most of the freight forwarders companies feel the legal lack of recognition of the profession of freight forwarder, in particular if he/she assumes liability for the cargo. The insurance industry is still in its infancy in Armenia. 30-40 per cent of the cargo is insured via English of American insurance companies. Cargo coming from Iran is insured through Iranian insurance companies. There are still many constraints and risks of all nature in freight forwarding operations in the region (Russia, Georgia, Armenia, Iran). They are in favour of legislation, which makes insurance for international transport compulsory. There is also still no third party green card insurance system for vehicles in operation. Some are using the FBL; others using its own bill of lading (CMA CGM).

Despite the difficult geo-political situation (borders with Turkey and Azerbaijan are closed), there is a substantial increase in cargo traffic over the last ten years. Many freight forwarders also do have their own fleet of (second-hand) trucks. They also make use of the Armenian Railways for transport of containers and heavy loads between Poti-Tbilisi-Yerevan.

All companies are supporting any training initiatives for freight forwarders.

On February 10, 2006 a general meeting of the members of the AAFF took place in Yerevan during which the project was discussed.

Copies of the reports of the TRACECA Capacity Development Project and the TRACECA Freight Forwarders Training Courses Project were handed over to EU TACIS National Coordinating Unit in Yerevan.

**Visit to Ukraine, 13-15 February, 2006**


Ukrzovnishtrans and Plaske did show interest in the TRACECA project and would like to participate in the programmes. Ukrzovnishtrans and Plaske made an invitation to come to Odessa on May 30 and 31, 2006 to participate in a conference for freight forwarders. The aim of the conference is to match Ukrainian companies with foreign companies. The project is going to make a presentation of the TRACECA project.

**Visit to Moldova, February 13-16, 2006**


AEM-Trans, the Freight Forwarding Association of Moldova, is a non-governmental organization and was set up in 1997. It is FIATA member since 1998. At present, the organization has 45 member companies, mainly active in railway transport and road transport.

Railway transport is still part of the Ministry, and state controlled, and in practice rail forwarding and road forwarding are separated in different companies. AEM-Trans has two vice-presidents, one for rail and one for road.

The majority of road forwarding companies, is also road carrier (>90%). Pure forwarding companies hardly exist.
AEM-Trans provides for its members:

- FIATA training courses.
- Lobbying towards government.
- Information supply.
- Publications.

Specifics for forwarding:

- There is no licensing system, this was abolished 5 years ago. Half of the member companies would like to introduce this again, the other half is opposed to this idea.
- There is no Law on Freight Forwarding. A draft law was developed; AEM-Trans participated in the process, but at the last moment (November 2004) it was rejected by the government.
- According to the new ‘Moldova Development Plan 2005-2009’ (point 297), which was adopted by the government at 1/8/2005, a new law on services on forwarding has to be elaborated in 2006.
- In several laws and codes, transport and forwarding are mentioned. Not much attention is given to freight forwarding because this activity was non-existing several years ago.
- The Freight Forwarders Association thinks that a special law is urgently needed, as nothing is arranged now.
- The forwarding company is not recognized as a principal, only as third party/intermediary. The forwarder does not have the same rights as the owner of the goods.
- There are no legal requirements on the need to have FIATA diploma’s.
- There is no need to demand member companies to have FIATA diploma’s, as in practice many people participate already on a voluntary basis in the FIATA training programmes.
- Registration of a freight forwarding company: no special requirements, normal procedures as for every other company.
- Because of this many small forwarding companies emerge. It negatively affects the industry.
- Freight rates: in railways regulated by the Ministry (published). In other modes: free.
- FBL can be issued by the association (since 4 years), but it is not used in Moldova. Clients asking for FBL are mainly clients outside Moldova.
- The majority of transport is transit (80-90%). Forwarders consequently are mainly active in transit. Import/export is limited.
- Liability is according the regulations for the modes of transport.
- The insurance system is well developed.

As the Association is well developed, support may be less than in other countries. A welcome contribution is to review the services now offered by the Association, in comparison with the services of the associations in other countries. Especially the development of a modern website could be helpful: use the web-site for information downloading by its members, information on FIATA courses, consultation on dangerous cargoes.

Training for the transport sector is well organised in Moldova, especially through CIPTI, which is the training centre for international transport. CIPTI was set up by AITA, the International Road Haulage Association in Moldova, and is accredited by the IRU Academy. The facilities of CIPTI are used by AEM-Trans to execute FIATA training programmes. In total CIPTI will organize 26 programmes in 2006, mainly focusing at road transport (driver training, dangerous goods, CPC for managers, accounting, quality, technical courses, FIATA Freight Forwarding, etc.). Other modes (e.g. rail, water, air) are only included in the forwarder’s training programme. The FIATA training course is already web-based, this was done as part of a project by French experts. However, as the course materials of the project will be translated into an e-learning environment, it will be very interesting for AEM.

A topic of great interest is container transport. With the opening of a port along the Danube in near future, Moldova will have direct access to the Black Sea. Container transport will develop, and consequently the need for qualified staff will increase.
Since Mr. Taran is both the President of the Freight Forwarders Association and the Director of the training centre CIPTI, it is decided to appoint Mr. Taran as the local coordinator.

**Visit to Uzbekistan, February 13-17, 2006**

Mikhail Prokofiev paid a visit to Uzbekistan between February 13-17, 2006.

The Uzbek International Forwarders Association (UIFA) was established and became member of the International Federation of Forwarding Associations (FIATA) in 1996. At present the Association includes 45 organizations: 13 ordinary members, 9 of which are the associated members of FIATA; 7 associated members, 1 of which is the associated member of FIATA; 23 individual members; and 2 organizations as observers. The Uzbek International Forwarders Association is registered within the Ministry of Justice of the Republic of Uzbekistan (registration number 1152). By the order of the Cabinet of Ministries of the Republic of Uzbekistan JV 133-f of 2.04.97. the Uzbek International Forwarders Association is authorized to carry out execute the tasks to maintain and further develop transport-forwarding services in Uzbekistan in compliance with international standards and requirements of FIATA, and also to implement a uniform policy in field of freight forwarding. The Association executes its activity according to the Law of Republic of Uzbekistan "About non-state and non-commercial organizations", other acts and the Articles of Association.

UIFA has the rights on printing and distribution of the following international unified commodity-transport and transport-forwarding documents and forms of FIATA:

- The Negotiable FIATA Multimodal Transport Bill of Lading (FBL);
- The Forwarder's Certificate of Transport (FCT);
- The Forwarders Certificate of Receipt (FCR);
- FIATA Warehouse Receipt (FWR);
- FIATA Forwarding Instructions (FFI);
- Shipper's Declaration for Transport of Dangerous Goods (SDT);
- Non-Negotiable FIATA Multimodal Transport Waybill (FWB);
- Shippers Intermodal Weight Certification (SIC).

UIFA has received the special certificate permitting to carry out professional training of the staff in transport-forwarding industry.

There is no license requirement for freight forwarding. This was abolished a number of years ago. In the new draft law on freight forwarding, this will not be reintroduced.

The management of UzbyuroKES expresses complete support to the project and assures, that it will promote duly issue of visa to all participants of the project in the terms stipulated by the legislation of Uzbekistan.

Various educational institutions were visited as the Tashkent Automobile and Road Construction Institute and Tashkent Institute of Railway Engineers to explore the training facilities in the field of transport, freight forwarding and logistics. Many trainers showed great interest in the project and managers of the institutes promised complete support for the project. Also contact was established with Mr. Kaahramon Sudiknazarov, the President of Association of International Road Carriers, who is also the professor at Tashkent Automobile and Road Construction Institute. This association is the long-term partner of UIFA and will render the maximal support to the project.

Mr. Anvar Urunov from UIFA will be the local coordinator of the project.
Visit to UN-ECE in Geneva, February 16-17, 2006

Mark Booker and Rene Meeuws visited UN-ECE and UNCTAD in Geneva on February 16-17, 2006.

Mr. Magold informed us about the proceedings of the UNCTAD/ICC Rules for Multimodal Transport. A final draft of the convention is in preparation and will be launched later this year. It is not expected that many countries will adhere to this new proposal. Some countries will use useful elements from the proposal for their own domestic legislation.

UN ECE is becoming more involved in the TRACECA countries albeit slowly. He would like to be informed about the progress of the project and may contribute later in one of the seminars the project is going to organise.

Mr. Apostolov is promoting the international use of standardized electronic trade documents and very active in the TRACECA region. He may be involved in later stages of the project and would like to receive the reports. He promised to send us some of his projects.

Mrs. Asariotis may provide services as peer reviewer of the legal analysis and proposals the project is going to produce, in particular in the field of intermodal transport and civil liability.

Visit to Azerbaijan, 20-23 February, 2006

A visit was paid to Azerbaijan between February 20-23, 2006 by Rene Meeuws, Robbert Lunsingh Scheurleer and Elizabeth van Groll.

Meetings were held with the National Secretary of the TRACECA Inter Governmental Commission and several freight forwarding companies. Also a meeting was held with senior monitor Mr. Tornike Gotsiridze and Mr. Fuad Bagirov, monitor in Azerbaijan.

The National Secretary of the TRACECA Inter Governmental Commission in Azerbaijan, Mr. Akif Mustafayev would like to see a working association re-established in Azerbaijan. The re-establishment of such a FIATA based association should be supported and promoted by the Ministry of Transport.

The possibility of organizing a seminar to present the project to the key stakeholders in Azerbaijan is discussed. The seminar will bring together representatives from the freight forwarding sector and the Ministry of Transport. The Seminar will focus on finding a common ground for the possible future establishment of a freight forwarder association. A starting point could be the drafting of a code of conduct for freight forwarding in Azerbaijan. This could be the first step towards re-establishing an association. Invitations will be sent out by Mr. Mustafayev. He will convene with the Ministry of Transport for the compilation of the list of invitations. The Ministry might host the seminar. The proposed date for the seminar will be May 24, 2006.

As part of his Master thesis Mr. Mamedov, Director Operations of Blue Water Shipping, has drafted a Freight Forwarders Law for Azerbaijan. The law is now somewhere circulating in the Ministry of Transport for evaluation and it has not been set into force nor is it clear what status the document has now.

Several freight forwarders in Azerbaijan are very much in favour of a Freight Forwarders Association that is able to represent and defend the interests of the sector. Such an association can not be set up by one of the companies because of the fierce competition in the sector. Therefore such an initiative should be taken through the Ministry of Transport or through TRACECA.
Visit EuropeAid Co-operation Office in Brussels, Belgium, February 24, 2006

On February 24, 2006 a visit was paid by Mr. René Meeuws to the EuropeAid Co-operation Office of the European Commission in Brussels, Belgium.

CVs of foreign experts and local experts (coordinators) should be submitted to Mr. Boitsios for approval. This should be done one month prior to use their expertise. It is thus urgent to submit the CV’s of the local experts.

Mr. Boitsios informed several institutions in the TRACECA countries that the project only provides technical assistance and not material assistance. Translation of course materials into the national language should not be carried out.

Many associations expressed the wish to receive technical assistance for the setting-up of a web site. It is a good idea to try to establish a network between them. Mr. Boitsios would like to receive names of responsible persons of the associations in this respect.

Appraisal of the technical annexes of the MLA is a delicate matter. It is important to be clear about the future legal steps; firstly: code of conduct, business code for members of the associations; secondly, simplified scheme for freight forwarding business in optional legal regulation at national level (liability; limits to liability; time frames).

Dates and candidates of training events, workshops and seminars to be paid out of the incidental expenditures require prior approval by Mr. Boitsios. This applies also for national seminars.

Visit to Ukraine, February 27 – March 2, 2006

Rene Meeuws paid a visit to Ukraine between February 27 until March 2, 2006.

Meetings were held with the Ministry of Transport and the deputy of the National Secretary of the TRACECA Inter Governmental Commission.

Visit to Kazakhstan and the Kyrgyz Republic, February 27 – March 3, 2006

A combined visit was paid to Kazakhstan and the Kyrgyz Republic by Mikhail Prokofiev, Norbert Wagener and Menno Langeveld between February 27 and March 3, 2006.

Kazakhstan

Whereas in the early nineties practically all forwarders were intermediaries between the railways, at present several international freight forwarders exist. There is a tendency of specialization of forwarders, e.g. into the fields of rail, sea, dangerous goods etc.

About 75% of the Kazakhstan cargo volume is organized by forwarding companies (according to ANEK 2005). About 90 % of all transport is reported to be railway transport, of which 40% with private wagons. The majority of customers have their own warehouses. Here seems to be room for developing warehousing services through forwarders (outsourcing).

ANEK is the Kazakhstan Freight Forwarder Association. (website www.kffanek.kz) and founded in 1997 by 27 leading freight forwarders, the Ministry of Transport and Communication and the National Railways. ANEK associates now about 70 companies; 16 of them are full members; the remaining are associated members. Four freight forwarder liability insurance companies are member of ANEK.
The annual membership fees differ between 7,500 USD (full member) and 1,000 USD (associated member). The differentiation of members and membership fees is under discussion now. An exchange of experiences with European associations would be most welcomed.

Main services of ANEK are:
- Advisory body for Ministry of Transport
- Advisory body for Customs and financial authorities
- Information for members
- Professional education
- Issuing FIATA documents

Legal situation of the freight forwarding industry

A Preferential Customs System (PCS) was approved by the Kazakhstan Customs Control Agency, which allows the forwarders to offer forwarding and Customs services in one package. This will facilitate the procedures of border crossing. A pool of insurance companies “Kden insurance” was established to implement the PCS.

The development and adoption of regulations on forwarding is in process now. There is a discussion to which extent regulations on forwarding should be mandatory state law or recommendations for contracts. The FIATA Model Rules and the MLA Technical Annex on Freight Forwarding Operations should be taken as a point of departure for discussion and adaptation to the Kazakh context.

Technical assistance was requested concerning the implementation of the Customs Convention on Container Transportation dated 1972 Geneva. Kazakhstan signed this convention, but the implementation through Kazakh Customs is not clear yet.

Training

In 2001 the Association established the Logistics Centre offering vocational training in the freight forwarding business. The Logistic Center of ANEK provides the following training courses for specialists and managers in forwarding:

- International freight forwarding (FIATA Diploma) for people with minimum two years working experiences, 15 days in 1 year, fee 800 Euro
- International freight forwarding (FIATA Diploma) for people with no practical working experiences, but higher education background, 27 days in 1 year, fee 1,000 Euro
- Management of cargo transportation and transport logistics seminar, 5 days (6 hours), fee 230 Euro
- Transport of out-of-gauge-cargoes in railway transportation seminar, 10 x 0,5 days, fee 230 Euro
- Specialist for Customs clearance course for further qualification, two weeks, fee 225 Euro
- Course in Kazakh language (beginners course) 3 months, fee 135 Euro
• Dangerous goods transportation in different modes of transport seminar, 10 x 0.5 days, fee 235 Euro

Up to now 72 FIATA diplomas have been issued already. The institute has one suitable lecturing room (about 20 places) and 1-2 office rooms. There are 2-3 employees and freelance teachers. The ANEK course material on FIATA Minimum Standards (approved by FIATA) was received in Russian language, which is comprehensive, adjusted to Kazakhstan conditions and according to our first impression very suitable. The course material could benefit from adding interactive components. The examination material is done in multiple choice questions. An off-line software based learning material is available on CD. Although the course material is already well developed, the institute could benefit from the project by implementing distance learning solutions. The institute receives financial support from ANEK but tries to become self-sustainable.

**Strengthening of the Association**

ANEK is well developed organization. The project may contribute to a review of the services of the Association, the organizational setting and financial base (membership fees).

The recipient expects the following benefits from the project:
- improved knowledge, through train the trainer programmes
- exchange of information
- support with literature and distance learning material
- recommendation of FIATA rules to government
- information to forwarders about possibilities and benefits of using FIATA documents.

The date of the seminar in Almaty in September 2006 coincides with the preparations for the FIATA congress in Shanghai. Therefore, another date should be fixed for the realization of this event.

Mr. Bragin will be local coordinator of the project.

**Kyrgyz Republic**

On March 1 meetings took place with the Deputy Minister of Education Prof. Dr. Kanybek and the national coordinator Dr. Davljatov. The deputy minister was informed about the project objectives and he promised full support. On March 2 a project presentation and discussion was organized with 28 participants from the Autotransport Technikum; University; freight forwarding industry; and the Freight Forwarder Association. Also the deputy Minister of Transport, Mr. Isakov, expressed his full support to the project.

AEK Association of Freight Forwarders of the Kyrgyz Republic and KTA Association of Transport Operators of the Kyrgyz Republic work together within one Union. AEK is already accepted member of FIATA. This information was expressed by Mr. Shabdanaliev (General Secretary of AEK) and is also mentioned on the FIATA website. So the statement in the Terms of Reference that the Kyrgyz Republic has no forwarder association is obsolete. However, AEK needs technical support to further develop member services.

AEK does not carry out training programmes for forwarders, according to our information. Kyrgyz Forwarders expressed that they lack of professional education. They mainly “learn by doing”. The forwarder training programmes of ANEK in Kazakhstan are well known and sometimes Kyrgyz forwarders participate in training programmes organized by ANEK. However, there are considered to be quite expensive.

FIATA documents play actually no role in the Kyrgyz Republic. As they are issued in English language only, it certainly hampers their understanding and acceptance. Russian versions of FIATA documents would facilitate their application as it was the case with the IRU documents in past. IRU documents are issued in Russian and widely used.
Dr. Ulobek R. Davljatov is nominated as national coordinator.

March 2006

*Visit to Romania, March 15-16, 2006*

Rene Meeuws paid a visit to Romania between on March 15-16, 2006.

Meetings were held the National Secretary of the TRACECA Inter Governmental Commission and the Ministry of Transport, Construction and Housing. Also contacts were established with the U.S.E.R., the association of freight forwarders in Romania.

*Visit to FIATA in Zurich, March 24, 2006*

Norbert Wagener and Mikhail Prokofiev visited FIATA in Zurich to present the project at the meeting of the Advisory Body Vocational training of FIATA and to discuss the contents of the FIATA Diploma training course materials and the methodology of training.

*Visit to Uzbekistan and Kazakhstan, March 27-31, 2006*

Rene Meeuws and Mikhail Prokofiev paid a visit to Uzbekistan to start the preparations for the training event that will take place in Tashkent between June 19-23, 2006. Final agreement has been reached with the Uzbek International Forwarders Association (UIFA) about the joint implementation of the project and the establishment of a regional project support unit in Tashkent managed by UIFA. The visa problems experienced in the inception stage of the project seem to be solved.

Mr. Anvar Urunov was nominated as local coordinator for the project support unit in Tashkent.

Rene Meeuws has also a meeting in Almaty with the National Secretary of the TRACECA Inter Governmental Commission in Kazakhstan, Murat Bekmagambetov, to brief him about the progress of the project.
4.2 Status of achievement of project objectives

The project is on schedule in the realization of the main project objectives.

4.2.1 Promotion of necessary changes in the regulation

In the period from October-March all countries have been visited with the exception of Turkmenistan and a start has been made to analyse the existing situation of the freight forwarding industry and in particular the existing legal framework for freight forwarding activities. This analysis will continue in the next reporting period and will form the basis for the country reports.

In most countries there seems to be a trend to liberalize the profession of freight forwarder and to abolish or limit legal regulations for the freight forwarding industry and licensing regimes for the freight forwarders branch to a minimum. In particular Governments (e.g. Ministries of Transport) seem to adhere this position. The freight forwarding industry, and the National Associations of Freight Forwarders in particular, is divided on this issue. Most of the Associations do want legal recognition of the profession of freight forwarder, for instance by defining the profession in the Civil Code, which also may prescribe that the freight forwarder assumes certain civil liability for the cargo as a minimum guarantee for consumer protection.

A preliminary legal analysis has been made of international conventions and international business practices, which affect freight forwarding activities. The following documents have been analyzed:

- Technical Annex on Freight Forwarding of the TRACECA Multilateral Agreement.
- Technical Annex on Multimodal Transport of the TRACECA Multilateral Agreement.
- FIATA Model Rules for Freight Forwarding Activities.
- FIATA Multimodal Bill of Lading (FBL).

The objective of this analysis is to develop a workable, simplified scheme based on existing international practices which prescribes minimum civil liability regimes for freight forwarding activities. In Annex 6 the detailed legal studies can be found, which ultimately will form the basis for such a civil liability scheme. According to the present way of thinking, such a simplified scheme will most probably be based on the FIATA Model Rules with some elements from the UNCTAD/ICC Rules on Multimodal Transport Operations.

4.2.2 Strengthening of National Freight Forwarders Associations

Important steps have been made in the carrying out of Task 2A, Setting-up of freight forwarders associations in the Kyrgyz Republic, Turkmenistan and Tajikistan and the re-establishment of a freight forwarders association in Azerbaijan.

In the Kyrgyz Republic a freight forwarders association does exist: AEK Association of Freight Forwarders of Kyrgyz Republic. AEK is member of FIATA. The Association works together with KTA Association of Transport Operators of the Kyrgyz Republic within one Union. It is important now to give body to this association by developing new activities.

Under the umbrella of Abbat, the Association of Road Carriers, a Freight Forwarders Association was established in Tajikistan in September 2005. This new association is applying for FIATA membership and the project was requested to assist in this application.

In Azerbaijan the National Association of Freight Forwarders ceased to exist a couple of years ago. However, discussions held with several freight forwarding companies, with the Ministry of Transport and with the National Secretary of the IGC of TRACECA of Azerbaijan resulted in an initiative to try to re-
establish an national association. Important corner stone is whether the association will succeed in providing services for its members. This is also part of the challenge of the project.

An inventory of the main difficulties of the national associations of freight forwarders has been made. One of the main reasons for becoming member of a national association of freight forwarders acknowledged by FIATA is the opportunity to make use of FIATA documents in international freight forwarding operations. However, companies may also use other types of documents issued by specific shipping companies or national authorities.

Provision of training may be another activity which a national association of freight forwarders may promote for its members, but also for non-members.

Associations may also unite members around an accepted business code of conduct or type of model rules such as the FIATA model rules. Some associations proclaim that there members offer general conditions concerning their freight forwarding activities towards their clients.

4.2.3 Specialist Training for freight forwarders

A training needs assessment among the main stakeholders in the freight forwarding industry is being carried out, which will be finalized by the end of April 2006. This training needs assessment is carried out through completion of a disseminated questionnaire, which also serves as an application form for the training programmes, that the project plans to implement. The outcome of the training needs assessment and the completion of the application form will be used to select trainees for the different training events.

One of the most important training events will be the organization of three training programmes in Georgia, Uzbekistan and Ukraine, respectively on the FIATA Diploma in Freight Forwarding. For this FIATA Diploma Course in Freight Forwarding training materials are being developed. The first draft of these materials was finalized in March 2006 and is now in the process of revision. The training materials consist of 12 modules and follow in detail the training requirements defined by the FIATA Advisory Body Vocational Training.

Also a start has been made to translate the training materials into an e-learning environment to facilitate distance learning. A Instruction Guide has been elaborated for this purpose.

4.3 Project Administration

On February 6, 2006 Side letter No. 1 to contract 120540 was received with the approval of the short term international experts. A copy of this letter is attached in Annex 9.
5 Project planning for next reporting period

The main milestones of the project in terms of events, which will be organized are the following:

**June 5-9, 2006**

Training (of trainers) in training programme for FIATA Diploma Freight Forwarding and presentation of training materials.

**Venue:** Tbilisi, Georgia.

**Participants:** in principle 6 participants from each of the following countries: Armenia, Georgia and Azerbaijan, totalling 18 participants.

**June 19-23, 2006**

Training (of trainers) in training programme for FIATA Diploma Freight Forwarding and presentation of training materials.

**Venue:** Tashkent, Uzbekistan.

**Participants:** in principle 6 participants from each of the following countries: Kazakhstan, Kyrgyz Republic, Tajikistan, Uzbekistan and Turkmenistan.

**July 3-7, 2006**

Training (of trainers) in training programme for FIATA Diploma Freight Forwarding and presentation of training materials.

**Venue:** Odessa, Ukraine.

**Participants:** in principle 6 participants from each of the following countries: Ukraine and Moldova.

**August 28–September 1, 2006**

Training of managers/trainers in distance learning and e-learning management.

**Venue:** Almaty, Kazakhstan.

**Participants:** in principle 2 participants from each of the following countries: Kazakhstan, Kyrgyz Republic, Tajikistan, Uzbekistan, Turkmenistan, Azerbaijan, Georgia, Armenia, Ukraine, Moldova.

It is envisaged that during the next reporting period substantial progress will be made in achieving the following results:

- An analysis of the legal situation of the freight forwarding industry in each of the TRACECA countries.
- Recommendations for a national and international legal framework for the freight forwarding industry in the TRACECA countries.
- Guidelines for business planning of the national freight forwarders associations to strengthen the associations.
- Technical assistance in (re)establishing national associations of freight forwarders in Kyrgyz Republic, Tajikistan, Turkmenistan and Azerbaijan.
- A full set of course materials for the FIATA Diploma training programme in freight forwarding in English and Russian in full compliance with the FIATA requirements.
- A training plan including training materials for offering training through distance learning working in an e-learning environment.
- Capacity development of managers, trainers and experts in several issues relevant for the freight forwarding industry through the organisation of workshops, seminars and training programmes.
Annex 1  Project Interim Report
(Form 2.2)

<table>
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<tr>
<th>No</th>
<th>ACTIVITIES IMPLEMENTED</th>
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<th>LOCAL PARTNER (M-d +)</th>
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### Project title:
Freight Forwarders Training Courses (TRACECA)

#### Project number:
EUROPEAID/120540/C/SV/MULTI

#### Country:
Armenia, Azerbaijan, Georgia, Kazakhstan, Kyrgyz Republic, Moldova, Tajikistan, Turkmenistan, Ukraine, Uzbekistan

### Planning period:
10/2005 - 03/2006

### Prepared on:
March 2006

### Contractor:
NEA and its partners in the consortium Wagener & Herbst Management Consultants GmbH, TRADEMCO, Shipping and Transport College Rotterdam

### Project objectives:
To facilitate multi-modal transport and enable faster, safer and more reliable and efficient transport on the TRACECA corridor in order to increase security and improve access to international markets and increase the competitiveness of the TRACECA corridors.

The strengthening of the freight forwarder sector in the TRACECA countries through transfer of knowledge, capacity building for freight forwarders associations that are strong and able to take ownership of the further development and professionalism of the freight forwarding and develop improvement measures for the regulatory set-up.

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<td>Utilised</td>
</tr>
<tr>
<td>14</td>
<td>Execution training measures</td>
<td>10 11 12 1 2 3</td>
<td>10 11 12 1 2 3</td>
<td>x x x x</td>
<td>78 80 0 0</td>
<td>- -</td>
<td>- -</td>
</tr>
<tr>
<td>15</td>
<td>Training impact assessment</td>
<td></td>
<td></td>
<td></td>
<td>0 0 0 0</td>
<td>- -</td>
<td>- -</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td></td>
<td></td>
<td>380 382 60 60</td>
<td>- -</td>
<td>- -</td>
<td>- -</td>
</tr>
</tbody>
</table>
### Annex 2 Resource Utilisation Report

#### (Form 2.3)

**Project title:** Freight Forwarders Training Courses (TRACECA)  
**Project number:** EUROPEAID/120540/C/SV/MULTI  
**Country:** Armenia, Azerbaijan, Georgia, Kazakhstan, Kyrgyz Republic, Moldova, Tajikistan, Turkmenistan, Ukraine, Uzbekistan  
**Prepared on:** March 2006  
**Contractor:** NEA and its partners in the consortium Wagener & Herbst Management Consultants GmbH, TRADEMCO, Shipping and Transport College Rotterdam

**Planning period:** 10/2005 - 03/2006  
**Prepared on:** March 2006  
**Contractor:** NEA and its partners in the consortium Wagener & Herbst Management Consultants GmbH, TRADEMCO, Shipping and Transport College Rotterdam

**Project objectives:**
To facilitate multi-modal transport and enable faster, safer and more reliable and efficient transport on the TRACECA corridor in order to increase security and improve access to international markets and increase the competitiveness of the TRACECA corridors. The strengthening of the freight forwarder sector in the TRACECA countries through transfer of knowledge, capacity building for freight forwarders associations that are strong and able to take ownership of the further development and professionalism of the freight forwarding and develop improvement measures for the regulatory set-up.

<table>
<thead>
<tr>
<th>RESOURCES/INPUTS</th>
<th>TOTAL PLANNED</th>
<th>PERIOD PLANNED</th>
<th>PERIOD REALISED</th>
<th>TOTAL REALISED</th>
<th>AVAILABLE FOR REMAINDER</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>PERSONNEL (in man days)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Team Leader</td>
<td>295</td>
<td>90</td>
<td>88</td>
<td>88</td>
<td>207</td>
</tr>
<tr>
<td>Trade and Transport Expert</td>
<td>200</td>
<td>70</td>
<td>74</td>
<td>74</td>
<td>126</td>
</tr>
<tr>
<td>Academic Director</td>
<td>165</td>
<td>55</td>
<td>59</td>
<td>59</td>
<td>106</td>
</tr>
<tr>
<td>Training and Project Coordinator</td>
<td>420</td>
<td>128</td>
<td>128</td>
<td>128</td>
<td>292</td>
</tr>
<tr>
<td>International senior experts</td>
<td>290</td>
<td>25</td>
<td>33</td>
<td>33</td>
<td>257</td>
</tr>
<tr>
<td>Local senior experts</td>
<td>240</td>
<td>60</td>
<td>60</td>
<td>60</td>
<td>180</td>
</tr>
<tr>
<td>Total</td>
<td>1610</td>
<td>440</td>
<td>442</td>
<td>442</td>
<td>1168</td>
</tr>
<tr>
<td>Incidental Expenditures in euro</td>
<td>630,000</td>
<td>83,250</td>
<td>63,400</td>
<td>63,400</td>
<td>566,600</td>
</tr>
</tbody>
</table>
## Annex 3 Output Performance Report

(Form 2.4)

<table>
<thead>
<tr>
<th>Output results</th>
<th>Deviation original plan + or - %</th>
<th>Reason for deviation</th>
<th>Comment</th>
</tr>
</thead>
</table>
| Promotion of necessary changes in legislation                                   |                                  |                                                                                                           |榆
| Analysis of the existing situation regarding legal and regulatory framework freight forwarding industry | No deviation.                     |                                                                                                           |榆
| Benchmark with European countries and recommendations for changes in the regulatory framework | No deviation.                     |                                                                                                           |榆
| Strengthening national freight forwarders associations                          |                                  |                                                                                                           |榆
| Setting up freight forwarder association in the Kyrgyz Republic, Turkmenistan and Tajikistan; re-establish freight forwarder association in Azerbaijan | + 10%                            | Progress in establishing freight forwarder associations in the Kyrgyz Republic and Tajikistan as there already existed the minimum infrastructure for such an association. | Turkmenistan still has to endorse the implementation of the project. In Azerbaijan the national association of freight forwarders has to be re-established. |
| Encouragement of and assistance to the foundation of training centres           | Not applicable yet.              |                                                                                                           |榆
| Specialist training for freight forwarders                                      |                                  |                                                                                                           |榆
| Training needs assessment freight forwarders                                   | - 5-10%                         | Discontinuous feedback from several countries, in order to allow to participate for all countries, deadline was several times prolonged | Will be finalized by the end of April 2006. |

Project title: Freight Forwarders Training Courses (TRACECA)

Project number: EUROPEAID/120540/C/SV/MULTI

Country: Armenia, Azerbaijan, Georgia, Kazakhstan, Kyrgyz Republic, Moldova, Tajikistan, Turkmenistan, Ukraine, Uzbekistan


Prepared on: March 2006

Contractor: NEA and its partners in the consortium Wagener & Herbst Management Consultants GmbH, TRADEMCO, Shipping and Transport College Rotterdam
<table>
<thead>
<tr>
<th>Output results</th>
<th>Deviation original plan + or - %</th>
<th>Reason for deviation</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Selection and development of training materials</td>
<td>- 5-10%</td>
<td>Discontinuous feedback from several countries, in order to allow to participate for all countries, deadline was several times prolonged</td>
<td>Will be finalized by the end of April 2006.</td>
</tr>
</tbody>
</table>
### Annex 4 Plan of Operations for the Next Period (Work programme) (Form 1.6)

<table>
<thead>
<tr>
<th>No</th>
<th>ACTIVITIES</th>
<th>TIME FRAME (2006 months)</th>
<th>INPUTS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>04</td>
<td>05</td>
</tr>
<tr>
<td>1</td>
<td>Analysis existing situation regarding legal and regulatory framework for the freight forwarding industry</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>2</td>
<td>Benchmark with European countries and recommendations for changes in the regulatory framework for the freight forwarding industry</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>3</td>
<td>Promotion of changes in the regulatory framework for the freight forwarding industry</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>4</td>
<td>Study tour aiming at dissemination of project findings among major decision-makers of regulatory bodies</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

**Project title:** Freight Forwarders Training Courses (TRACECA)  
**Project number:** EUROPEAID/120540/C/SV/MULTI  
**Country:** Armenia, Azerbaijan, Georgia, Kazakhstan, Kyrgyz Republic, Moldova, Tajikistan, Turkmenistan, Ukraine, Uzbekistan  
**Planning period:** 10/2005 - 03/2006  
**Prepared on:** March 2006  
**Contractor:** NEA and its partners in the consortium Wagener & Herbst Management Consultants GmbH, TRADEMCO, Shipping and Transport College Rotterdam  

**Project objectives:**  
To facilitate multi-modal transport and enable faster, safer and more reliable and efficient transport on the TRACECA corridor in order to increase security and improve access to international markets and increase the competitiveness of the TRACECA corridors.  
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Project title: Freight Forwarders Training Courses (TRACECA)
Project number: EUROPEAID/120540/C/SV/MULTI
Country: Armenia, Azerbaijan, Georgia, Kazakhstan, Kyrgyz Republic, Moldova, Tajikistan, Turkmenistan, Ukraine, Uzbekistan
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**Project objectives:**
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<table>
<thead>
<tr>
<th>No</th>
<th>ACTIVITIES</th>
<th>2006 (months)</th>
<th>PERSONNEL (Man-Days)</th>
<th>EQUIPMENT AND MATERIAL</th>
<th>OTHER</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>Setting up freight forwarders associations in Kyrgyz Republic, Turkmenistan and Tajikistan</td>
<td>x x x x x x</td>
<td>33 5</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>6</td>
<td>Inventory of difficulties encountered and an outline of a strategy for strengthening associations</td>
<td>x x x x x x</td>
<td>40 10</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>7</td>
<td>Advising existing freight forwarders associations</td>
<td>x x x x x x</td>
<td>10 5</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>8</td>
<td>Encouragement of and assistance to the foundation of training centres</td>
<td>x x x x x x</td>
<td>10 5</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>9</td>
<td>Dissemination of information for freight forwarders</td>
<td>x x x x x x x x x x</td>
<td>10 5</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>10</td>
<td>Study tour for freight forwarders associations to Europe</td>
<td>x x</td>
<td>30 5</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>11</td>
<td>Training needs assessment freight forwarders</td>
<td></td>
<td>0 0</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

*TRACECA*

FREIGHT FORWARDERS TRAINING COURSES - INTERIM REPORT 1
March 2006
44
# Freight Forwarders Training Courses (TRACECA)

**Project title:** Freight Forwarders Training Courses (TRACECA)  
**Project number:** EUROPEAID/120540/C/SV/MULTI  
**Country:** Armenia, Azerbaijan, Georgia, Kazakhstan, Kyrgyz Republic, Moldova, Tajikistan, Turkmenistan, Ukraine, Uzbekistan  
**Planning period:** 10/2005 - 03/2006  
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**Prepared on:** March 2006

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<table>
<thead>
<tr>
<th>No</th>
<th>ACTIVITIES</th>
<th>04</th>
<th>05</th>
<th>06</th>
<th>07</th>
<th>08</th>
<th>09</th>
<th>International</th>
<th>Local</th>
<th>PERSONNEL (Man-Days)</th>
<th>EQUIPMENT AND MATERIAL</th>
<th>OTHER</th>
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</thead>
<tbody>
<tr>
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<td>Selection of trainees</td>
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<td></td>
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<td>0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>Selection and development training materials</td>
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<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>0</td>
<td>30</td>
</tr>
<tr>
<td>14</td>
<td>Execution training measures</td>
<td></td>
<td></td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>124</td>
<td>10</td>
</tr>
<tr>
<td>15</td>
<td>Training impact assessment</td>
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<td></td>
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<td></td>
<td></td>
<td></td>
<td>0</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>TOTAL</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>413</td>
<td>60</td>
<td></td>
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</table>
Annex 5  Contact List

List of major meetings of project staff in the TRACECA Region and elsewhere 10/2005-03/2006

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Armenia</strong></td>
<td></td>
</tr>
<tr>
<td>Mr. Gagik Gregoryan</td>
<td>Intergovernmental Commission TRACECA National Secretary of Armenia and Ministry of Transport and Communication, Head of Foreign Relations Department</td>
</tr>
<tr>
<td>Mrs. Anna Danielyan</td>
<td>General Secretary of Armenian Association of Freight Forwarders</td>
</tr>
<tr>
<td>Mr. Sargis Martirosyan</td>
<td>General Director of Trans-Alliance Ltd.</td>
</tr>
<tr>
<td>Mr. Makar Arakelyan</td>
<td>Managing Director of Sati cjsc International Transport &amp; Tourism</td>
</tr>
<tr>
<td>Mr. Arsen Matikyan</td>
<td>General Manager of Alfatrans</td>
</tr>
<tr>
<td>Mr. Mosik Arzumanian</td>
<td>Executive Director of Unitrans International Freight-Forwarding Company</td>
</tr>
<tr>
<td>Mr. Garik Adamyan</td>
<td>Head of EU TACIS National Coordination Unit</td>
</tr>
<tr>
<td>Dr. Manfred Kaiser</td>
<td>Support to EU TACIS National Coordination Units</td>
</tr>
<tr>
<td><strong>Azerbaijan</strong></td>
<td></td>
</tr>
<tr>
<td>Mr. Mustafayev, Akif</td>
<td>Intergovernmental Commission TRACECA National Secretary of Azerbaijan</td>
</tr>
<tr>
<td>Mr. Farajov, Elmar</td>
<td>Ministry of Transport, International Relations Department, Head of TRACECA &amp; International Projects Unit</td>
</tr>
<tr>
<td>Mr. Bagirov, Fuad</td>
<td>TACIS and the Balkans/Cards Monitoring Programme, Monitor</td>
</tr>
<tr>
<td>Mrs. Gyunel Farzalyeva</td>
<td></td>
</tr>
<tr>
<td>Mr. Nariman Mamedov</td>
<td>Operations Director of Blue Water Shipping Caspian Ltd. And Arbitrator International Commercial Arbitration Court of Azerbaijan</td>
</tr>
<tr>
<td>Mr. Rauf Mammedov</td>
<td>Managing Director of Murphy Shipping &amp; Commercial Services JV</td>
</tr>
<tr>
<td>Mr. Sadraddin Mamedov</td>
<td>Head of Transport Policy and Economy Department of Ministry of Transport</td>
</tr>
<tr>
<td>Mr. Havar Mamedov</td>
<td>Rector of Azerbaijan Technical University</td>
</tr>
<tr>
<td>Mr. Sulhaddin Geozalov</td>
<td>Head of Transport Faculty of Azerbaijan Technical University</td>
</tr>
<tr>
<td>Mr. Marc Graille</td>
<td>Team Leader of Project Scott Wilson at Ministry of Transport</td>
</tr>
<tr>
<td><strong>Georgia</strong></td>
<td></td>
</tr>
<tr>
<td>Mr. David Tsiklauri</td>
<td>Intergovernmental Commission TRACECA National Secretary of Georgia and Deputy Minister of Transport</td>
</tr>
<tr>
<td>Mr. Zurab Shengelia</td>
<td>Secretary General of Association of Freight Forwarders of Georgia</td>
</tr>
<tr>
<td>Mr. Georgi Gogiashvili</td>
<td>Spectrum</td>
</tr>
<tr>
<td>Mr. Tengiz Gogelia</td>
<td>Project Director Regional Infrastructure Development of Millennium Challenge Georgia Fund</td>
</tr>
<tr>
<td>Mr. Mamuka Chantladze</td>
<td></td>
</tr>
</tbody>
</table>
### Kazakhstan

<table>
<thead>
<tr>
<th>Name</th>
<th>Position/Role</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Murat Bekmagambetov</td>
<td>Intergovernmental Commission TRACECA National Secretary of the Republic of Kazakhstan</td>
</tr>
<tr>
<td>Mr. Karl Nehls</td>
<td>Trade Facilitation and Institutional Support</td>
</tr>
<tr>
<td>Mrs. Gulnara Dusupova</td>
<td>Technical Cooperation section of the Delegation of the European Commission in Kazakhstan</td>
</tr>
<tr>
<td>Mr. Andrutskiy Roman</td>
<td>NIITK, Research Institute for transport</td>
</tr>
<tr>
<td>Mr. Eduard Kaplan</td>
<td>CEO of Transystem and Board member of Kazakhstan Freight Forwarders Association</td>
</tr>
<tr>
<td>Mr. K. Nigmatgan Issingardin</td>
<td>Chairman of Kazakhstan Freight Forwarders Association</td>
</tr>
<tr>
<td>Mr. Rafail N. Zaslavskiy</td>
<td>Deputy Executive Director of Kazakhstan Freight Forwarders Association</td>
</tr>
<tr>
<td>Mr. Sergej Bargin</td>
<td>Deputy Director of Kazakhstan Freight Forwarders Association responsible for training</td>
</tr>
<tr>
<td>Mrs. Banu U. Bakasheva</td>
<td>Logistic Centre of Kazakhstan Freight Forwarders Association</td>
</tr>
<tr>
<td>Mr. Ilyas Segal</td>
<td>Project Manager of Delegation of the European Commission</td>
</tr>
<tr>
<td>Mr. Dauren Asanov</td>
<td>Managing Director JSC Kaztransservis</td>
</tr>
<tr>
<td>Mr. Sergey Cheprasov</td>
<td>General Director of Freight Service Ltd.</td>
</tr>
<tr>
<td>Mr. Vitaly Obitchenko</td>
<td>Managing Director of International Forwarding Ltd.</td>
</tr>
<tr>
<td>Mr. Talgat Mustafaev</td>
<td>Vice Director of International forwarding Ltd.</td>
</tr>
<tr>
<td>Mr. Baurdgan Sambaev</td>
<td>Head Department of Tek Atasu Ltd.</td>
</tr>
<tr>
<td>Mrs. Aigul Axmatulina</td>
<td>Head Department of Tek Atasu Ltd.</td>
</tr>
<tr>
<td>Mr. Nikolay Bashkurin</td>
<td>Managing Director of Tranko Ltd.</td>
</tr>
<tr>
<td>Mr. Anuarbek Sabetov</td>
<td>Director of Almaty Dostyk Express Ltd.</td>
</tr>
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</table>

### Kyrgyz Republic

<table>
<thead>
<tr>
<th>Name</th>
<th>Position/Role</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mrs. Aidena E. Beishebaeva</td>
<td>Ministry of Foreign Affairs of the Kyrgyz Republic, Department of Foreign Policy Planning and Multilateral Economic Cooperation, Attaché</td>
</tr>
<tr>
<td>Mr. Nurlan Ch. Sulaimanov</td>
<td>Minister of Transport</td>
</tr>
<tr>
<td>Mr. Ganibek Kasikenov</td>
<td>Head of Automobile and River Transport of the Ministry of Transport</td>
</tr>
<tr>
<td>Mr. Suleyman Zakirov</td>
<td>Mr. Eduard Birilucov Kyrgyz Republic and President of Kyrgyz Republic Freight Forwarders Association</td>
</tr>
<tr>
<td>Mr. Namatbek Oruntaev</td>
<td>Director of Bishkek Automobile Transport Technical College</td>
</tr>
<tr>
<td>Mr. Ulubek Daviliatov</td>
<td>Deputy Director of Bishkek Automobile Transport Technical College</td>
</tr>
<tr>
<td>Mr. Gennady Vilensky</td>
<td>Director of International Freight Motor Enterprise No.7 (MGTAP-7)</td>
</tr>
<tr>
<td>Mr. Askar Oskombaev</td>
<td>Deputy Director of Delegation of the European Commission</td>
</tr>
<tr>
<td>Mr. Erkin A. Isakov</td>
<td>Deputy Minister of Transport</td>
</tr>
<tr>
<td>Prof. Dr. Osmonaliev Kanybek</td>
<td>Deputy Minister of Ministry of Education Science and Youth Policy</td>
</tr>
<tr>
<td>Mr. Temirbek Musayevich Shabadanliev</td>
<td>General Secretary of Union of Associations of Transport Operators and Freight Forwarders</td>
</tr>
<tr>
<td>Mr. Erkin S. Nusupov</td>
<td>Kyrgyz State University of Construction Transportation and Architecture; Director of Institute of transportation and Communication (Intranskom)</td>
</tr>
<tr>
<td>Mrs. Kasjanova Ludmila Ivanovna</td>
<td>Director of OsOO SheldorAsiaCenter</td>
</tr>
<tr>
<td>Mr. Victor Kim</td>
<td>Director of Railfrank Kyrgyz-Switzerland Joint Venture</td>
</tr>
<tr>
<td>Mrs. Olga Vasilenko</td>
<td>Deputy Director of OsOO Uni-Trans</td>
</tr>
</tbody>
</table>
### Moldova

<table>
<thead>
<tr>
<th>Name</th>
<th>Position/Role</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Valentin Dragan</td>
<td>Deputy Minister of Transport and Highway Management</td>
</tr>
<tr>
<td>Mr. Vladimir Radu</td>
<td>Head of Automobile Transport of ministry of Transport and Highway Management</td>
</tr>
<tr>
<td>Mr. Serghei Taran</td>
<td>President of AEM-Trans, Forwarders Association of the Republic of Moldova and Director of CIPTI, Centre for Training in International Transport</td>
</tr>
<tr>
<td>Mr. Eduard Biriucov</td>
<td>Intergovernmental Commission TRACECA National Secretary of the Republic of Moldova</td>
</tr>
<tr>
<td>Mr. Dumitru Solomon</td>
<td>Rector of Academy of Transport</td>
</tr>
<tr>
<td>Mr. Aleksey Kuzy</td>
<td>General Manager of TSM Transservice-M S.A.</td>
</tr>
<tr>
<td>Mr. Pantalei Visan</td>
<td>Director of Moldromukrtrans</td>
</tr>
<tr>
<td>Mrs. Svetlana Pogorila</td>
<td>Director of Expedit Eurotrans</td>
</tr>
<tr>
<td>Mr. Victor Tofan</td>
<td>Director of Politrans</td>
</tr>
<tr>
<td>Mr. Vadim Musteata</td>
<td>Commercial Director of Balcantir</td>
</tr>
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</table>

### Romania

<table>
<thead>
<tr>
<th>Name</th>
<th>Position/Role</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Mihai Grecu</td>
<td>Intergovernmental Commission TRACECA National Secretary of Romania</td>
</tr>
</tbody>
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### Tajikistan

<table>
<thead>
<tr>
<th>Name</th>
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Annex 6  Analysis international regulations on freight forwarding

Analysis of the draft Technical Annex on Freight Forwarding

Overview

This is at present a very unsatisfactory document when read in English but the flaws may partly stem from problems in translation. The MLA makes English and Russian texts equally authentic. It is therefore essential that the English text should make sense, which is not the case in the last published version.

The definitions present difficulties of interpretation, which could be removed if they were replaced by more recognised international examples (for which English and Russian versions exist) and the meaning of which is clearer.

Many of the provisions of the present draft could be left to contract. The Consultant would recommend generally that only where the Civil or Commercial Codes or other national legislation prevents contractual freedom should the TA intervene to provide a uniform system. The Consultant will try to determine which residual areas need to be dealt with in the TA. Among these are likely to be:

- the basis of the forwarder’s liability
- the limits of financial liability
- the time limits for claims and prescription/time bars

The Consultant considers that there may be practical benefits in developing uniform contract conditions for the region as “model rules” while limiting the contents of the Technical Annex only to matters where it is necessary to override national laws by an international law in order to improve the functioning of freight forwarding in the region.

The basis and limits of liability of the forwarder and client as set out in the draft are dangerously unclear in nearly all particulars and need urgent review.

The draft makes no attempt to distinguish between the role of a forwarder as agent or principal. There are strong arguments for suggesting that different provisions should apply to the two roles. It seems to be assumed in most parts of the draft that the forwarder is principal or carrier. The Consultant would recommend further discussion around this issue before any draft is finalised.

Textual analysis of the Draft TA on Freight Forwarding

Article 1: General Provisions

Art 1.1 This conflicts with the definition of such services in Art 2. The scope of the TA is also expressed in such wide terms that it may conflict with other TAs on Road and Rail transport etc. As the first part of the clause does not add anything concrete to the TA it might be better to delete it altogether or to redraft it to deal precisely with the intended scope of the TA.

The second part of Art 1.1 may not allow contract terms to be taken into account but only specific laws, if any. This is probably not the intention. If this part is maintained in the text it would need to be reworded to achieve clarity. Alternatively it could be abandoned without damaging consequences.

Art 1.2 It is probably appropriate to exclude mail traffic. Perhaps consumer transactions should also be excluded, as it seems from the draft that special legislation may exist to cover these in some of the states.
**Article 2: Definitions**

Of the definitions shown, only 6 out of 14 are actually used in the body of the text and one of these (freight forwarding agent) is immediately abbreviated to “agent” when used. Furthermore, some of the definitions are repeated and/or conflicting. The Consultant wonders why the unused definitions were included. If their supposed usefulness relates to some possible future application in another document, it may be better to place the definitions in that document. Here the unused definitions merely cause confusion. No further comment is made at this stage on the unused definitions.

“Freight forwarding activity”. This is neither a clear nor useful definition, though it is used in the text. A reference to “freight forwarding services” throughout would seem much more clear and straightforward.

“freight forwarding services”. Most of the definition is good but the reference to “collecting of procuring payment or documents” is probably based on the FIATA Model Rules and there reads “collecting or procuring payment or documents”. It is at present incomprehensible. The definition, to be clear, should perhaps relate these services to the definition of “freight forwarding agent” below by referring to “services…. carried out by a freight forwarding agent”. The definition may otherwise catch every category of carrier or warehouse keeper as it is presently written.

“freight forwarding agent”. The English needs a little attention but the definition is otherwise ok.

“Client”. There are problems with the English in this definition and it is difficult to see what is gained by referring to “transport agents” who appear nowhere else in the draft TA. Other international examples contain a clearer and more comprehensive definition of “client” or “customer” and should be considered for use.

“Consignee”. There are problems with the English. Also the definition should refer to the entitlement to receive the goods rather than just the physical reception of the goods. There is a good definition in the FIATA FBL.

“Cargo”. The word usually used is “goods” rather than “cargo”. The text refers to both “goods” and “cargo” but only “cargo” is defined. It is not clear why two terms are used and only one is defined. This could lead to confusion. Also it is apparently only property of the consignor that constitutes “cargo”. The consignor as defined will not always own the cargo and, under the present definition, this kind of cargo would be excluded. Further work is needed here to achieve clarity.

**Article 3: Rules of freight forwarding activity**

It is assumed that these rules have not yet been devised. It is good drafting practice to place technical detail in lower level legislation and so this is to be commended here. However, it is also the Consultant’s view that over-regulation of the industry should be avoided and the proposed Rules may become too restrictive. It is essential that they should not inhibit commercial flexibility and new operational initiatives. It may also prove difficult to reach agreement on procedures if the TRACECA IGC insists on placing too much detail in the Rules. Many matters could be left to contract or to existing legislation on business activities.

Some people may also argue that until the Rules are issued, the TA cannot take effect fully. The Consultant needs further information on what it is intended to include in the rules, how they will be brought into force and when.

**Clause or Article 4**

It is not clear why the sections change from “Articles” to “Clauses” between Article 3 and Clause 4. This needs to be standardised with other Technical Annexes, which refer to Articles.

Art 4.1. There are problems with the English. It is also not clear how any conflict between the agent’s interest and the client’s interest is to be resolved. The present wording is unclear on this. Further work is needed here.
Art 4.2 “Consequence transport means” makes no sense in English. The purpose of this clause is unclear. If a contract condition can prevail over a law, as seems to be the intention here, there does not seem to be any point in writing the law as the matter can be left to contract. However, it may be right to restrict the forwarder’s right to choose or change a mode of transport etc only to cases where this is in the interest of the client. Further discussion seems needed here especially as the forwarder’s rights may conflict with those of the client as set out in Art 4.6 below.

Art 4.3. It is not clear what is meant by “in accordance with the conditions of the contract” in this clause. If it means that a lien must also be set out in the contract, one must ask why it is dealt with in this TA. Also, the lien seems to apply only to expenses and not to the charges invoiced by the forwarder, which is surprising. These provisions may conflict with national laws on liens/right of retention and with contract provisions without seeming to confer real benefit on the forwarder.

The client cannot be “responsible” for damage in these circumstances. Such a concept does not make sense in English. However, the forwarder could be made “not responsible”, though there is no reasonable reason why the forwarder should not continue to be responsible for goods over which it exercises a lien. Further discussion is needed of the entire clause.

Art 4.4. The rights seem too wide and too vague and the clause may lead to practical problems if not improved.

Art 4.5. “reliability” should be “accuracy”

Art 4.6. It is not clear how the client’s absolute right to choose the route relates to Art 4.2, which seems in potential conflict. On the other hand, the right to information seems to depend on the contract so one wonders why it is mentioned in the TA and not just left to the contract. Similarly, there is no point in granting a right to give instructions according to the contract, as the contract will then determine the rights and not the TA.

Article 5: Duties of the freight forwarding agent

Art 5.1. This only states the obvious and is considered unnecessary. Worse than this, it creates a possible conflict as a contract may conflict with the TA yet the TA here seems to compel the forwarder to follow the contract.

Art 5.2. Again, the utility of this is unclear, as it seems to create potential conflict between the contract and TA. Also, the subject matter repeats part of Article 4.2. This sub-article additionally demonstrates that the definition of “client” may be too restrictive to cover all the people who should be notified.

Art 5.3. This suggests there may be conflict between consumer legislation and the TA terms or contract terms. The situation requires further consideration and it may be better to exclude consumer contracts altogether and to develop separate procedures for these based on the consumer legislation. At present, the sub-article merely causes possible confusion as to whether the consumer’s rights are determined by the TA or by some other law. Any conflict between the two is not resolved.

Art 5.4. It is not possible to make out any clear meaning in this sub-article, but it may be intended to deal with receipts given by the forwarder on receipt of goods.

Art 5.5. This makes no sense in English. It may mean that the forwarder will not arrange insurance for the client unless this is agreed in the contract.

Article 6: Duties of the client

Art 6.1. The obligations seem very wide. In particular, the Consultant considers that information on “transport conditions” is rather a matter for the professional knowledge of the forwarder than the client.

Art 6.2. This refers to the contract and such matters may be better left to the contract.

Article 7: General base of responsibility

Art 7.1. This does not seem to add anything substantive to the text.

Art 7.2. This is very unclear and unlikely to work in its present form to determine any responsibilities of the client, particularly when cross-referenced to Art 7.4.
Art 7.3 “forwarding service” and “forwarding services” are not defined terms. The reference should be to “freight forwarding services”.
Is it intended that the TA should apply only to international transportation of goods? If so, this should be set out in a proper article on scope of the TA in Article 1.
Is it really intended that the 666.67 SDR limit should apply as the upper limit for any quantity of goods moved as is suggested by the reference to “any single transportation”? This would be a very low limit if say 2000 tonnes were despatched in one complete train for a client.
It is very unclear what is intended by the reference to “point 2 Clause 9”. This whole sub-article requires major revision particularly as it appears to conflict with Articles 8.1 and 8.2. It is not clear what happens about delay and consequential loss.
Art 7.4. This is another unclear provision, which needs entirely rewriting. Also, it qualifies only Art 7 and not 8.
Art 7.5. This seems a dangerously open-ended provision leaving both forwarder and client potentially open to large losses without benefit of limitation, as it is not cross-referenced to Art 7.3.

Article 8: Basis and degree of responsibilities of the agent

It is very unclear how this Article is intended to relate to Article 7. They are quite different in their effect but deal substantially with the same subject matter. This is unsatisfactory.
Art 8.1. “authorised person” is unclear in its context here. “real cost” is thought to be a reference to “value” of the goods. It is confusing to refer to the “amount of compensation” in introducing a-d. Sub articles a-d appear to deal with assessing the value of goods at a particular time and place and are probably poor translations of provisions found in other international instruments. Unfortunately, as presented, they do not make sense though the intention may be that a client should not recover higher compensation than the value of its goods. It is not always easy to calculate the value of goods and some standard rules can help.
Art 8.2. “international freight forwarding service” is not defined but as “freight forwarding services” are defined, there is some confusion caused as to the effect of this provision. As previously mentioned, if it is intended to limit the TA to apply only to international movements, this should be clearly stated. It may be quite difficult to define the scope of the TA as forwarders sometimes limit their service to local activities, though the goods handled will subsequently go abroad. Further discussion is required on this issue, particularly as there are some serious differences with Art 7.3 which applies only to transport of goods, whereas Art 8.2 seems to be wider in scope.
It is not clear why a different limit is used in 8.2 compared to 7.3, nor why the parties may not agree higher compensation if they wish in their contract.
The concept of higher compensation being recoverable if the agent itself recovers more from a carrier is useful for clients given the low limit of liability of the forwarder, but it may prove difficult for clients to prove that the forwarder recovered more. The “third party” or subcontractor should be responsible to the agent and not for the agent as presently shown.
Art 8.3. This seems to be a slightly distorted version of the provision under the CMR.
Art 8.4. This appears to allow full compensation for lost profits. The proviso in Art 8.5 does not seem clear enough to provide any protection, particularly as this again has an undefined reference to “international freight forwarding service”.
Art 8.6. This sets out a further and different way of calculating “value” to that shown in Art 8.2 and it is not clear what the intended relationship between the two sub-articles is.
Art 8.7. This provision is loosely based on CMR but with modifications that tend to make it less precise. Corrections are also needed to the English.

Article 9: Notification of loss, non-delivery and damage to cargo

Art 9.1. The “consignee” is defined in the TA and not the contract, so this reference is potentially confusing. Otherwise the clause only needs slight tidying.
Art 9.2. The period of notice is very long (3 to 7 days is more usual) and the consequences of failure to give notice is not made clear. The long period for notice could prejudice the forwarder’s recourse against carriers who maintain shorter periods.

Article 10: contract execution date

Art 10.1. The sub-article does not presently make any sense in English, but is thought to be intended to deal with delay claims. It seems to be overridden by any contract, which makes it unclear why it is included in the TA.
Art 10.2. The sub-article also has seriously defective English. There seems to be repetition of provisions and lack of clarity. It is also not clear whether the liability of the forwarder is limited or not. Liability appears to be unlimited.

Article 11: Basis and limit of responsibilities of the client to the agent

Art 11.1. This is broadly satisfactory if the English is tidied up though limits on the client liability are not set out. The second sentence deals with a different topic and, for better clarity, could be placed in a separate sub-article.
Art 11.2. This too is broadly satisfactory if the English is improved. The use of these powers will most likely destroy any business relationship between client and forwarder but may be considered useful if court proceedings are taken out to recover a debt from a former client. However, national laws may already deal with such matters.

Article 12: Agreement on changes of responsibility limit of the agent

Art 12.1. This is a useful provision which only needs tidying up. However, it should be noted that it would be in conflict with CMR, which does not allow higher limits. It will work with the sea transport conventions without conflict.
Art 12.2. This too is a useful provision which only needs tidying up.

Article 13: Complaints and claims against the agent

Art 13.1. There is already a requirement for notice in Article 9 and so it is unclear what benefit there can be in also requiring a “complaint” before a claim is made. It would save bureaucratic costs if complaint and claim were combined.
Art 13.2. The list of potential claimants would normally include the consignor.
Art 13.3. Legal procedures for claims may be better left to national legislation.
Art 13.4. The six-month period appears long from the forwarder perspective, as it will be more difficult to gather evidence to defend the claim after such a long time.
Art 13.5. The wording is unclear, particularly the reference to “acceptance date” which may mean “receipt date”.
Art 13.6. This appears satisfactory, subject to improvement of the English.

Article 14: Limitation of actions

The time limitation of 1 year means that the forwarder will potentially face court action too late to be able to proceed against subcontracting carriers, who mostly benefit from a 1-year limitation period. Most international freight forwarders seek a 9-month limitation period in their contracts and this is the basis under the UNCTAD/ICC Rules for a multimodal transport document. The 9 month time bar has, however, not always been accepted by the courts. Further discussion seems appropriate.
Analysis of the draft Technical Annex on Multimodal Transport

Overview

This reads in some places as a more satisfactory document than the draft TA on freight forwarding, because it sometimes quotes directly from the English text of the 1980 Convention on Multimodal Transport. Those particular passages can be clearly understood. However, the document is at least as unsatisfactory overall as the other draft TA on forwarding because there seems to be a failure to understand the mechanisms (network or uniform basis of liability) by which such an instrument can be made to work in practice.

The draft TA tries to run two different systems of multimodal transport under one set of rules and this seems over-ambitious.

It firstly seems to perpetuate many of the characteristics of what the USSR termed “Direct mixed Communication”. This was a special regime for multimodal transport within the USSR and it had elaborate operational rules. Considerable advance notice had to be given of any intended movements and the whole system was suited to the command economy, which in theory at least, no longer exists. There were also some practical timetables for latest times for despatch of goods by inland waterways subject to closure by ice in winter etc. The Consultant suspects that some of the provisions in the draft TA may be adapted from the old USSR legislation and the translation into English is not satisfactory.

Secondly there are a number of provisions drawn straight from the 1980 MT Convention. These are unobjectionable in themselves but they are not built into a coherent framework and potentially conflict with the provisions of the USSR system.

These difficulties with the draft can only be rectified when counterparts have debated and agreed on what system of multimodal transport they wish to adopt in the region. At present it appears to be an unworkable mixture of two different and incompatible systems.

It is also unclear whether it is intended to be restricted to international transits within the region or to all international transits and whether it includes internal domestic transits within the states. It does appear to include such domestic transits.

The proposed system refers constantly to national law of the individual states. It seems as if this law prevails in many places over the TA and, if so, the Consultant wonders why the TA is thought necessary. In such circumstances, the TA may not bring harmonisation but yet another complication in the legal system.

It will not be sensible to carry out further work on this draft until counterparts have agreed much clearer objectives.

An investigation is needed as to whether the Soviet “Direct mixed Communication” is still legally and operationally enforced in the region and whether it meets present requirements. If so, counterparts may wish to retain it for the time being as a separate regime under its own TA, or under bilateral arrangements. The system is unknown outside the former USSR and would not be adopted by some TRACECA states such as Turkey, Bulgaria and Romania. It would also not be acceptable for use with the EU. It may therefore be more appropriate to maintain it bilaterally between states which still find such a system useful pending liberalisation of their transport market, and with Russia if it still maintains such a system. A separate TA could then be developed to deal with western-style multimodal transport operations, compatible with world standards.
Textual analysis of the Draft TA on Multimodal Transport

**Article 1: General Provisions**

The intended geographical scope of the TA is not set out. It regulates relations between “transport entities” (which are not defined) and various others in the chain of multimodal transport. The TA should perhaps retain the same scope as the Basic Multilateral Agreement, which applies to “international transport” as it is defined in the MLA.

The second sentence is taken from the wording of the 1980 Multimodal Convention. If counterparts decide to maintain the system of “Direct Mixed Communication”, this sentence could be extended to exclude that type of operation from the western-style TA.

**Article 2: Definitions**

This draft TA is better than the one on freight forwarding in that most of the definitions set out are actually used in the text.

The exception is “multimodal terminal/node”. For some reason, “hubs”, “centres” and “interchange nodes” are used in the text apparently in place of the defined terminology of “multimodal terminal/node”. There is a danger in defining words which are then used not at all or only intermittently. The danger is that other words must be assumed to have a different sense to those defined, otherwise the defined word would not have been defined. So one has to assume that a “hub” is not the same place as a “multimodal terminal/node” and this raises issues which may in fact not exist. In this case, it is clear that one standard phrase should be agreed to cover all these centres, maybe “multimodal terminal”.

“Multimodal transport” is partly taken from the 1980 MT Convention text, but is a more restrictive definition than the one which appears there, for reasons which are not clear. Its relationship with the definition below urgently requires clarification.

“Direct multimodal transport” is a definition in potential conflict with the one above. It is used only once in the text and not strictly accurately as the text refers to “transportation” in Article 5. Reference has already been made to the problems in the draft caused by trying to deal with two apparently incompatible systems under one technical annexe. The Consultant assumes that “Direct Multimodal Transport” refers to the former USSR “Direct Mixed Communication”. The reference to “using one loading unit” is interesting and needs to be clarified. It cannot be clarified at present as it is not clear what is meant by “one loading unit”. Can the unit be as small as a pallet or does it have to be as large as an ISO container? As the definitions currently stand, only goods not using one loading unit fall under the other definition of “Multimodal transport”.

“Multimodal Transport Operator” is largely taken from the UNCTAD/ICC Rules but the addition at the end of a reference to “or a transport operator” causes confusion.

“Multimodal Transport Contract” is confusing because of the reference to “or other carrier”.

“Multimodal transport document” is taken wholly from the 1980 MT Convention.

Some terms which could usefully be defined, but are not, include “carrier” “consignor” and “consignee”. Suitable definitions may be found in a number of places including the 1980 MT Convention and UNCTAD/ICC Rules.

**Article 3: Purposes**

3.1 This might be better placed in a preamble. The sense of the English is not clear.
3.2 It is not clear which rules are referred to. Are there to be common rules for all the countries or will each of the authorities develop their own rules? These state authorities seem to have a very wide discretion according to Article 3.

Article 4: Organisation of Multimodal Transport of Goods

4.1 It is strange to find a definition coming in here when “multimodal transport” has already been defined in Article 2. It seems to be a repetition of the definition of “multimodal terminal/node” which, is not then used in the text though it appears a useful definition.

The remainder of 4.1 is rather obscure. Firstly, it again seems to stress local, national powers rather than to lay out an international system for TRACECA. It is not made clear whether these national rules are of a higher status than the TA itself, but that is the impression given. It seems to pre-suppose that all services are operated by the state, which already is not the case in most TRACECA states.

The presumed meaning of 4.1 could perhaps be simplified to something such as “The parties shall maintain, update and publish lists of multimodal terminals open for business on their territories”. That would be neutral and factual information, like the list of railway lines subject to COTIF Convention in Western Europe.

4.2 This detail does not seem very useful.

4.3 The English of this sub-article makes no sense.

4.4 The poor English again makes it difficult to understand any sense in much of this long sub-article. The detail also appears excessive. However, the sentence “when handing over goods…” is well expressed, except for the reference to “transport vehicles” where use of an internationally recognised phrase would be better.

The Consultant assumes that the last sentence means that the provision and use of containers is decided by contract. It could be useful to discuss whether there should be a minimum requirement to provide clean and weather tight containers.

4.5 It is not clear why the length of agreements between operators have to be regulated but not many other details. The reference to “contracts or treaties” causes confusion.

4.6 This is a reference to a Soviet system which is increasingly irrelevant in a free market economy. The reference to liability provisions is out of place here and would be better put elsewhere, for example Art 6.

4.7 There is further reference to “Rules” but it is not clear what these are or where they may be found.

Article 5: Documentation of the Multimodal Transport Operation

For some reason none of the paragraphs are numbered, which makes it harder to use this part of the document. On the other hand, most of the detail is taken from the English text of the 1980 MT Convention Articles 5-8 and is therefore easy to follow.

There is a danger in using material without understanding its context and in this article problems may arise from introducing into the 1980 MT scheme of things new references to the SMGS bill and direct multimodal transportation which may create potential conflicts. Also the reference in “n” to “the statement referred to in para 3 of Article 28” is to the MT Convention itself and is incorrect and confusing. You have to understand why you are using particular words and the authors have apparently not followed through what “n” says. In the MT Convention, “n” refers to an Art 28 which states that the MT document must contain a statement that the transport is subject to provisions of the MT Convention which prevent derogation from the Convention to the detriment of the shipper. There is no art 28 requirement in the TA and so “n” should not have been included.

Article 6: Rights and responsibilities of Multimodal Transport Operator

6.1 Common carrier obligations are increasingly rare, but they are introduced here. Also the nature of the obligations is left to national law, which may vary within the region.

6.2 It may be better to refer to the FIATA Rule for guidance. It is not clear how one determines what is a “best mode and route”.

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6.3 Where is the “defined standard period” to be found?

6.4 This is very vague and again it may be worth looking at the FIATA Rules.

6.5 The FIATA Rules have a more straightforward clause on lien.

6.5 The English is very bad here, particularly in the second sentence. The requirement for compulsory insurance merits further discussion though the concept is probably suitable in the TRACECA region provided it is possible to obtain such insurance commercially. The provision on insurance needs to be much more closely related to the liability provisions in the TA.

Article 7: Rights and responsibilities of consignor

7.1 This sub-article seems to have been mis-placed as it seems to relate to the liability of the MTO and would be better placed in Article 6. The right to claim seems to exist only where goods have been lost and not where they have been damaged so the wording needs to be revised to cover both situations. In one place the claimant is given a right to full compensation “equal to the value of the goods lost” but later on the network system applies i.e. the claimant must look to the underlying transport mode to determine compensation. There is no guidance as to what happens when it cannot be established where the loss or damage took place. It would be preferable to use existing international examples to define the basis of liability.

7.2 It is not made clear who is to be instructed by the consignor.

7.3 The final sentence lacks clarity.

Article 8: Responsibility of the MTO

This very important Article shows that the overall approach to multimodal transport was probably not agreed before drafting of the TA began. It is not clear from this article whether a goods owner must claim on the Multimodal Transport Operator or on the underlying carrier, which is a very fundamental confusion. This article also does not make it clear whether a regime of network liability or of uniform liability is established under the TA. Article 7 and 8 in part cover the same issues.

As presently drafted there will be significant practical problems in dealing with claims. It would be better to consider the scheme for liability under the UNCTAD/ICC Rules or the MT Convention. The Article is headed “Responsibility” like Article 6 and might be less confusing if entitled “Basis of liability…”.

8.1 The vital first sentence presently makes no sense in English. It would appear that the TA is subject to national codes and statutes and does not override these. If so, it will have very limited use in increasing predictability and harmonisation.

The second sentence also makes no sense.

The third sentence also makes little sense and is worrying as it seems to suggest that claims must be forwarded to the underlying modal carriers and not to the MTO. This rather defeats the accepted concept of multimodal transport where the goods owner deals with only one operator.

8.2 The first sentence makes no sense in English. The second sentence is presumed to refer to exceptions from liability “property accountability”.

(a) seems too wide in its application and likely to be abused to the detriment of goods owners

(b) the same remarks apply and also (b) seems to repeat (a) which is likely to cause confusion as to the intended difference, if any, between them.

8.3 First sentence: This is potentially a good strong clause and it places the important burden of proof clearly on the MTO. However, the use of the word “necessary” is vague. There are good examples to follow in many international instruments to set the basis of liability of the MTO. It is not clear how 8.2 and 8.3 relate to one another as 8.2 seems to weaken the effect of 8.3.

8.3 Last sentence: This seems to impose potentially excessive liability on the MTO as the obligation is not qualified in any way.

8.4 This appears to be a garbled version of part of the 1980 MT Convention provisions in the first sentence. It makes no sense in English at present and also seems not to be placed in the most logical order within the article.
8.5 This is mainly taken from the 1980 MT Convention Article 10.1 but the second sentence has been modified from Art 10.5 and the reference to “cost” is thought to be meant to be to “value”.

The whole article requires substantial further work to perfect it.

Article 9: Responsibility of the consignor

It is not understood why a second article deals with “responsibility of the consignor” when this is the heading used in Article 7.

9.1 The wording is rather vague. The authors have combined various international examples but without sufficient precision. The last sentence seems to repeat the responsibilities of the consignor but in slightly different terms, which will cause confusion. It may be argued that it is not only the consignor who should be responsible for certain acts, but any person who is the owner or otherwise responsible for the goods at the relevant moment.

9.2 The first sentence makes insufficient sense in English to judge it properly. There are good international examples which could be substituted for it. The sub-article states that national law will apply and there may therefore be little point in putting provisions in the TA. The second sentence also makes little sense but clearly intends to deal with demurrage and detention charges for equipment. There are suitable international examples to substitute.

Article 10: Claims and disputes

10.1 The provisions are broadly based on Article 25 of the 1980 MT Convention. They present a few potential difficulties which merit further discussion. The UNCTAD/ICC Rules set a time bar of 9 months. The time bar of 2 years may prevent the MTO from having a fair recourse against underlying carriers. The time of 6 months mentioned in 9.1 may be interpreted as a time bar by MTOs and this would be detrimental to goods owners. So the clause may present problems at present for both sides to the MT contract.

10.2 and 10.3 These are based on the provisions of Article 27 of the MT Convention but the English is defective in places.

10.4 The first sentence makes no sense in English. The second sentence seems to have become detached from one of the other articles as it deals with the payment of compensation. The English is too unclear to make sense of the intention behind the clause. The procedure for claims is set out. Normally this is a matter for national law and in fact the sub-article refers to “in accordance with existing procedure”. It might be better therefore to leave this matter out of the TA altogether.

10.5 The relationship between the 6 month period for claims in 10.1 and the 5 month period mentioned here requires more thought. In general the international transport conventions require a very early notice of loss to be served on the carrier to make the carrier aware that a claim may be made. This allows the carrier to carry out an early and full investigation while the evidence still exists and while persons still remember the events. The present scheme in the draft TA does not require this and MTOs may suffer prejudice as a result. On the other hand to require a formal claim to be submitted within 5 or 6 months, ready for court action may be thought rather unfair for the goods owner. The sub-articles (a) and (b) are not fully thought through at present.

Article 11: Final provisions

11.1 This seems to conflict with 11.2 below. It is also unusual to refer to “negotiations” in relation to court proceedings. Normally the court decides an action, not the parties.

11.2-11.5 These provisions are taken from Article 26 of the 1980 MT Convention with a few additions. The sub-articles apply only to international transport. The Consultant cannot be sure whether this is intentional or whether the authors have merely copied verbatim the provisions of Art 26 of the MT Convention without considering the effect. It will be necessary, as mentioned elsewhere, to define more
clearly the intended scope of the TA, which elsewhere also seems to include national transport, though this may not have been intended.
Analysis of Suitability of the UNCTAD/ICC RULES for use in the TRACECA Region

Overview

The Consultant’s initial assessment of the situation in the Region is that benefits will flow for both shippers and forwarders if there is increased use of the UNCTAD/ICC Rules in multimodal transport operations. With many international transits in the region involving a maritime journey on the Black Sea or the Caspian and/or combined road/rail transport, the UNCTAD/ICC Rules provide a voluntary contractual regime allowing assessment of liability in multimodal transport. They also underpin the FIATA multimodal transport bill of lading (FBL) and the legal terms of contract which appear on the reverse of the FIATA FBL. The Consultant will investigate whether it would be possible to incorporate the Rules as an effective “multimodal transport convention” in the region by making appropriate provision in a technical annexe of the MLA. This would further facilitate the use of the FIATA FBL by forwarders in the region.

The 13 Rules have been analysed to establish whether there are likely to be any barriers to the use of the terms contained in national legislation within the TRACECA region.

The initial conclusion is that few of the terms are likely to be in conflict with national legislation. Further work will be done to check whether any such conflicts exist in fact. Furthermore, the Rules clearly provide what is to happen in such situations. Rule 13 states “These Rules shall only take effect to the extent that they are not contrary to the mandatory provisions of international conventions or national law applicable to the multimodal transport contract”. The effect of Rule 13 is that where national law provides a different solution to that found in the UNCTAD/ICC Rules, national law will prevail, if there is no applicable international convention, but otherwise the Rules apply.

The situation in the TRACECA region is not likely to be substantially different from that found in the EU where there are still widely differing national legal regimes relating to goods in transit, but the UNCTAD/ICC Rules provisions nonetheless appear to work successfully in many door-to-door bill of lading terms, including the FIATA FBL.

Textual analysis of the UNCTAD/ICC Rules

Rule 1: Applicability

The Rules can be applied both to multimodal and unimodal transits and whether or not a transport document is issued. No conflict is envisaged with national laws.

Rule 2: Definitions

This is not believed to present any likely conflict with national legislation as the definitions apply only to the contract situation and do not claim to be universal definitions.

Rule 3: Evidentiary effect

No serious conflict is thought likely with national law.

Rule 4: Responsibilities

It is not thought likely that the provisions will conflict with national laws. It should be noted that the provisions for delivery under Rule 4.3 are more extensive than in the corresponding parts of the FIATA FBL.

Rule 5: Liability of the multimodal transport operator
5.1 The MTO is liable for loss damage or delay unless there is no fault or neglect on its part. This is a reasonable standard but it could be in conflict with any legal system which imposes strict liability or an ‘obligation de resultat’ on a contractor. The Consultant will endeavour to check whether such stricter standards in fact apply in any of the TRACECA countries. Under the Rules those higher standards will in that case apply so that national law will in any case be respected.

Similarly, the requirement for a declaration in relation to the need for timely delivery as a precondition for a delay claim could be in conflict with national law but will in that case be overridden.

5.4 The maritime defences are based on the Hague-Visby Rules and so are unlikely to cause difficulties, though it should be pointed out that the negligent navigation defence has been strongly criticised and does not appear in the Hamburg Rules to which Georgia and Romania are parties.

5.5 Values are calculated on the basis of value at the time of delivery, which is the maritime standard. It is possible that national laws would have different provisions.

Rule 6: Limitation of liability of the MTO

6.1 Specific limits of liability of 666.67 Special Drawing Rights per package or shipping unit or 2 SDRs per kilo are set, based on those under the maritime Hague-Visby Rules. These limits are quite low and could conflict with national laws which either maintain unlimited liability or dictate different limits. Efforts will be made to verify the situation in each of the states. In the event of conflict, the national law will prevail. The effect of any provision requiring unlimited liability would be to increase liability costs for MTOs and to make it more difficult to obtain standard insurance packages.

6.3 Where no sea or inland waterway transport is involved, the MTOs limit rises to 8.33 SDRs per kilo. This is equivalent to the limit under the CMR Convention and is considered adequate in most circumstances. It could nevertheless be in conflict with national law.

6.4 This states that if it can be established where the loss or damage occurred, any applicable international convention or national law will prevail, thus resolving any conflict with the Rules in favour of those provisions. The Rules provisions therefore apply essentially to damage which cannot be localised to sea transport or to a specific inland place where specific laws apply. In theory therefore, most “hidden damage” should be dealt with under the Rules. The Consultant will attempt to establish whether any national laws would prevent application of the Rules to hidden damage.

6.5 Compensation in the case of loss from delay or consequential loss is limited to the freight paid by the customer. This limitation could be in conflict with national law, in which case national law will prevail, but the consequence could be higher insurance costs for the MTO if unlimited liability applies. It should be noted that under the FIATA FBL twice the freight is recoverable i.e. a more generous standard applies.

Rule 8: Liability of the Consignor

It is not thought likely that this would be in conflict with national law

Rule 9: Notice of loss or damage to the goods

The notice provisions could be in conflict with national law. The Consultant will attempt to find out if there are any instances of conflict.

Rule 10: Time Bar

The time limitation of 9 months for bringing legal action may not be consistent with national law which is quite likely to impose a longer period of limitation. Attempts will be made to verify the situation in the different states. This is an area where incorporation of the Rules by law could overcome any problems.

Rule 11: Applicability to Tort

It is possible that a contractual renunciation of rights in tort by the customer would not be effective under national law. Incorporating the Rules by law would overcome any such problem.
Rule 12: Liability of servants and other persons

The “Himalaya” clause for the protection of servants, agents and subcontractors of the MTO may not be effective in all the jurisdictions. This is another area where incorporating the Rules by law could be useful, if the principle of extending protection to subcontractors is accepted.

Clauses creating presumptions as to evidence or interpretation

The UNCTAD/ICC Rules state in a number of places that the contract is to be interpreted in a particular way or that certain circumstances constitute prima facie evidence of facts. This is the case for example in Rule 5.3 allowing the goods to be treated as lost after a delay in delivery of 90 days or in Rule 3 and in Rule 9 dealing with notice of claims. The provisions appear reasonable and ones which might normally be upheld, but it cannot be ruled out that national laws may specify different rules of evidence and interpretation.

Conclusions

Compatibility with National law

It may be seen from the above analysis that there are a number of areas where it is possible that UNCTAD/ICC Rules are in conflict with national law. The Consultant will attempt to verify whether any conflict in fact exists on a country by country basis. The most important of these may be summarised as:

1. Basis of liability as set out in Rule 5.1
2. Limits of liability as set out in Rules 6.1, 6.3, 6.5
3. Time limits for claims as set out in Rule 9
4. Time bar for claims as set out in Rule 10

Potential effectiveness of incorporation of UNCTAD/ICC Rules by law as means to facilitate application of FIATA FBL terms in their entirety

The FIATA FBL terms rely on the UNCTAD/ICC Rules and in many places use the same words in their provisions, but they include additional provisions which do not appear in the UNCTAD/ICC Rules. Incorporation of the latter rules into national laws either directly or by means of the MLA, could therefore remove many, but not all, areas of potential conflict between the FIATA FBL terms and national law.

Incorporation could remove potential conflicts in the most important areas of basis of liability, limits of liability and time limits for claims and time bars. It would not, however, deal with the following:

- Methods and routes of transportation (Clause 11 of FBL)
- Problems in effecting delivery (Clause 12 of FBL)
- Freight provisions (Clause 13 of FBL)
- Jurisdiction (Clause 19 of FBL)

These may be regarded as of lesser significance to overall operations than the issues which would be successfully facilitated by incorporation. The Consultant will attempt to establish whether in fact any of the above would be a source of conflict with national laws sufficiently great to merit further attention.

On balance, this analysis tends to validate the concept of seeking to incorporate the UNCTAD/ICC Rules across the TRACECA region as a means to facilitate use of the FIATA FBL by FIATA registered forwarders and to allow or require virtually identical main provisions to be adopted by other Multimodal Transport Operators in relation to liabilities and claims.
Analysis of Suitability of the FIATA MODEL RULES for Freight Forwarding Services for use in the TRACECA Region

Overview

The FIATA Model Rules for Freight Forwarding Services provide a possible partial blueprint for standard trading conditions for freight forwarders. The Consultant’s initial assessment is that they could be a suitable framework for adoption, with modifications, by FIATA affiliated Freight Forwarder Associations in the TRACECA states. They provide a voluntary contractual regime dealing with the liability of the forwarder as an agent or as a principal issuing his own transport documents such as the FIATA FBL. Some of the provisions appear to go too far in protecting the forwarder in relation to its customer.

The 20 Rules have been analysed to establish whether there are likely to be any barriers in national legislation to the use of the terms within the TRACECA region.

The initial conclusion is that some of the terms may conflict with national legislation. But the Rules clearly provide what is to happen in such situations. Rule 20 states “These Rules shall only take effect to the extent that they are not contrary to the mandatory provisions of international conventions or national law applicable to the freight forwarding services”. The effect of Rule 20 is that where national law provides a different solution to that found in the Rules, national law will prevail, if there is no applicable international convention, but otherwise the Rules apply. The anti-conflict wording used is identical in substance to that found in the UNCTAD/ICC Rules. A package of measures in the TRACECA Region based around the UNCTAD/ICC Rules and the FIATA FBL terms and Model Rules could be coherent and consistent.

Textual analysis of the FIATA Model Rules for Freight Forwarding Services

Rule 1: Applicability

The provisions are considered unlikely to be in conflict with national legislation.

Rule 2: Definitions

The definitions are not believed to present any likely conflict with national legislation as they apply only to the contract situation and do not claim to be universal definitions. It is useful to have definitions of such matters as “mandatory law, “in writing” and “valuables”. The definition of dangerous goods may be considered rather too wide by customer interests.

Rule 3: Insurance

There would only be a conflict with national law if this should make cargo insurance a compulsory responsibility of the forwarder, which is considered unlikely.

Rule 4: Hindrances

This could possibly conflict with national provisions on force majeure but as the forwarder undertakes to take reasonable steps in such situations, it is unlikely that the practical conflicts would be substantial.

Rule 5: Method and Route of transportation

Because the provisions of this clause can be overridden by the customer in the contract it is considered unlikely that there would be conflict with national law.

Rule 6: The freight forwarder’s liability except as principal
The Rule relates to the forwarder when acting in a pure agency role, arranging contracts on behalf of the customer with carriers and other contractors or completing customs and other paperwork for the customer. There is a requirement that the forwarder should act with due diligence and also exercise due diligence in selecting contractors. The provisions appear reasonable. They should only conflict with national law if this imposes strict liability or an ‘obligation de resultat’ on a contractor. The Consultant will endeavour to check whether such stricter standards in fact apply in any of the TRACECA countries. Under the Rules those higher standards will in that case apply so that national law will in any case be respected.

Rule 7: The freight forwarder’s liability as principal

The Rule in 7.1 and 7.2 relates to a forwarder who either acts as carrier or takes on carrier responsibility by issuing its own transport document or alternatively performs other logistics services itself or through others as principal.

The liability of the forwarder in these circumstances includes liability for its sub-contractors and is determined on the “network” principle i.e. law applicable to a particular sector of activity will be applied to the forwarding contract whenever that activity takes place. The wording of the Rule is not wholly precise but its intention appears to be to avoid conflict with any applicable national laws.

Rule 8: Exclusions, assessment and monetary limits of liability

8.1 There is an exclusion of liability in respect of valuables and dangerous goods (as defined in Rule 2) unless notified to the forwarder as such. Loss following from delay is excluded unless expressly agreed in writing with the customer. Both provisions could conflict with national law, though the opportunity to negotiate away the exclusion makes it less likely that there would be a practical conflict. Consequential loss is wholly excluded and this could potentially conflict with national law.

8.2 The point at which goods are valued for the assessment of compensation is not defined, so this must be supposed to be interpreted in accordance with national law in each state and there should be no conflict.

8.3 There is a single limit of compensation for loss or damage of 2 Special Drawing Rights per kilo on the gross weight of the goods, which is in partial accordance with the low limit set by the Hague-Visby maritime rules. This limit is quite likely to be in conflict with national law. The Rule, however, contains an interesting proviso which should reduce the extent of any conflict. It states that the limit of liability shall be 2 SDRs per kilo “unless a larger amount is recovered from a person for whom the freight forwarder is responsible” This would take account of the variations of contractual and imposed liability limits whenever the forwarder makes use of others in the performance of services. There is no express undertaking to apply the same principle when the forwarder directly performs the service itself, but that is probably the positive effect of the anti-conflict wording in Rule 20 on mandatory law.

In relation to delay, the liability is limited to the amount of fees paid for the service concerned. This limit may be in conflict with national law and it should be noted that the limit is less than that provided for under the FIATA FBL.

There is a provision in Rule 8.3.3 for compensation to be paid for losses, other than loss or damage or delay to goods. It is not made clear what these losses are and Rule 8.1.3 apparently excludes consequential losses altogether. It is thought the losses covered are those caused by errors and omissions of a professional kind such as errors in the completion of documentation. An overall upper limit is set but the amount of this is left blank in the Model Rules, to be determined by the situation in particular states, thus avoiding conflict with national law. By way of illustration, in a similar set of terms in use in the United Kingdom, the upper limit is set at 75,000 SDRs in respect of any one transaction.

Rule 9: Notice of loss or damage to the goods

The notice provisions could be in conflict with national law, particularly that in 9.2 which creates a potential time bar after only 14 days.
Rule 10: Time Bar

The time limitation of 9 months for bringing legal action may not be consistent with national law which is quite likely to impose a longer period of limitation.

Rule 11: Applicability to actions in Tort

It is possible that a contractual renunciation of rights in tort by the customer would not be effective under national law.

Rule 12: Liability of servants and other persons

The "Himalaya" clause for the protection of servants, agents and subcontractors of the forwarder may not be effective in all the jurisdictions.

Rule 13: unforeseen circumstances

This is not considered likely to conflict with national law.

Rule 14: No set-off

The prohibition on set-off and counterclaim by a customer may conflict with national law.

Rule 15: General lien

The rule itself recognises possible conflict by stating that it applies only "to the extent permitted by the applicable law".

Rule 17: Duty of indemnification

17.1 The general indemnity is not expressed precisely enough and could lead to difficulties of interpretation rather than conflict with national law.

Rule 18: The customer’s liability

As with Rule 17.1, the indemnity sought from the customer may be considered too wide and vaguely expressed leading to potential problems of interpretation.

Rule 19: Jurisdiction and applicable law

This could possibly be in conflict with national law on jurisdiction and applicable law, but provision is made for specific agreement with the customer, which may reduce any potential conflict.

Clauses creating presumptions as to evidence or interpretation

The FIATA Model Rules state in a number of places that the contract is to be interpreted in a particular way or that certain circumstances constitute prima facie evidence of facts. This is the case for example in Rule 8.3.1 allowing the goods to be treated as lost after a delay in delivery of 90 days or in Rule 9 dealing with notice of claims. It is possible that national laws specify different rules of evidence and interpretation.
Conclusions

It may be seen from the above analysis that there are more areas of possible uncertainty or conflict with national law in the Model Rules than in the UNCTAD/ICC Rules or the terms of the FIATA FBL. Information regarding conflict in the UNCTAD rules and FBL will mostly also be relevant to the Model Rules.

On balance, this analysis tends to validate the Model Rules as a possible loose framework of headings and provisions to be incorporated in a contractual set of standard trading conditions following modification to meet local conditions by associations in the TRACECA region. The Model Rules could assist in achieving a high level of uniformity of contract terms in the region, but it is probably not realistic to expect that a single identical document can be adopted for all the countries. Each national association may wish to establish a committee of logistics experts, legal experts and insurance specialists to devise a satisfactory text, using the Model Rules as the starting point. This suggestion is provisional and will be the subject of further discussion in forthcoming workshops.
Analysis of Suitability of the FIATA FBL for use in the TRACECA Region

Overview

The Consultant’s initial assessment of the situation in the Region is that benefits will flow for both shippers and forwarders if there is increased use of the FIATA multimodal transport bill of lading (FBL) and the legal terms of contract which appear on the reverse of the FIATA FBL.

The 19 clauses which appear on the reverse of the FBL have been analysed to establish whether there are likely to be any barriers to the use of the terms contained in national legislation within TRACECA.

The initial conclusion is that few of the terms are likely to be in conflict with national legislation. Further work will be done to check whether any such conflicts exist in fact. Furthermore, even where any conflict may exist, the FBL terms clearly provide what is to happen in such situations.

Clause 7.1 states ‘These conditions shall only take effect to the extent that they are not contrary to the mandatory provisions of international conventions or national law’. Clause 18 states ‘If any clause or part thereof is held to be invalid, the validity of this FBL and the remaining clauses or a part thereof shall not be affected’. The combined effect of the two clauses is that where national law provides a different solution to that found in the FBL national law will prevail, but all other provisions of the FBL shall be maintained.

The situation in the TRACECA region is not likely to be substantially different from that found in the EU where there are still widely differing national legal regimes relating to goods in transit. The FIATA FBL is nonetheless universally recognised as setting a benchmark standard with provisions that are mostly enforceable in all EU countries. The Consultant's initial recommendation to promote FIATA standards, especially with regard to the FBL, is therefore verified by the present analysis.

It should be noted, however, that use of the FIATA FBL and its terms are strictly controlled by FIATA and such use is reserved for members of FIATA only. The extent to which the FIATA FBL is used will therefore partly depend on success in developing Forwarder Associations affiliated to FIATA. The FIATA FBL cannot therefore provide the complete regulatory solution to goods in transit issues concerning freight forwarding but it will be an important and growing part of the solution.

It should also be noted that the FBL terms apply only where the freight forwarder acts as a Multimodal Transport Operator (MTO) or carrier. Other solutions have to be considered where the forwarder merely completes transit paperwork or arranges, as agent for the shipper, for others to perform all the actual services. Here again FIATA appears to offer a viable solution in the form of its ‘Model Rules for Freight Forwarding Services which are separately considered.

Textual analysis of the FIATA FBL terms

Definitions Clause

This is not believed to present any likely conflict with national legislation as the definitions apply only to the contract situation.

Clause 1: Applicability

The terms apply both to multimodal and unimodal transits. Again no conflict is envisaged.

Clause 2: Issuance
It is the issuing of the document which brings the terms into application. No conflict is thought likely with national law.

Clause 3: Negotiability

The issued FBL, in negotiable form, constitutes title to the goods. This is likely to be recognised in all states which admit the concept of maritime bills of lading conferring title to goods.

Clause 6: Liability

6.1 The period of responsibility of the forwarder is wide and it is unlikely that national legislation would set more extensive responsibilities.
6.2 The forwarder is liable for loss, damage or delay unless there is no fault or neglect on its part. This is a reasonable standard but it could be in conflict with any legal system which imposes strict liability or an ‘obligation de resultat’ on a contractor. The Consultant will endeavour to check whether such stricter standards in fact apply in any of the TRACECA countries. Under the mechanism of the FBL, those higher standards will in that case apply so that national law will in any case be respected.
6.3 Similarly, the requirement for a declaration in relation to the need for timely delivery as a precondition for a delay claim could be in conflict with national law but will in that case be overridden.
6.4 The exceptions from liability are ones generally recognised as areas where a contractor should not be held liable so it is unlikely that they would be in conflict with national law.
6.5 The defences in the case of sea carriage are based on those in the Hague-Visby Rules and should not present any problems.

Clause 7: Paramount clause

7.1 This ensures that any conflict will be resolved in favour of international or national law which covers the same subject matter.
7.2 The Hague-Visby Rules are applied to carriage by inland waterway as well as sea transport and to all goods including live animals and whether the goods are carried on or under deck. This is an increase in the responsibility of the freight forwarder in comparison with international law. It is possible that it could represent a decrease in responsibility in relation to purely domestic transits governed by national law, though this is not thought to be likely.

Clause 8: Limitation of liability

8.1 Values are calculated on the basis of value at the time of delivery, which is the maritime standard. It is possible that national laws would have different provisions.
8.3 Specific limits of liability of 666.67 Special Drawing Rights per package or shipping unit or 2 SDRs per kilo are set, based on those under the maritime Hague-Visby Rules. These limits are quite low and could conflict with national laws which either maintain unlimited liability or dictate different limits. Efforts will be made to verify the situation in each of the states. In the event of conflict, the national law will prevail. The effect of any provision requiring unlimited liability would be to increase liability costs for forwarders and to make it more difficult to obtain standard insurance packages.
8.5 Where no sea or inland waterway transport is involved, the forwarder’s limit rises to 8.33 SDRs per kilo. This is equivalent to the limit under the CMR Convention and is considered adequate in most circumstances. It could nevertheless be in conflict with national law.
8.6 This reiterates that if it can be established where the loss or damage occurred, any applicable international convention or national law will prevail, thus resolving any conflict with the FBL terms.
8.7 Compensation in the case of loss from delay or consequential loss is limited to twice the freight paid by the customer. This limitation could be in conflict with national law, in which case national law will prevail, but the consequence could be higher insurance costs for the forwarder.

Clause 9: Applicability to Tort
It is possible that a contractual renunciation of rights in tort by the customer would not be effective under national law.

Clause 10: Liability of servants and other persons

The “Himalaya” clause for the protection of servants, agents and subcontractors of the forwarder may not be effective in all the jurisdictions.

Clause 11: Method and route of transportation

It is possible that actions under this clause in conflict with a customer’s stated instructions would either not be effective or be in conflict with national law.

Clause 12: Delivery

12.2 Storage at the sole risk of the customer where full delivery has not been possible could potentially conflict with any national law imposing responsibility on what would be at that point an “involuntary bailee” or holder of the goods.
12.3 Similarly the liberty to abandon the transit in certain circumstances where there is no fault on the part of the forwarder could potentially conflict with duties imposed by national law, though this is thought unlikely.

Clause 13: Freight

13.2 The provisions concerning currencies may not be effective in all the jurisdictions

Clause 14: Lien

The provisions on lien, or right of retention, although reasonable, may not be consistent with any specific national laws on the retention of goods. There is within the EU considerable variation in such provisions and international transport conventions have avoided dealing with the issue.

Clause 17: Time Bar

The time limitation of 9 months for bringing legal action may not be consistent with national law which is quite likely to impose a longer period of limitation. Attempts will be made to verify the situation in the different states.

Clause 19: Jurisdiction

The jurisdiction of the place of establishment of the freight forwarder is nominated as the exclusive place of jurisdiction. This would be the position under conventions such as the Lugano Convention which makes the place of establishment of the defendant the normal place of jurisdiction. It is possible, however, that some national laws may dictate a different way of deciding jurisdiction.

Clauses creating presumptions as to evidence or interpretation

The FIATA FBL terms state in a number of places that the contract is to be interpreted in a particular way or that certain circumstances constitute prima facie evidence of facts. This is the case for example in Clause 18 dealing with partial invalidity or in clause 16 dealing with notice of claims. The provisions appear reasonable and ones which might normally be upheld, but it cannot be ruled out that national laws may specify different rules of evidence and interpretation.

Conclusions
It may be seen from the above analysis that there are a number of areas where it would be possible for the FBL terms to be in conflict with national law. These are not likely to affect most claims significantly. It will be up to the claimant customer and/or the court itself to establish the existence of conflict and to require application of national law, otherwise the FBL terms should in practice be applied.

There are several more potentially serious areas of conflict where the consultant will try to verify that no conflict in fact exists. The most important of these may be summarised as:

- Basis of liability as set out in Clause 6.2
- Limits of liability as set out in Clauses 8.3, 8.5, 8.7
- Time bar for claims as set out in Clause 17
Annex 7  FIATA Training Programme

<table>
<thead>
<tr>
<th>MODULE</th>
<th>CONTENT PER UNIT</th>
<th>REMARKS</th>
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<tbody>
<tr>
<td>1</td>
<td>30 hrs AN INTRODUCTION TO FREIGHT FORWARDING</td>
<td></td>
</tr>
<tr>
<td>Learning objective: The applicant should be able to explain basics of international trade, the business aspects of Freight Forwarding and to describe the various activities of a Forwarding company</td>
<td></td>
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</tr>
<tr>
<td>1.1</td>
<td>1 hrs International Freight Forwarder and the Freight Business</td>
<td>Legal requirements (carrier/agent)  General, Trading Condition's of the local National Association  Important trade terms</td>
</tr>
</tbody>
</table>
| 1.3 | 1 hrs | **International Organizations in Forwarding and Trade** | ICC, UN ECE, WTO, ISO, UNCTAD, WCO, World Bank  
  - Functions of FIATA  
| 1.4 | 8     | **Organization of the Forwarding Company** | A) Organisation of a forwarding company  
  - Types of companies and typical structures  
  - Quality management system ISO 9001  
  - Environmental management system ISO 14000  
  - Selling of services, Marketing, Publicity  
  B) General Procedure  
  - Inquiries and booking  
  - Selection of mode of transport and cargo space booking  
  - Ensuring that delivery date relates to delivery times quoted by carrier  
  - Correct issuance of documents – including collection receipts and customs documents  
  - Monitoring (tracking and tracing) of goods and documents throughout transaction | www.iso.org |
| 1.5 | 4     | **Financial Requirements** | Invoicing according to agreed tariffs and/or quotations  
  - Charging for full cost recovery  
  - Rates and quotation records  
  - Foreign currency conversion  
  - Legal Aspect  
  - Cost-Accounting, Profit/Loss  
  - Risk Management |
<table>
<thead>
<tr>
<th>1.6</th>
<th>2 hrs</th>
<th>General Knowledge of Transport Related Geography</th>
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<tbody>
<tr>
<td></td>
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<td>- Continents and most important countries</td>
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<td>- Knowledge of the main flows of traffic world-wide</td>
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<td>- Physical and climatic conditions</td>
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<td>- Time zones</td>
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<td>- Geopolitical aspects</td>
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<tr>
<th>1.7</th>
<th>3 hrs</th>
<th>FIATA documents and Forms</th>
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<tr>
<td></td>
<td></td>
<td>1.7.1 FIATA Documents</td>
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<tr>
<td></td>
<td></td>
<td>- FIATA FBL = Negotiable FIATA Multimodal Transport Bill of Lading</td>
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<td>- FIATA FWB = Non-negotiable FIATA Multimodal Transport Waybill</td>
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<td>- FIATA FCR = FIATA Forwarders Certificate of Receipt</td>
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<td>- FIATA FCT = FIATA Forwarders Certificate of Transport</td>
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<td></td>
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<td>- FIATA FWR = FIATA Warehouse Receipt</td>
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<tr>
<td></td>
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<td>1.7.2 FIATA Forms</td>
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<tr>
<td></td>
<td></td>
<td>- FIATA FFI = FIATA Forwarding Instructions</td>
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<tr>
<td></td>
<td></td>
<td>- FIATA SDT = Shippers Declaration for the Transport of Dangerous Goods</td>
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<td></td>
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<td>- FIATA SIC = Shippers Intermodal Weight Certification</td>
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<tr>
<th>1.8</th>
<th>2 hrs</th>
<th>Special Transport Services</th>
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<tbody>
<tr>
<td></td>
<td></td>
<td>- Consolidation, Groupage services offered by the freight forwarder for all modes of transport (land, sea, container, air)</td>
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<td></td>
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<td>- Transport of heavy weight and out of gauge cargo</td>
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<td></td>
<td></td>
<td>- Classified goods</td>
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<tr>
<td></td>
<td></td>
<td>- Dangerous Goods</td>
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<tr>
<td></td>
<td></td>
<td>- Foodstuffs (liquid and solid)</td>
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<td>- Perishables</td>
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<td>- Flowers and Plants</td>
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<td>- Livestock</td>
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</tbody>
</table>

\[ \rightarrow \text{THESE TRANSPORTS SHOULD BE IN THE HANDS OF SPECIALISTS!} \]

<table>
<thead>
<tr>
<th>1.9</th>
<th>2 hrs</th>
<th>Packing Requirements</th>
</tr>
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<tbody>
<tr>
<td></td>
<td></td>
<td>- Marketing, Weighing, Measuring, Labelling</td>
</tr>
</tbody>
</table>
### 1.10 1 hrs Information & Communication Technologies

- See chapter 12

### INTRODUCTION ONLY!
- Structure and functioning of IT Systems
- Mainframe and personal networks
- Hardware
- Software
- Particular applications in the transport industry
- EDIFACT
- e-forwarding
- e-commerce

### 2 30 hrs SEA TRANSPORT (GENERAL)

**Learning Objective:** The applicant should be in a position to give information on the basic regulations for sea shipments, services offered, and most current types of ships in use. He should be familiar with the documents used for sea carriage. Furthermore he should be able to explain the pricing of ocean freight.

#### 2.1 2 Geography of Ocean Transport, Port Facilities
- Major world sea ports (regional and world-wide)
- Transport possibilities to and from the sea ports
- Feeder services between ports
- Loading/unloading facilities at the ports

#### 2.2 1 Types of Vessels
- Container ships
- Ro-Ro carriers
- Bulk carriers (dry cargo vessels)
- Conventional ships
- Tankers (Crude oil, chemicals, liquid foodstuffs)
- Heavy lift ships (equipped with cranes and derricks)

#### 2.3 2 International Organisations and General Regulations for the Transport of Goods by Sea
- IMO (International Maritime Organisation)
- IMDG Code (Regulations for the transport of Dangerous Goods by sea)
- Dangerous Goods: Packing and labelling for transportation by sea
- Hague / Visby – Rules, Hamburg Rules
- BIMCO (Baltic- and International Maritime Council)
### 2.4 4  Shipping Services

**A) Liner Shipping**
- Liner shipments (conventional or containers)
- Liner Conferences / Consortia
- Non-Conference lines (outsiders)
- Charter shipments (e.g. time charter, trip charter)
- Ro-Ro Traffic (roll on/roll off) – for vehicles and trucks and heavy lifts (unpacked)

**B) Charter Shipping**
- Charter contracts
  - (e.g. voyage charter, time charter, contract of affreightments/volume contract, bare boat charter)
- Charter terms (gross charter, net charter, fio)
- Affreightment process
- Essential conditions of a charter contract

### 2.5 10  Documents in Shipping

**A) Bill of Lading (B/L)**
- Ocean Bill of Lading (rules, reasons, types) – ‘clean’ B/L
- FIATA Multimodal Transport Bill of Lading (FIATA FBL)
- Freight Forwarders (House) B/L
- Through B/L
- Received for shipment (Received B/L)
- Mate’s receipt

**B) Charter Party**
- Charter Party, Standard Forms
- General Average

**C) Accompanying Documents**
- Manifest
- Consular invoices
- Customs invoices
- Certificates of Origin

### 2.6
### Pricing of Ocean Freight

<table>
<thead>
<tr>
<th></th>
<th></th>
<th>A) Pricing in Liner Shipping (Conventional, RoRo)</th>
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<tbody>
<tr>
<td></td>
<td></td>
<td>▪ Basic information and instruments for calculation of ocean freight</td>
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<td>▪ Weight/measurement (w/m), 'ad valorem' (value)</td>
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<td>▪ Currency surcharge (CAF)</td>
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<td>▪ Bunker surcharge (BAF)</td>
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<td>▪ Congestion surcharge, Length surcharge, Heavy lift surcharge</td>
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<td>▪ War risk surcharge</td>
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<td>▪ System rebates on ocean freight</td>
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<td>▪ Liner shipping terms</td>
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<td></td>
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<td>▪ Freight Forwarders Commission</td>
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B) Pricing in Charter Shipping

- Calculation of a voyage charter rate
- Demurrage and despatch money, time sheet

### General Knowledge of Multimodal Transport

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<tr>
<td></td>
<td></td>
<td>Terminology of Multimodal Transport</td>
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<tr>
<td></td>
<td></td>
<td>Economic conditions and benefits of multimodal transport (hub-and-spoke-systems, economy of scale, environmental effects)</td>
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<td>Examples of multimodal contracts and liability</td>
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<td></td>
<td></td>
<td>Different technologies for multimodal transport (piggyback, swap-body, ro/ro, container, terminals)</td>
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</tbody>
</table>

**Learning objective:** The applicant should be able to explain the functioning and the rules of different types of multimodal transport, especially of seaborne multimodal container transport. He should know different types of loading units, the necessary shipping documents and procedures in container trade. He should also have an idea of freight pricing in multimodal transport, especially for containers.
### 3.2 Types and Specification for the Most Used Container

- The types of containers mostly used
- Dimensions (ISO Containers)
  - **Length** Width Height
  - 20’ 8’ 8’- 8’6” = standard
  - 40’ 8’ 8’6”-9’6” height of 9’6” = high cube
  - 45’ 8’ 8’6”-9’6” height of 9’6” = super high cube
- TEU = Twenty foot equivalent unit
- Most important types of containers: Box (Dry van), Open Top, Open Side, Bulk, Tanks, Reefer, Platform, Flat
- Maximum weight allowed (payload)
- Loading gauge at departure and at destination
- Identification codes of containers

### 3.3 Loading Procedures in Container Traffic

- Loading plan for container
- Weight limits (container and on transport modes)
- Centre of gravity
- Stuffing/stripping of containers

### 3.4 Geography of Container Traffic

- Most important container terminals
- Sea ports, inland terminals
- Feeder services, Land bridges
- 'Hub and Spoke' port-pair systems
- Short sea services (smaller vessels 'feeding' large ports to enable the big container ships to reduce port calls)
### Contracts and Pricing in Container Transport

<table>
<thead>
<tr>
<th>Number</th>
<th>Section</th>
<th>Description</th>
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<tbody>
<tr>
<td>3.5 7</td>
<td>A) Container leasing</td>
<td>- types of leasing agreements</td>
</tr>
<tr>
<td></td>
<td>B) General Contract Terms</td>
<td>- FCL = Full Container Load</td>
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<td>- LCL = Less than Container Load (part loads)</td>
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<td></td>
<td></td>
<td>- Handling in / Handling out (Positioning of empty containers, inland depots)</td>
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<td></td>
<td></td>
<td>- Carrier's haulage / Merchant's haulage (pre-carriage/on-carriage)</td>
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<tr>
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<td>C) Haulage rates (inland charges)</td>
<td>- Inland transport rates</td>
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<tr>
<td></td>
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<td>- Delivery and/or collection to sea ports by rail or by road</td>
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<td>- Detention charges</td>
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<td>- Demurrage charges</td>
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<td>D) Ocean freight</td>
<td>- Lumpsum / Box rates</td>
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<td>- Commodity rates</td>
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<td>- Conference Tariff rates</td>
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<tr>
<td></td>
<td></td>
<td>- THL = Terminal Handling Charges</td>
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<tr>
<td></td>
<td>E) Way –Bills and Accompanying Documents</td>
<td>- Establishment of way-bills and accompanying documents for conveyance by sea, inland waterway, rail, road</td>
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<thead>
<tr>
<th>Number</th>
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<th>Description</th>
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<tbody>
<tr>
<td>3.6 4</td>
<td>Multimodal Road-/Rail-Transport</td>
<td>- Technologies: Piggyback, swapbody, roadrailer, terminals</td>
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<tr>
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<td>- Combined Transport Operators and Services</td>
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<td>- Contracts and Documents</td>
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<td></td>
<td></td>
<td>- Pricing and Tariffs</td>
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</tbody>
</table>
4 50 hrs  AIR TRANSPORT

**Learning Objective:** The applicant should be proficient with the basic regulations for air transport. He should be able to explain the ground handling and the documentation procedures of air cargo transport. He also should demonstrate his familiarity with airfreight pricing with examples of calculation.

*Note: Students who have successfully completed the IATA/FIATA INTRODUCTORY COURSE and obtained the IATA/FIATA Introductory Diploma may be exempted from this module.*

<table>
<thead>
<tr>
<th>4.1 14 hrs</th>
<th>General Conditions of Carriage</th>
<th>IATA = International Air Transport Association promotes:</th>
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</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>• co-operation between airlines and exchange of information</td>
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<td>• co-operation with international organisations (e.g. ICAO)</td>
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<td>• standardisation of rates and conditions etc.</td>
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<td></td>
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<td>• Warsaw convention and The Hague protocol</td>
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<td>• IATA Organisation and Agency agreement</td>
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<td>• Montreal agreement (MP4)</td>
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<td></td>
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<td>• Liability of the airlines</td>
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<td>• Possibilities of increasing liability of airlines</td>
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<td>• Dangerous Goods by air</td>
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<td>• <strong>IATA Dangerous Goods Regulations (DGR)</strong></td>
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<td>• ICAO-TI (International Civil Aviation Organization – Technical Instructions)</td>
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<td>• Shipper's declaration for Dangerous Goods compulsory</td>
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<td>• Labelling and handling of dangerous goods</td>
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<td>• Restricted articles</td>
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<td>• Limited quantities</td>
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<td></td>
<td></td>
<td>• Difference between Agent and Contracting Carrier (consolidator), liabilities</td>
</tr>
</tbody>
</table>

[www.iata.org](http://www.iata.org)  
[www.icao.org](http://www.icao.org)  
[www.tiaca.org](http://www.tiaca.org)
| 4.2 | 7 hrs | Types and Specifications of the Most Used Aircrafts and Air-Pallets | The most used aircraft’s (Passengers and Freighters)  
- loading capacity  
- range  
- specification of loading holds  
- Loading devices (LD Containers and Pallets/Platforms) |
| 4.3 | 14 hrs | Way-Bills and Accompanying Documents | The airway bill (3 originals: green, red and blue, plus at least 6 copies)  
- The neutral airway bill recommended by FIATA  
- Accompanying documents  
- Consular invoices  
- Customs invoices  
- Certificate of Origin |
| 4.4 | 11 hrs | Calculation of Airfreight | Airfreight publications  
- International rates / Domestic rates  
* TACT tariffs, rules of calculation, etc  
- General cargo rates  
- Class rates  
- Specific commodities rates  
- Minimum  
- Normal rate  
- Quantity rate  
- Specific commodity rates  
- Class rates  
- Possibility of combination of various sorts and groups of tariffs  
- Add-on amounts  
- Possibility of prepayments instructions  
- Spot rates |

* Tariff rates for airfreight are in many areas seen as reference indicators only and therefore negotiable.
### Geography in Air Transport

- Local airports
- International airports (the most important gateways)
- Traffic Conference Areas
- IATA areas and city/airport codes
- How to read timetables (ABC, OAG)
- Elaboration of air traffic routes

### ROAD TRANSPORT

**Learning objective:** The applicant should be acquainted with basic regulations of road transport. He should be in a position to state the commonly used vehicles to give information on transport documents for road movements. Furthermore, he should explain the tariff structure and give examples and how to offer to customers. He should also know the international road network (most important routes).

#### 5.1 14 hrs Legal Requirements for National and International Road Transport

- Organisation of the Road Carriers (International Road Union = IRU)
- CMR
- Liability of the carrier
- Legal requirements on road traffic regarding maximum weight, outside dimensions, traffic ban during certain periods
- Necessary steps to take for out-of-gauge movements (weight or dimensions)
- Requirements regarding handling, loading and labelling of Dangerous Goods (ADR regulations)

[www.iru.org](http://www.iru.org)

#### 5.2 4 hrs Geography of Road Transport

- The most important transit points
- The most important international traffic routes
- Ferryboat connections

#### 5.3 7 hrs Types of Road Vehicles

- Length, width, height, loading and total weight of the most used trucks (inland and border crossing traffic)
- Combined movements:
  - Road/rail
  - Road/ferryboat
  - Roll on-roll off
- Transport of refrigerated cargo, technical requirements
- Heavy lift cargo
- Swap-bodies (similar to containers)
### FREIGHT FORWARDERS TRAINING COURSES - INTERIM REPORT 1

**March 2006**

<table>
<thead>
<tr>
<th>Module</th>
<th>Hours</th>
<th>Title</th>
<th>Topics</th>
</tr>
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<tbody>
<tr>
<td>5.4</td>
<td>14 hrs</td>
<td>Way-Bills and Accompanying Documents</td>
<td>Waybill for inland transportation, Waybill for cross border traffics, Liability of the carrier, Conclusion and fulfillment of the transport contract, International Customs transit Document (e.g. carnet TIR)</td>
</tr>
<tr>
<td>5.5</td>
<td>11 hrs</td>
<td>Pricing in Road Transports</td>
<td>Spot Rates and Price Agreements, Minimum prices for part and complete loads, Calculation of distances, Determination of possible commodity / class rates, Prices for additional services, Possibilities of prepayments instructions, Groupage and chartering prices</td>
</tr>
<tr>
<td>6</td>
<td>20 hrs</td>
<td>RAIL TRANSPORT</td>
<td>Learning objective: The applicant should be competent to give information on the legal aspects of carriage by rail and he should be able to describe rolling stock (most important railcars) and combined traffic by rail. He should explain how to complete consignment notes and how to work with rail tariffs.</td>
</tr>
<tr>
<td>6.1</td>
<td>4 hrs</td>
<td>Legal Requirements of National and International Rail Transport</td>
<td>UIC = International Railway Union (world-wide), COTIF (Convention concerning International Transport by Rail), CIM (Contract for International Carriage of Goods by Rail), SMGS (International Convention for rail transport in Eastern Europe including Russia and some Asian countries), Rights and duties of the Railways and its customers (e.g. forwarders), Requirements regarding handling, labelling and loading of Dangerous Goods (RID, mainly for Europe)</td>
</tr>
<tr>
<td>6.2</td>
<td>2 hrs</td>
<td>Geography and Operational Aspects in Rail Transport</td>
<td>Main national railway network, International railway network, border stations (transit), Rail terminals (rail/road interchange stations, port stations)</td>
</tr>
</tbody>
</table>

[www.uic.asso.fr](http://www.uic.asso.fr)
<table>
<thead>
<tr>
<th>Chapter</th>
<th>Duration</th>
<th>Topics</th>
</tr>
</thead>
<tbody>
<tr>
<td>6.3</td>
<td>3 hrs</td>
<td>Ways and Means of Transportation</td>
</tr>
<tr>
<td></td>
<td></td>
<td>A) Conventional transport by rail (railwagons)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- complete wagon loads (part loads have nearly disappeared)</td>
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<tr>
<td></td>
<td></td>
<td>- Types of railwagon (railway-owned or private railwagons)</td>
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<td>- Special railwagons (e.g. with changeable axles, container carrying railwagons)</td>
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<td>- Loading gauges</td>
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<td>B) Combined transport by rail (road-rail transport)</td>
</tr>
<tr>
<td></td>
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<td>- Piggyback (transport by rail of road semi-trailers)</td>
</tr>
<tr>
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<td>- Container traffic by rail (unaccompanied combined transport)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Swap-bodies (similar to containers), Euro (pallet wide) containers</td>
</tr>
<tr>
<td>6.4</td>
<td>4 hrs</td>
<td>Waybills and Accompanying Documents</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Preparation of national and International consignment notes</td>
</tr>
<tr>
<td></td>
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<td>- Accompanying documents (customs documents, commercial invoices etc.)</td>
</tr>
<tr>
<td>6.5</td>
<td>7 hrs</td>
<td>Tariffs (Conventional or Combined Transport)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>A) Conventional transport by rail</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Conditions of application of rail tariffs</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Charges based on loading weight per railwagon, lumpsum rates per railwagon, per complete trainload</td>
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<tr>
<td></td>
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<td>- Minimum charges to be considered</td>
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<td></td>
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<td>- Distances to be taken into account</td>
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<tr>
<td></td>
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<td>- Payment of the freight charges (e.g. prepaid, collect, up to border etc.)</td>
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<tr>
<td></td>
<td></td>
<td>B) Combined transport by rail</td>
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<tr>
<td></td>
<td></td>
<td>- Contract of carriage</td>
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<td></td>
<td></td>
<td>- Rates per Intermodal Transport Unit (ITU) which can be container, swap body or semi-trailer, suitable for intermodal transport</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Special agreements (e.g. trainloads, quantity rebates etc.)</td>
</tr>
</tbody>
</table>

www.uirr.com
www.icfonline.com
| 7 | 15 hrs | **NATIONAL/INTERNATIONAL CARRIAGE BY INLAND WATERWAY**  
**Learning objective:** The applicant should give summary information on how inland waterway transport is organised. He also should be able to list the most common barges and their particularities. He should know the documents to be used and give information on the pricing of freight shipped in barges. Finally he should name the most important navigable waterways. |
|---|---|---|
| 7.1 | 4 hrs | **Legal Requirements of Transports by Inland Waterway**  
- Agreements between the countries concerned  
- Conditions of carriage  
- Legal framework  
- Conditions for the transport of dangerous goods  
  **ADN** (International carriage of Dangerous Goods by inland waterway) |
| 7.2 | 1 hrs | **Geography of Inland Waterways**  
- Network of navigable waterways  
- Locks  
- Side rivers and canals  
- Most important river ports |
| 7.3 | 1 hrs | **Type of Barges Used in Inland Waterway Carriage**  
- Motor barges  
- Tugged barges  
- Tug |
| 7.4 | 4 hrs | **Waybills and Accompanying Documents**  
- Inland waterway bill of lading  
- Inland waterway consignment note  
- The most important conditions of the bill of lading and the consignment note |
| 7.5 | 5 hrs | **Determination of Freight Charges for Inland Waterway Transport**  
- Agreements/Conventions on freight charges  
- Surcharges such as  
  - Low water  
  - High water  
  - Ice  
  - Level of water-mark  
  - Ascertain weight of goods (official verification) |
### CUSTOMS PROCEDURES

**Learning objective:** The applicant should be in a position to explain the necessity of customs duties and control on imported, exported or transit cargo. He should give a brief information on the existing international conventions/agreements, structure of customs tariffs (national) and the forms used in his country. He should be in a position to calculate customs duties for a simple consignment (one NHM position). He should also be aware of Customs offences/frauds.

| 8 | 30 hrs | **CUSTOMS PROCEDURES**  
**General Information on the National Customs Administration** |
|---|---|---|
| 8.1 | 4 hrs | Organisation  
National customs territory  
Duties and rights of the customs administration and the freight forwarder acting as customs clearing agent  
The most important laws affecting customs clearance  
Customs offences  
Appeals in customs matters  
Preventing drug smuggling  
Structure of the Customs Tariff  
Signification of the Customs Nomenclature  
Calculations of customs duties  
Customs forms  
Final Customs Clearance (import, export)  
Temporary admission and other special types of clearance, such as transit under bond, duty free zones etc.  
Preferential duties  
Simplified procedures  
Administration of Bonds |

| 8.2 | 7 hrs | National Customs Tariffs |
| 8.3 | 7 hrs | National Customs Procedures |
### 8.4 Liability of the Freight Forwarder

<table>
<thead>
<tr>
<th>8.4.1</th>
<th>4 hrs</th>
<th><strong>Liability of the Freight Forwarder Towards the Customs Administration</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>8.4.2</td>
<td>4 hrs</td>
<td><strong>Liability (in the Customs Context) of the Freight Forwarder Towards the Customer</strong></td>
</tr>
</tbody>
</table>

- According to the local/national legislation

### 8.5 International Conventions

<table>
<thead>
<tr>
<th>8.5</th>
<th>5 hrs</th>
<th><strong>International Conventions</strong></th>
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</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>KYOTO Convention</td>
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<td></td>
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<td>HS - Harmonised System</td>
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<td></td>
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<td>GATT – General Agreement on Tariffs and Trade</td>
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<td></td>
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<td>Customs preferences for goods from developing countries</td>
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<td>ATA Convention</td>
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<td></td>
<td></td>
<td>TIR Conventions – Customs Convention on the international transport of goods under cover of TIR carnets</td>
</tr>
</tbody>
</table>

### 8.6 Other Possible Duties of the Customs Administration

<table>
<thead>
<tr>
<th>8.6</th>
<th>3 hrs</th>
<th><strong>Other Possible Duties of the Customs Administration</strong></th>
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</thead>
<tbody>
<tr>
<td></td>
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<td>VAT (applicable rate and taxable value)</td>
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<td>Control of import and export consignments</td>
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<td>Import Licences e.g. for certain types of Dangerous Goods (ADR/IMDG code, class 1 and 7 = Explosives, radioactive substances)</td>
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<td>Veterinarian control</td>
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<td>Live plant control (phytosanitary control)</td>
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<td></td>
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<td>Intellectual Property, Counterfeit, Artifacts, Boycott issues</td>
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<td>Other specified duties for other governmental authorities</td>
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</tbody>
</table>

### 9 Logistics

**Learning objective:** The applicant should be able to describe the role of the forwarder in logistic activities and define logistic systems. He also should state the main steps in a logistic project. He should be acquainted with terms such as JIT, ‘pull systems’, physical distribution, supply chain, tailor made services. He should also be familiar with the procedure of warehousing, types of warehouses and financial aspects of storage.
| 9.1  | 4 hrs | Logistics and Forwarding | • Definition of logistics  
• Historical origin of logistics  
• The forwarder in the supply chain process  
• Common and divergent tasks in logistics and forwarding activities  
• Conventional activities of the forwarder: transport, warehousing, handling  
• Logistical activities  
  • Provision of logistical services  
  • Development and implementation of logistical services  
• Outsourcing and tendering  
• QM (Quality Management Systems) |
| 9.2  | 7 hrs | Logistic Concept/Project | • PROJECT (Logistics can be seen in many cases as *project based management*)  
  • Actual situation  
  • Definition of the order  
  • Concept  
  • Strategy (Targets, Solutions)  
  • Alternative concepts (material- and information flow)  
  • Evaluation  
  • Detailed planning  
  • Organisation, budget, implementation, cost calculation  
  • Realisation  
  • Controlling |
| 9.3  | 3 hrs | Physical Distribution Systems | • Categories of logistics providers/Forwarders  
• Single provider  
• Providers of special services  
• Network providers  
• System providers |
<table>
<thead>
<tr>
<th>Section</th>
<th>Hours</th>
<th>Description</th>
<th>Details</th>
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</thead>
</table>
| 9.4     | 4 hrs | Subsystems in Logistics (Supply Chain Management = SCM) | - Procurement Logistic  
- Production Logistics  
- Distribution Logistics  
- Logistics around the point of sales  
- Just-in-time deliveries  
- Supply chain management  
- Service level agreements and key performance indicators |
| 9.5     | 2 hrs | Information Handling and Control Issues | - Customer centred data  
- Data sharing systems – customer and forwarder  
- Data management in parallel to cargo management |
| 9.6     | 1 hrs | Value Added Services | - Marking  
- Packing  
- Retail packing  
- Co-packing  
- De-Consol and Re-Consol (Distribution function) |
| 9.7     | 1 hrs | Commodity Related Systems | - Automotive industry  
- Food processing industry etc |
| 9.8     | 1 hrs | Warehousing, Storage and Distribution Rights and Duties of the Warehouse Operator and the Customer | - Liability of the warehouse owner  
- Liability of the owner of the goods ( > accurate declaration of contents and value)  
- Terms of contract |
| 9.9     | 1 hrs | Types of Warehouses | - Private warehouse  
- Bonded warehouse  
- Public warehouse  
- FCR – FIATA Forwarders Certificate of Receipt |
9.10 2 hrs **Warehouse Documents**
- IT (Information Technology) for Warehouses
  - Private warehouse receipt
  - **FWR – FIATA** warehouse receipt
  - Warrant warehouse receipt
  - IT Systems for warehousing
  - Equipment and systems
  - Racking and Layout
  - Lift Trucks and VNA (Very Narrow Aisle) Trucks
  - Order picking
  - Fully automated warehouse systems

9.11 2 hrs **Construction, Layout and Safety**
- Choice of location (Relationship to market / geographic needs)
- Relative size (floor area versus internal cube)
- Internal layout (flexibility / equipment choices)
- Safe working practices
- Fire Prevention (Equipment / Testing / Housekeeping / Waste disposal)

9.12 1 hr **Debit of Warehouse Charges /Rent**
- Storage charges
- Warehouse rent
- Warehouse insurance
- Warehouse handling fees
- Ancillary charges
- IT based invoicing

9.13 1 hr **General**
- Warrant storage
- Consignment store
- Compulsory storage

10 10 hrs **INSURANCE**
Learning Objective
The applicant should be able to give information on the different possibilities of insurance coverage and its characteristics. He should also be in a position to state briefly the liability of carriers. His knowledge should enable him to deal with simple insurance issues.
<table>
<thead>
<tr>
<th>10.1.1</th>
<th>5 hrs</th>
<th>LIABILITY INSURANCE</th>
<th></th>
<th>Risks covered</th>
<th>Liability insurance for FIATA Bill of Lading (It should be noted that there are no specific insurance requirements for the use of the FIATA bill of lading other than the user having insurance in place to cover their operational liabilities with a first class insurance company)</th>
<th>Brokers offering cover in local marketplace (e.g. TT Club, etc.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>10.1.2</td>
<td>Liability of Different Parties</td>
<td>Insurance company (Note: the Insurance company should be providing insurance that properly covers the risks involved and to the proper liability limits - and applicable to the appropriate legislative regimes that may be involved in any given transit)</td>
<td>Freight forwarder (very important when carrying e.g. Dangerous Goods)</td>
<td>Carriers such as</td>
<td></td>
<td><a href="http://www.ttclub.com">www.ttclub.com</a>  <a href="http://www.aktivassekuran">www.aktivassekuran</a> z.de</td>
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<td></td>
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<td></td>
<td>Railway networks</td>
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<td>Road operators</td>
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<td>Shipping lines inland waterways</td>
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<td>Ocean going traffic</td>
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<td>Airlines</td>
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<td>Express services (Integrators)</td>
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<td></td>
<td>Logistics service providers</td>
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<td>Limitation on Liability, such as</td>
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<td>Contractual</td>
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<td>Total Claim Value</td>
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<td>Single Incident Value</td>
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<td></td>
<td></td>
<td></td>
<td>Re-Insurance Concepts</td>
<td></td>
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<tr>
<td>10.2</td>
<td>5 hrs</td>
<td>TRANSPORT INSURANCE</td>
<td>Cargo insurance policy (also blank endorsed)</td>
<td>Cargo insurance cover required in accordance with shipper’s declaration and mode of transport, especially where International Conventions are applicable – CMR, Hague-Visby, etc</td>
<td>Insurable value (Ex Works, FOB, Duty Paid, with profit, etc.)</td>
<td>Ancillary service requirements</td>
</tr>
<tr>
<td>10.2.1</td>
<td>General Insurance Policy</td>
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</tbody>
</table>
### 10.2.2 Types of Coverage

- **FPA** – Free of Particular Average
- **WPA** – With Particular Average
- **ALL RISKS** – against all risks according to type of goods
- War risks
- Risks to cover strikes and civil unrest
- Exclusions: Uninsurables, e.g. Nuclear incidents, Acts of God, Inherent Vice etc.

### 10.2.3 Duties of the Freight Forwarder in Case of Damage

- Place Carriers on notice (all parties to contract). Request reserves
- Assessment of damage (Joint survey etc.)
- Lodge a claim for damage
- Claims documentation and supporting documents as required by insurer
- Record of claims and settlement
- Duty to minimise loss
- Contractual Time-Bar issue

### General Average

- General Average clause
- Declaration of general Average
- Requirement of for General Average Bond
- Average adjuster
- General Average adjustment
| 11 | 14 hrs | **SAFETY, SECURITY AND DANGEROUS GOODS**  
*Learning objective:* The student should be acquainted with the most important safety and security requirements and regulations as well as with UN Regulations (Air, Sea, Road/Rail) for Dangerous Goods. He should be able to demonstrate its application in practice including use and completion of the necessary documents |
|---|---|---|
| 11.1 | 1 hrs | **Role of the Parties in the Transport Chain**  
- Definition of SAFETY and SECURITY  
- Definition of DANGEROUS GOODS  
- Shippers’ responsibility  
- Freight Forwarders’ responsibility  
- Carriers’ responsibility  
- Third-party liability (e.g. warehousing)  
- In house policy concerning Safety, Security and Dangerous goods  
- Risk management |
| 11.2 | 4 hrs | **Safety and Security Requirements**  
- Safety and security requirements for transport and warehousing  
- GPS based monitoring and information systems for of vehicles and units  
- Safety and security inspection at interfaces and preventive actions  
- Safe Warehouses  
- ISPS Code in seaborne traffic |
| 11.3 | 3 hrs | **Dangerous Goods Regulations**  
- IATA-DGR, ICAO-TI (Air)  
- IMDG Code (Sea)  
- ADR (Road)  
- RID (Rail)  
- EN 12798 (supplement to ISO 9000 series)  
- National legislation |
| 11.4 | 1 hrs | **Classification**  
- 9 main classes (1 – 9)  
- Identification: UN-Number, Proper Shipping Name |
<table>
<thead>
<tr>
<th>11.5</th>
<th>2 hrs</th>
<th>Marking of Hazardous CARGO, Handling</th>
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<tbody>
<tr>
<td></td>
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<td>▪ Hazard Labels</td>
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<td>▪ Labelling</td>
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<td></td>
<td></td>
<td>▪ Packaging, Packing Group, Segregation of Packaging</td>
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<td></td>
<td></td>
<td>▪ Vehicle plates, Placarding of Vehicles</td>
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<tr>
<td></td>
<td></td>
<td>▪ Handling of Dangerous Goods (Terminals, Transport)</td>
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<tr>
<td></td>
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<td>▪ Accidents/incidents</td>
</tr>
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<td></td>
<td>▪ Data Banks / Ref. Points / Local expertise (Civil Defence, Port Authority etc.)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>11.6</th>
<th>1 hr</th>
<th>Training</th>
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<tbody>
<tr>
<td></td>
<td></td>
<td>▪ Training, Dangerous Goods Safety Adviser = DGSA (mainly Europe)</td>
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<tr>
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<td>▪ Guidelines, in house policy</td>
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<td>▪ Training plan, Training structure (modes of transport)</td>
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<td>▪ Checklists</td>
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<td>▪ Person in charge of Dangerous Goods</td>
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<td>▪ FIATA Publication : &quot;A FIATA Introduction to the Regulations for the safe handling and transport of Dangerous Goods&quot;</td>
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<thead>
<tr>
<th>11.7</th>
<th>2 hrs</th>
<th>Documentation</th>
</tr>
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<tbody>
<tr>
<td></td>
<td></td>
<td>▪ Shippers declaration</td>
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<tr>
<td></td>
<td></td>
<td>▪ Multimodal Dangerous Goods Form (recommended by UN), reflected in sea mode and ADR/RID</td>
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<td></td>
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<td>▪ FIATA SDT (Shippers Declaration for the transport of Dangerous</td>
</tr>
</tbody>
</table>
-learning objectives

The applicant should be able to appreciate the fundamental essentials in the usage of technologies attributed in the application of computer and communication. Such technologies that are applicable in Forwarding, either in form of applications or standards, are focussed on data collection, exchanging and manipulation. The applicant must also appreciate the extent of the e-business and e-commerce in the world of the Internet and the worldwide web (www). In addition, fundamental understanding of security and electronic signatures used in e-commerce should also be appreciated.

<table>
<thead>
<tr>
<th>12</th>
<th>12 hrs</th>
<th>INFORMATION &amp; COMMUNICATION TECHNOLOGIES (ICT) IN FORWARDING</th>
</tr>
</thead>
<tbody>
<tr>
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<td>Learning objectives</td>
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<td>The applicant should be able to appreciate the fundamental</td>
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<td>essentials in the usage of technologies attributed in the</td>
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<td>application of computer and communication. Such technologies</td>
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<td>that are applicable in Forwarding, either in form of</td>
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<td>must also appreciate the extent of the e-business and</td>
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<td>e-commerce in the world of the Internet and the worldwide</td>
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<td>web (www). In addition, fundamental understanding of</td>
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<td>security and electronic signatures used in e-commerce</td>
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<td>should also be appreciated.</td>
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</tbody>
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### 12.1 1 hr Basic Understanding of Computer and its Environment

- **Understanding of Hardware and Software**
  - CPU, RAM, Storage Device, Drives, BIOS
- Different types of Operating systems (UNIX, DOS, Windows)
- **Basic principles of information processing in business environment**
  - Online, Offline, Batch processing
- **Understanding the task of computing personnel**
  - Ethics of usage
  - Role of the users and System Administrators
- **Software aspects**
  - Hardware Platform specifically: "off-the-shelf" versus "custom made".
  - Limitation of software

### 12.2 1 hr Role of Information Technologies in Forwarding

- **Role of Office Automation**
  - User Knowledge of Word Processing, Spreadsheet, e-mail, presentation, images
- **Computerised Control System**
  - Documentation systems (Customs declaration, AWB, B/L)
  - Warehousing and Logistics Support systems
- **Awareness of the convergence of computing & communication technologies**
- **Impact of Information & Communication Technologies in the world of forwarding**
| 12.3 | 1 hr | **Data Storage & Management AND Databases** | - Overview of Data, Data Storage and Data Management  
- Overview of Database Systems  
- Relational Database Systems and RDBMS  
- File Organisation, Storage Systems  
- Database Backup and Recovery "on site" and "off site"  
- Database Security and Authorisation  
- Data Warehouse and Data Mining |
| --- | --- | --- | --- |
| 12.4 | 1 hr | **Principles of Networking and Data Sharing** | - *Principles of Networking and Data Sharing*  
- Overview of Network Topologies and Components  
- Types of networking topologies (Star, Token-Ring, Distributed)  
- Understanding of LAN, WAN, peer-to-peer networks  
- Understanding of Client/Server Architecture  
- Latest technologies (Wireless Network, Digital Network) |
| 12.5 | 1 hr | **Telecommunication and its Applications** | Basic understanding of what are the available technologies currently offered by the telecommunication Companies |
| 12.6 | 1 hr | **Electronic Data Interchange (EDI) and Value-Added Network (VAN)** | - *Understanding of the concept of EDI*  
- Benefits of using VAN (Value Added Network)  
- EDI Standards and Messages Types  
- *Understanding of UNEDIFACT*  
  - Role of UNCEFACT in EDIFACT  
- *EDIFOR*  
  - Types of EDIFOR messages  
- XML – usage issues versus sequential message structures  
  - XML website |
<table>
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<tr>
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<td>Barcoding and RFID</td>
<td><img src="www.ean.be" alt="Understanding of Concept of Barcodes" /> <img src="www.iata.org" alt="How Barcodes work within EDI, External versus Internal reference data" /> <img src="www.ean.be" alt="Barcode Standards and Symbologies : 2D and 3D concepts" /> <img src="www.iata.org" alt="EAN/UCC" /> <img src="www.iata.org" alt="IATA &amp; MITL Labels" /> <img src="www.iata.org" alt="Resolution 606 B of IATA" /> <img src="www.iata.org" alt="Detailed explanation of 606 B Labels" /> <img src="www.iata.org" alt="What are Multi-Industry Transport Labels ?" /> <img src="www.iata.org" alt="RFID Radio Frequency Identification Technology" /></td>
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<td><img src="www.iata.org" alt="Overview of Internet" /> <img src="www.iata.org" alt="ISP (Internet Service Provider)" /> <img src="www.iata.org" alt="Web Browsers &amp; other applications" /> <img src="www.iata.org" alt="E-mail and other Services" /></td>
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<td>E-Commerce</td>
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<td>12.10</td>
<td>1 hr</td>
<td>WEB-based Applications and E-Marketplace</td>
<td><img src="www.boleroltd.com" alt="Understanding of Application Service Providers (ASP)" /> <img src="www.ariba.org" alt="Advantage and disadvantage of using an ASP" /> <img src="www.ariba.org" alt="Overview of a e-Marketplace, Organisation" /> <img src="www.ariba.org" alt="ARIBA, Commerce-One, etc" /></td>
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<tr>
<td>12.11</td>
<td>1 hr</td>
<td>Security</td>
<td><img src="www.w3.org" alt="Understanding of Security" /> <img src="www.w3.org" alt="Security policy of the company/organisation" /> <img src="www.w3.org" alt="Issues relating to security of data, message transmission" /> <img src="www.ariba.org" alt="Virus and their propagation" /> <img src="www.ariba.org" alt="Existing virus protection programmes" /> <img src="www.ariba.org" alt="Virus protection for users" /></td>
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<tr>
<td>12.12</td>
<td>1 hr</td>
<td>Electronic Fund Transfer and E-Payments</td>
<td>▪ Overview of Electronic Fund Transfer (EFT)</td>
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<td></td>
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<td>▪ What is EFT? Benefits of using EFT</td>
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<td></td>
<td>▪ Legal and Security Issues</td>
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<td></td>
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<td></td>
<td>▪ Best practice in using EFT</td>
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<td></td>
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<td>▪ In house policy relating to EFT</td>
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</table>
Annex 8  FFTC Guidelines

Freight Forwarders Training Courses
Europeaid/120540/C/SV/Multi

Instruction Guide for
Course material Basics
for use in an e-Learning
environment.

Submitted to : Project Organization FFTC, NEA, Netherlands
Submitted by : TVM Design, Roosendaal, The Netherlands
Author        : Govert van den Aardweg, Brainnovation b.v., Voorchoten, The Netherlands (1-5)
                Norbert Wagener, Wagener & Herbst Management Consultants GmbH, Potsdam (6)
Version       : 2.0
Date          : 12 january 2006
Table of contents

1. Introduction 3
2. e-Learning 3
3. Classroom Teaching and e-learning 3
4. Guidelines for instructional Materials 4
   Summary of the Instructional Events 5
5. Effective and Efficient Programming 6
6. Organisational Guidelines 7
1. Introduction

In the meeting in Rijswijk in the Netherlands on the 5th and 6th of January 2006 is decided that for the development of the training courses for the Traceca countries existing and or new material will be used.

The objectives for this training programme is to comply with the FFTC Fiata Diploma. This programme is presented in a draft version by A. Alymov and N. Wagener and consists of 12 modules with an estimated classroom teaching duration of 300 hours.

By this the framework or outline of the FFTC is ready in a draft version and will and can be used as the outline for the course in English and Russian for the use in this project.

2. e-Learning

In this project an important design decision is already taken. The first action is to start to collect all existing materials or to develop new materials to cover all 12 modules of the FFTC. This task will be executed by Trademco and STC. Norbert Wagener as Academic Director of the FFTC project will review the material.

The target is to gather all available materials within a short period of time. In this period actions to produce new materials can be part of the programme.

The development of e-Learning modules by Brainnovation will start after the collection of paper based and other materials whereby this material is to be used to develop e-Learning modules.

To enhance the interactivity of the e-Learning modules built with the use of existing materials it is essential that a number of guidelines based on educational principles are followed at the construction of existing and new materials to speed up the process of developing e-Learning modules.

3. Classroom teaching and e-Learning

Because all materials must be used in a classroom and through e-Learning it is wise to choose for one educational model based on Cognitivism. The quality of classroom teaching is improving when the teacher follows a few logical steps in the teaching process and also develops materials according these steps.

In an e-Learning environment all educational actions of the teacher will be incorporated in interactivities with or without the use of multimedia solutions.

Guidance of the learner in its learning process is essential. So interactivities (minimum) must exist of feedback on actions, questions, tests, exams. This will not mean that there will be only one presentation form of each component. Interactive questions in e-Learning can be in different forms like multiple choice, drag and drop, putting statements in the right order, filling in forms with texts, choosing the right picture.
4. Guidelines for instructional materials

To ensure that the minimal requirements will be met we propose to use the instructional events of Gagné and Briggs because this is efficient for this project. This will ensure that in the given context of this project e-Learning content can be developed with good quality and within the budget. The produced e-Learning content can be used as a self-paced learning system and in a later stadium as a base for enhancing or expanding with more content and multimedia.

In a later stage other strategies of learning could be added to the base programme.

The instructional events of Gagné and Briggs to be used for each module/submodule are:

- **Gain attention**
  A short introduction with best practice, examples, incidents, accidents to get the attention of the learner and arouse his curiosity.

- **Inform objectives**
  Information what the learner will learn in this module, why he has to learn it and what he is expected to do to obtain this knowledge. Examples of all day practice.

- **Stimulate recall of prior knowledge**
  Prior knowledge related to the learning module is presented in short or tested to ensure that the learner is ready to start with this module.

- **Present stimulus material**
  Course material will be presented according to the learning objectives and suitable for the type of learning activity. This material is to be used to support the learning process by the learner and stimulate his curiosity. (Not a manual or reader but material with assignments, questions, a real learning guide)

- **Provide learner guidance**
  The learner will get help from a teacher, the e-Learning system during the learning process, based on the results. (Also tests, practice, feedback).

- **Elicit performance**
  Each module or submodule must contain questions, tests, assignments and feedback on the results of the learner to give him guidance in the learning process. By asking questions and making tests the performance of the learner will be measured and presented to him to evaluate if he meets the requirements.
  (Requirements translated into the number of right answers, filled in form (e.g. FIATA documents) or action)

- **Provide feedback**
  Feedback will be given on the results or tests but also advice or coaching. In an e-Learning environment all modules and submodules must have some form of testing to help the learner to decide to go on or start over again. The feedback must be comprehensive and pointing to the right content.

- **Assess performance**
  The learner should have a transparent view on all of his learner activities and results. (Reports on exams, tests, questions related to all modules to get an overall view)

- **Enhance retention and transfer**
  Newly learned knowledge needs transfer to all day situations and actions. This is where the “real learning” takes place. Assignments, trainee programmes, work!
Summary of the instructionals events:

Each module or sub module contains:

<p>| | |</p>
<table>
<thead>
<tr>
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<tbody>
<tr>
<td>1.</td>
<td>Short introduction to get attention</td>
</tr>
<tr>
<td>2.</td>
<td>Information about what, why and how the learner has to learn</td>
</tr>
<tr>
<td>3.</td>
<td>Short evaluation of prior knowledge needed for this module (text, test)</td>
</tr>
<tr>
<td>4.</td>
<td>Attractive course material supporting the learning process (real learning guide with questions and tests, examples, assignments)</td>
</tr>
<tr>
<td>5.</td>
<td>Guidance (pointers to information, prior knowledge, websites…., help by teacher or coach)</td>
</tr>
<tr>
<td>6.</td>
<td>Each module must have tests, questions or any measuring of results (could be a filled form, essay) to make it possible to provide feedback on results</td>
</tr>
<tr>
<td>7.</td>
<td>The learner gets an overview and feedback on all results through reports and advice.</td>
</tr>
<tr>
<td>8.</td>
<td>See 7.</td>
</tr>
<tr>
<td>9.</td>
<td>Transfer to all day events and best practice (assignments)</td>
</tr>
</tbody>
</table>
5. Effective and efficient programming

The content of the FFTC and the FIATA diploma is related to a lot of regulations and formalized knowledge. This formalized knowledge is already available through different resources. This could be books, internet pages, published laws, Fiata regulations.

While developing new coursematerial it is very effective and efficient to use this formalized knowledge as an external resource. (Not present in the coursematerial, except for short summaries o.e.) In an e-Learning environment these external resources can be incorporated in the website or accessed through a link to an internal or external website.

For the development of coursematerial it means that a lot of information is not included and can be left out of the training manual. The developing process will benefit of this development method.

The following picture will illustrate this thinking in layers.
It also helps to produce the e-Learning modules situated in the “transfer layer”.

![Diagram showing the transfer of learning and development of content]
6. Organizational Guidelines
In order to ensure on-time delivery of the material we ask you to follow the following organizational guidelines.

- Texts must be written in MS-Word in DOC-format.
  Front type: Arial
  Front size: 11
  Spacing: 1,5 x

- Pictures must be saved either in PPT-format or in JPEG-format with the middle picture resolution.

- Please consider that you use material which will be used as public domain (as in all EC-projects). Please feel free to use the material on CD given to you by NEA René Meeuws at the 6th of January 2006 in Rijswijk.

- Number of pages and responsibilities

<table>
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<tr>
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<th>Title of Module</th>
<th>Number of Pages</th>
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<tr>
<td>1</td>
<td>An Introduction To Freight Forwarding</td>
<td>72</td>
<td>STC</td>
</tr>
<tr>
<td>2</td>
<td>Sea Transport (General)</td>
<td>62</td>
<td>Trad</td>
</tr>
<tr>
<td>3</td>
<td>Multimodal Transport (esp. Maritime Containers)</td>
<td>34</td>
<td>Trad</td>
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<tr>
<td>4</td>
<td>Air Transport</td>
<td>54</td>
<td>Trad</td>
</tr>
<tr>
<td>5</td>
<td>Road Transport</td>
<td>62</td>
<td>STC</td>
</tr>
<tr>
<td>6</td>
<td>Rail Transport</td>
<td>30</td>
<td>STC</td>
</tr>
<tr>
<td>7</td>
<td>National/International Carriage by Inland Waterway</td>
<td>28</td>
<td>STC</td>
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<tr>
<td>8</td>
<td>Customs Procedures</td>
<td>48</td>
<td>Trad</td>
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<tr>
<td>9</td>
<td>Logistics</td>
<td>40</td>
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<td>10</td>
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<tr>
<td>11</td>
<td>Safety and Dangerous Goods</td>
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<td>STC</td>
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<td>12</td>
<td>Information &amp; Communication Technologies (ICT) in Forwarding</td>
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- Further Activities

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<th>Responsible</th>
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<td>Submission of Course Material to NEA and W&amp;H</td>
<td>01.03.06</td>
<td>STC, Trad</td>
</tr>
<tr>
<td>Revision, Workshop on E-learning</td>
<td>03/06</td>
<td>NEA, W&amp;H</td>
</tr>
<tr>
<td>Translation</td>
<td>30.04.06</td>
<td>NEA</td>
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<td>Distribution to Trainers</td>
<td>15.05.06</td>
<td>NEA</td>
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<td>Translation into e-Learning</td>
<td>04 to 08/2006</td>
<td>Brain-</td>
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<td>Training of Trainers</td>
<td>08/2006</td>
<td>novation</td>
</tr>
</tbody>
</table>
Annex 9  Approval short-term international experts
To:       Mr. Rene Meeuws
          NEA Transport Research and Training
          Sir Winston Churchill laan 297
          P.O. Box 1969
          2280 DZ Rijswijk
          The Netherlands
          Fax: 00 31 70 3988 312

Subject:  Side Letter No 1 to Contract 120540

Project Title:  FIATA - Freight Forwarders Training Courses

Dear Mr Meeuws,

We hereby confirm our authorisation of the following member of staff:

1) Mr. Menno Langeveld, International and European Transport Law and Regulations
2) Mr. Mark Booker, International and European Transport Law and Regulations
3) Mr. Mario Croes, Freight Documentation and Documentary Procedures
4) Mr. Konstantinos Georgiou, Multi-Modal Transport Operations
5) Mr. George Emmanouelopoulos, Freight Forwarding on all Modes of Transport
6) Mr. Sotiris Baouras, FIATA Documentation and Training
7) Mr. Ivan Tichin, UNECE Documentation and Training
8) Mr. Klaas Westerkamp, Management of Associations
9) Mr. Bernard Toubaoud, International Senior Expert in Customs
10) Mrs. Elizabeth van Groll, Training and Organizational Expert
11) Mr. Jacobus Bastiaan, Dangerous Goods Transportation
12) Mr. Cor van der Heijden, Perishable Goods Transportation
13) Mr. Robert Schuurman, Adult Post Graduate Training
14) Mr. Constantinos Melpoisos, Electronic Document Systems and Internet Technology
15) Mrs. Maria Sevastakis, Dissemination and Public Relations
16) Mr. Carlos Ibarra, E-Learning Environment and Distance Learning
17) Mr. Geertjans van de Blijdeweg, E-Learning Environment and Distance Learning

All of them Short Term International Experts, as requested in your mail dated 03/02/2006 and we accept their Curricula Vitae.

All other conditions of the contract remain unchanged.

Yours faithfully,

[Signature]

For the contracting Authority,

[Signature]

Athanasios Botsios
Project Manager

Brussels, 06/02/2006
EUROPEAN COMMISSION
European Co-operation Office
Europe, Caucasus, Central Asia
Coordinated operations for Europe, Mediterranean and the Middle-East