

PART 5

RESOURCES REQUIRED FOR IMPLEMENTATION OF THE NATIONAL PROGRAMME¹

Introduction

This Chapter elaborates on the classification of activities of bodies (structures) included in the EU integration system of the Republic of Armenia within the framework of the National Programme for PCA implementation, as well as the allocation of resources required for the implementation of mentioned activities.

The legislative and policy approximation measures envisaged by the National Programme, which will be implemented during the course of 2006-2009, imply that in total 508 prudential legal acts shall be adopted during the mentioned period: particularly, 67 prudential legal acts shall be adopted in 2006 (13.2%), 291 legal acts in 2007² (43.1%), 144 legal documents in 2008 (28.3%), and the remaining 78 legal acts in 2009³ (15.4%), i.e. at the end of the implementation of the National Programme. Out of the above mentioned 508 prudential legal acts, 237 are laws, 69 of which are new acts, whereas the remaining 167 laws are subject to amendments. Furthermore, about 189 governmental decrees shall be adopted: 162 new government decrees and amendments to already enforced 27 acts. 39 out of 51 acts to be adopted by state agencies are new acts, whereas the remaining 12 acts shall be subjected to amendments.

98 (18.9%) out of the mentioned 508 prudential legal acts fall to the share of Environment, 50 (9.8%) - Free Movement of Goods, 42 (8.3%) - Transport, 37 (7.3%) - Company Law, 34 (6.7%) - Consumer Protection, 31 (5.8%) - Justice and Home affairs, 30 (5.9%) - Free Movement of Capital and Services, 29 (5.7%) - Agriculture, and 29 (5.7%) - Employment and Social Policy. In total, 80.3% of acts to be adopted are concentrated in 14 chapters of the National Programme.

From the point of view of the volume of activities to be carried out, the main indicator is the manpower distribution, the analysis of which is given below.

Implementation of the RoA Legal System for the Governance of the EU Integration Process

23 prudential legal acts⁴ shall be adopted during the second trimester of 2006 for regulation of the activities of bodies and structures to be established and of those already functioning within the framework of NP implementation. Moreover, more than half of the mentioned figure, i.e. 14 acts (60.9%) are new government decrees which mainly relate to the organization and governance of the EU integration process as well as the establishment of relevant structures, regulation of the activities thereof as well as coordination of cooperation among these structures. Amendments shall be made to 2 laws (8.7%), which define the process of adopting legal acts within the context of the subject matter and the activities of the Civil Servants Council of Armenia. Amendments relating to structural changes within the Government of Armenia shall be made to 2 decrees of the President of Armenia (8.7%). The President of Armenia shall pass 2 new decrees (8.7%) relating to the EU integration negotiation process and regulation of financial assistance⁵ to be received. Within the mentioned period, the Prime Minister of Armenia shall adopt a new decree (4.3%) as well as 2 other prudential legal acts (8.7%). Here it should be mentioned that the bodies responsible for the elaboration and approval of the above

¹The presented resources are envisaged only for NP implementation. They do not include those resources, which will be mainstreamed towards the establishment of various structures in different sectors of economy, which in their nature are outcomes of NP implementation.

² It should be mentioned that a new draft National Programme shall be elaborated in 2007, which will consider the volume of undertaken activities as well as the amendments made to the EU legislation during the preceding period.

³ See Annexes 1-a, 1-b. Here it should be mentioned that there are acts in the list of newly adopted legal acts, the legal status of which (law, government decree or agency prudential legal act) is not yet clearly defined.

⁴ See Annex 2-a.

⁵ The EU Department of the Ministry of Foreign Affairs shall be staffed with new employees. The RoA Delegation in EU shall be extended and staffed with relevant experts for organisation of the negotiation process with the European Union.

mentioned 23 prudential legal acts include the Prime Minister's Office of Armenia (13 acts), Ministry of Justice (4 acts), Ministry of Finance and Economy (3 acts), Ministry of Foreign Affairs (1 act)⁶ and Civil Servants Council of Armenia (2 acts).

560 man-days⁷ are foreseen for the elaboration of prudential legal acts to be adopted and amended during the second trimester of 2006, 323 (57.7%) out of which fall to the share of the Prime Minister's Office of Armenia, 90 (16.1%) - Ministry of Justice, 65 (11.6%) - Ministry of Finance and Economy, 55 (9.8%) - Civil Servants Council of Armenia, and 27 (4.8%) - Ministry of Foreign Affairs.

EU Integration Department of the Prime Minister's Office of Armenia

The work-load of the EU Integration Department of the Prime Minister's Office for 2006-2009 shall be 11,880 man-days. Moreover, 16.7% of the total volume, i.e. 1,980 man-days fall to share of the Department for 2006, for 2007 and 2008 - correspondingly 33.3%, i.e. 3,960 for each year, and for 2009 – 1,980 man-days, i.e. 16.7%⁸ of the total volume.

EU Integration and Functional Subdivisions

The EU integration subdivisions and functional subdivisions of state agencies are the most important units of NP implementation, which will jointly implement the activities covered by the National Programme. The following principles have served as the basis for the calculation of the 23,973 man-days⁹ required for undertaking of mentioned activities:

- in case several state governmental bodies are responsible for the implementation of a measure, the envisaged man-days are distributed among them in the following ratio: 60% for the responsible body and 40% for supporting (assisting) bodies;
- man-days required for undertaking of measures are distributed among EU integration and functional subdivisions in the following ratio: 30%/70%, correspondingly, for the responsible body, and 20%/80 %, correspondingly, in case of supporting body¹⁰.

23,973 man-days are envisaged for the implementation of NP activities, which are distributed in the following format: in 2006 - 3,076 (12.8%) man-days, in 2007 - 9,235 man-days (38.6%), in 2008 - 6,828 man-days (28.5%), and in 2009 - 4,834 man-days (20.2%)¹¹.

The analyses of workload distribution by state governmental bodies shows that the biggest share of activities, i.e. 15.5% (3,717 man-days) falls to the Ministry of Trade and Economic Development, 14.7% (3,534 man-days) - to the Ministry of Finance and Economy, 11.5% (2,752 man-days) - to the Ministry of Nature Protection, 8.6% (2,055 man-days) - to the Ministry of Agriculture, and 6.5% (1,563) man-days) - to the Ministry of Healthcare¹². Overall, 68.9% of the workload falls to the share of seven state governmental bodies.

NP implementation activities shall be carried out in two directions, i.e. legislative and policy approximation¹³.

⁶ Here it should be mentioned that the Ministry of Foreign Affairs and the Prime Minister's Office of Armenia will jointly elaborate a new draft Government Decree.

⁷ See Annex 2-b.

⁸ In 2006 10 employees shall be involved in the EU Integration Department of the Prime Minister's Office of Armenia, whereas from 2007 to 2009 – 15 employees. As a workload criterion 22 working days per month is taken as an indicator.

⁹ See Annex 3-a.

¹⁰ See Annexes 3-b, 3-c.

¹¹ Here it should be also mentioned that a new draft National Programme shall be elaborated in 2007, which will consider the volume of undertaken activities as well as the amendments made to the EU legislation during the preceding period.

¹² Here it should also be mentioned that there are certain issues within the framework of NP implementation, the bodies responsible for which are not yet clearly defined.

¹³ See Annexes 4-a, 4-b, 4-c, 4-d, 4-e, 4-f.

The analysis of man-days required for undertaking of activities and the amount of acts to be adopted proves that the amount of acts does not represent the real volume of activities to be undertaken, which can be explained by the following factors:

- availability of the provisions of EU legal acts in Armenian legal acts as shown by the results of the screening of EU and Armenian legal acts;
- degree of compliance of Armenian legal rules and the provisions of EU legal acts;
- number of prudential rules in an EU legal act based on which the Armenian prudential legal act is adopted.

The man-days (23,973) foreseen for the implementation of measures envisaged within the framework of the National Programme are distributed by NP Chapters, state governmental bodies and their EU integration and functional subdivisions already in place or to be established. Based on the amount of man-days, EU Integration departments and divisions shall be established within the relevant state bodies, and in certain bodies EU integration responsible officers shall be appointed, particularly:

- EU Integration Departments and Departments of International Organizations shall be established in case of 1,000 and more man-days;
- EU divisions shall be established in case of 100-1000 man-days;
- Responsible officers shall be appointed in case of less than 100 man-days.

Taking into account the sequence of NP activities, EU Integration subdivisions shall be established within state governmental bodies during the third trimester of 2006.

Translation Centre

11,746 pages of EU legal acts are scheduled to be translated during the course of 2006-2009 by the Translation Centre to be established within the framework of the National Programme.¹⁴

Thus, 2,935 pages shall be translated in 2006, 4,242 pages in 2007, 3,202 pages in 2008, and 1,367 pages in 2009, which, correspondingly, account for 25.0%, 36.1%, 27.3% and 11.6% of the total volume. Meanwhile, additional resources shall be needed for translating into English the Armenian prudential legal acts approximated with EU legal acts.

The major part of the workload of Translation Centre specialists, according to NP Chapters, shall be directed towards the fields of Environment, Free Movement of Goods, Agriculture, Transport, Customs Issues, Statistics and Free Movement of Capital and Services. 73.8% of translation activities fall to share of the mentioned fields.

Taking into consideration the specific nature of the activities, in terms of the fields of specialisation, as well as the high quality required, the staff shall pass special training courses. Given the importance of translation activities and the necessity to ensure continuous provision of translated materials within the set deadlines, the Translation Centre shall be established during the second trimester of 2006.

Information Centre

Within the observed period, overall 3498 man-days are envisaged for the implementation of the activities of the Information Centre. The distribution by years is as follows: 198 man-days (5.7%) will be utilized in 2006, in 2007 and 2008 - correspondingly 1,320 man-days (total 75.5%) and 660 (18.8%) man-days in 2009¹⁵. The Information Centre is scheduled to be established during the fourth trimester of 2006.

¹⁴ See Annexes 5-a, 5-b, 5-c.

¹⁵ 3 employees shall be involved in the Information Centre in 2006, whereas in 2007-2009 – 5 employees. As a workload criterion 22 working days per month is taken as an indicator.

Training

For efficient implementation of EU integration activities, relevant professional training courses shall be organized for the staff members of state agencies. During the observed period, 1,485 days are foreseen for the implementation of above mentioned training courses.¹⁶ Thus, 1,170 (78.8%) days shall be allocated for the training of the staff members of responsible bodies, and 315 (21.2%) days - for the staff members of supporting bodies.¹⁷ According to the schedule of NP activities, the trainings shall start in the third trimester of 2006. The Translation Centre personnel shall also be involved in the trainings and their training courses shall be conducted during the second trimester of 2006.

Technical assistance

The implementation of the National Programme shall require considerable financial resources, a part of which the Government of Armenia expects to receive from relevant EU structures and other donor organizations. The technical assistance to be provided by the EU shall be divided into two phases: the first phase of assistance shall be provided at the end of 2006 within the framework of the EU's TACIS project (the component of economic policy and legal advice), and from 2007 the technical assistance shall be provided through the financial assistance tools of the European Neighbourhood Policy.

It is envisaged that the assistance to be provided within the framework of TACIS shall be in the form of advice, expertise and trainings.

The advice, in its turn, shall be provided during the course of legislative approximation, monitoring of NP implementation and policy making. The expertise implies submission of peer reviews during the elaboration of legal acts and policy making. The assistance provided during the training process is expected to be mainstreamed towards the professional training of translators and PR specialists.

In addition to the above mentioned directions, it is envisaged that the technical assistance shall also be mainstreamed towards upgrading of technical equipments, implementation of special programmes, settlement of issues related to the organization and regulation of public relations as well as the support for the operation of the Translation Centre.

The above mentioned measures shall be supplemented by TWINING, TAIEX programmes implemented by the EU as well as by the European Investment Bank (EIB). During the implementation of the National Programme, the financial means of other international donor organizations, namely the USAID, DFID and UNDP, may also be considered as a possible source for technical assistance. Another source of financial assistance may be the assistance directly provided by EU Member States within the framework of other projects of "mutual assistance".

It is also expected to involve into the framework of NP implementation the financial resources received under the assistance provided by the Diaspora.

An EU and Foreign Aid Coordination Department shall be established under the Ministry of Finance and Economy for regulation of the technical assistance to be received from the mentioned sources for NP implementation. No additional resources shall be required for the establishment of the above mentioned Department.¹⁸

¹⁶ See Annexes 6-a, 6-b. Of course, if to assume that the average number of trainees is 15, we will obtain the indicator of man-days required for training, i.e. 21,945 man-days.

¹⁷ Responsible bodies are the state administration bodies, which implement and coordinate the process of adoption, discussion and submission of legislative acts to relevant bodies within the timetable set by the National Programme.

Supporting bodies are those which assist the responsible body during the adoption, discussion and submission of legislative acts to relevant bodies within the timetables set by the National Programme.

¹⁸ The department shall be established on the basis of already functioning subdivisions.

Based on preliminary estimations, for the implementation of the National Programme it will be necessary to obtain 50 million EUR from EU and other donor organizations¹⁹.

The distribution of resources required for the implementation of activities envisaged within the framework of the National Programme is presented in the table below.

	Measurement Unit	2006	2007	2008	2009	Total
Adoption of prudential legal acts during the NP elaboration phase	act	23				23
Resources required for the adoption of prudential legal acts during the NP elaboration phase	man-days	560				560
Adoption of prudential legal acts	act	67	219	144	78	508
Resources necessary for the adoption of prudential legal acts and concept papers	man-days	2967	8805	8805	4834	23434
EU Integration Department of the Government of Armenia	man-days	1980	3960	3960	1980	11880
Translations	page	2935	4242	3140	1367	11684
Public Relations	man-days	198	1320	1320	660	3498
Training ²⁰	day	244	586	487	487	1463

¹⁹ This amount also includes the financial means allocated for the establishment of structures necessary in various sectors of economy as a result of NP implementation. This amount has been calculated on the basis of the macroeconomic indicators of the Republic of Armenia, country dimensions, the experience of EU Member States and accession countries, as well as specific features of the EU integration process.

²⁰ The training load by years has been distributed based on the share of trimesters of each year in the total.

