

## SIGMA

SIGMA Programme (Support for Improvement in Governance and Management) is one of the prominent analytical centers in Europe established under OECD and the European Union.

The Programme aims to strengthen the foundations of public administration, promote social and economic development by strengthening the institutional capacity of the public sector, to strengthen horizontal governance and improve the process of public administration reform development and implementation, including clear prioritization, adhering the sequences and budgeting.

In 2015 the NAUCS prolonged cooperation with the SIGMA programme within the frameworks of development of the draft Law of Ukraine "On Civil Service", the Draft Strategy for Public Administration Reform for 2015-2020 and the draft Action Plan on the Strategy realization.

SIGMA PROGRAMME SUPPORT CARRIED OUT WITHIN SIX AREAS:



### COMMUNICATIVE EVENTS



On April 28, 2015 at the premises of the NAUCS the working meeting was held. The aim of the meeting was to discuss the issues regarding the support to the implementation of the Law of Ukraine "On Civil Service" (new edition) from the side of European Union as well as to review the current state of preparation of the draft Strategy of Public Administration Reform in accordance with the Strategy for Sustainable Development "Ukraine – 2020".

The SIGMA programme expert Joop Vrolijk, the Leader of Support Group to Ukraine under the European Commission Frank Paul, advisor of the Presidential Administration of Ukraine Ivan Khilobok took part in the working meeting. From the Delegation of the European Union to Ukraine the Head of Operations Section 1 "Good Governance and Democratisation" Alexandru Albu, and Sector Manager "Public Administration Reform" Volodymyr Kondrachuk attended the event.

On July 24, 2015 the Coordination Meeting regarding approval of the draft Action Plan of SIGMA Programme in Ukraine for July 2015-December 2016 was conducted. The main goal of this meeting was to discuss the proposals to the draft Action Plan of SIGMA Programme in Ukraine, provided by the stakeholders in such areas as regulatory reform, state budget management, development and coordination of public policy, public administration reform, providing services to business and citizens, territorial administration and regional development, justice institutions and government procurement.

Representatives of the Secretariat of the Cabinet of Ministers of Ukraine, Ministry of Finance of Ukraine, Ministry of Economic Development and Trade of Ukraine, Antimonopoly Committee of Ukraine, the NAUCS and Center for Adaptation of the Civil Service to the Standards of the European Union took part in the event. According to the results of Coordination Meeting the Draft Action Plan of SIGMA Programme in Ukraine for July, 2015-December, 2016 was taken as a basis.



### PAO ROLE IN THE TWINNING PROJECTS CYCLE

The NAUCS coordinates implementation of institutional building instrument Twinning in Ukraine. Twinning Programme Administration Office (PAO) under the NAUCS is the institution responsible for the coordination of the Twinning projects preparation and providing support for their implementation, provision of the advisory and methodological support to government authorities – beneficiaries of Twinning projects.



### TWINNING COORDINATION

#### PAO role and functions:

- to inform government authorities about the possibilities to attract the EU technical assistance within the frameworks of the Twinning instrument;
- to provide support to Ukrainian government authorities in preparing Twinning project proposals and provides analysis and assessment of submitted project proposals, conduct consultation with the beneficiary administration;
- to support the beneficiary administrations in drafting the Terms of Reference (ToR), provide support to the Beneficiary and framework experts through comprehensive explanation of specific features of the Twinning and process of Twinning Fiche preparation;
- to participate as observer in the selection process;
- to assist in the preparation of the contract: two partners (MS and BC) are jointly responsible for drafting the contract. The approval of the contract is the responsibility of the EU Delegation to Ukraine. The role of the PAO envisages advising the partners when they prepare drafts to be submitted to the EC;
- implementation of Twinning projects: the PAO is not involved in the contractual management of the project, but it can contribute to their success by (a) facilitating the life of the projects in many ways, i. g. by removing barriers to their implementation where Ukrainian laws authorities are involved and (b) closely monitoring them so as to play the role of mediator between the partners if it is deemed useful by them;
- to supervise the project implementation, which includes a commitment to reporting and analytical activities;
- coordinations of Twinning may provide participation in education and training for potential beneficiaries of Twinning projects as well as for those already participating in the implementation of these projects;
- to accumulate and store information and files for each of the project.

#### TWINNING PROJECTS CYCLE:

- organization of meetings of the Twinning Programme Coordination Group;
- support of Twinning projects, including all cases that are not specific to individual projects such as assistance in solving the formalities for RTA (e.g. providing information about accommodation, assistance in the employment of RTA assistant, etc.);
- updating PAO methodological documents (Common Twinning Manual, Methodological Recommendations, internal instructions, etc.);
- PAO in Ukraine beyond the scope of realization its main tasks organizes Annual Regional Conference on Institutional Building that is a background for exchanging experiences in institutional development with the colleagues from EaP countries and the European Union.

### TAIEX COORDINATION

#### PAO role and functions:

- raising general awareness of the government authorities on the possibility of using the TAIEX instrument in Ukraine;
- providing support potential beneficiary administration in the development of applications forms;
- selection of the submitted application forms for the European Commission;
- general monitoring of the TAIEX instrument implementation;
- reporting on the TAIEX instrument implementation in Ukraine;
- accumulation and preservation of information and files concerning the implementation of TAIEX instrument.

#### COMMUNICATIVE SUPPORT

The general dissemination of information on the implementation of Twinning and TAIEX in Ukraine, including: (i) increasing political importance of Twinning instrument as an effective instrument for adaptation Ukrainian legislation to EU standards, in order to obtain political support; (ii) raising awareness among future beneficiary administration to increase demand for quality of Twinning projects.



NATIONAL AGENCY OF UKRAINE ON CIVIL SERVICE

CENTER FOR ADAPTATION OF THE CIVIL SERVICE TO THE STANDARDS EUROPEAN UNION

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CENTER FOR ADAPTATION OF THE CIVIL SERVICE TO THE STANDARDS OF THE EUROPEAN UNION

## REPORT ON IMPLEMENTATION OF EUROPEAN INSTITUTION BUILDING INSTRUMENTS TWINNING, TAIEX AND SIGMA PROGRAMME IN UKRAINE FOR 2015

### INTRODUCTION

Annual Regional Conference on Institutional Building was initiated in order to create a kind of platform for discussion and exchange of experiences and best practices on the implementation of institution building instruments Twinning, TAIEX and SIGMA programme. National Agency of Ukraine on Civil Service exerts every effort to ensure the effective implementation of Twinning, TAIEX and SIGMA in Ukraine.

On the way to the European integration of Ukraine a set of strategical reforms should be implemented. The European integration is considered to be not only one of the priority directions of exterior policy but a significant incentive for ambitious domestic transformations.

European instruments discover new opportunities for Ukraine offering a large number of ways for achieving the goals and commitments undertaken by Ukraine according to the Association Agreement between Ukraine, on the one hand, and the European Union, the European Atomic Energy Community and their Member States on the other hand.

Highly appreciating the support provided by the European Union, the efforts and aspirations taken by the Ukrainian party, the report on the implementation of European institution building instruments Twinning, TAIEX and SIGMA programme in Ukraine for 2015 is proposed to your attention.

Yours faithfully,

Kostiantyn Vashchenko



Kostiantyn VASHCHENKO

Head of the National Agency of Ukraine on Civil Service

## TWINNING

Twinning (from English "twins") is an institutional building instrument that provides framework for cooperation between civil servants of Ukrainian and EU Member States government authorities. Twinning instrument provides long-term assistance (on average, the preparation of the Twinning project takes 1 – 1.5 year and the implementation period takes 1 – 2 years) with the aim to implement elements of public administration needed for adaptation of the national legislation to the EU norms and standards.

### TWINNING INSTRUMENT IN UKRAINE IS GOVERNED BY THE FOLLOWING REGULATORY DOCUMENTS

**Decree of the President of Ukraine No. 1424 "On Issue for the Implementation of Twinning Programme in Ukraine" dated October 6, 2005 (with amendments).**

**Resolution of the Cabinet of Ministers of Ukraine No. 154 "The Procedure for Organizing the Preparation and Implementation of Twinning Projects in Ukraine" dated February 7, 2007.**

**Joint Order of the National Agency of Ukraine on Civil Service and the Ministry of Economic Development and Trade of Ukraine No. 120/702 "On Establishment of the Working Group for Coordination of Twinning Implementation" dated June 15, 2012.**

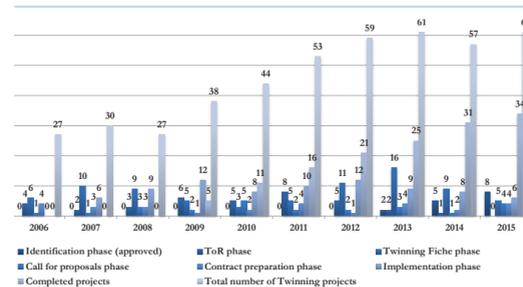
**Order of the National Agency of Ukraine on Civil Service No. 214 "On Conducting Monitoring Missions to the Beneficiary Administrations of Twinning Projects" dated October 10, 2015.**

**Order of the Main Department of Civil Service of Ukraine No. 175 "On Approval of the Methodological Recommendations on the Twinning Instrument Implementation in Ukraine" dated July 1, 2008.**

One of the peculiarities of this instrument implementation in Ukraine is the annual Twinning programming during which the Twinning projects indicative list is to be replenished with new projects. Annually the National Agency of Ukraine on Civil Service (hereinafter – the NAUCS) informs the government authorities regarding the possibility of involving the EU technical assistance within the framework of the Twinning instrument. Consequently to this procedure the NAUCS receives new Twinning project proposals. As a result of programming in 2015, the NAUCS has received 38 new Twinning project proposals from 29 government authorities.

The NAUCS in close cooperation with the Delegation of the European Union to Ukraine has accomplished the analysis of Twinning project proposals in order to check compliance with the main principles of the Twinning instrument as well as with the EU-Ukraine cooperation priorities, nationwide priorities and the development strategy for the particular field.

According to the results of 13th Twinning Programme Coordination Group meeting (hereinafter – the TPCG) 2 project proposals from the State Veterinary and Phytosanitary Service of Ukraine and the Accounting Chamber of Ukraine were approved, 6 project proposals were accepted and included into the Twinning projects indicative list.



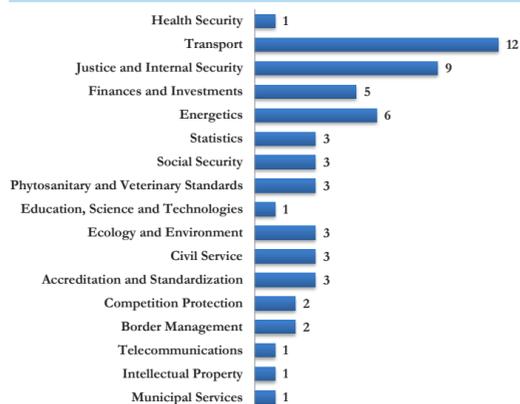
As of October 31, 2015 34 Twinning projects are successfully completed, 6 projects are at the stage of implementation in the Twinning Pipeline and 21 projects are at the different stages of preparation in the Twinning projects indicative list.



## THE AREAS OF TWINNING INSTRUMENT IMPLEMENTATION (IN AMOUNT OF PROJECTS)

Ukraine is one of the leading countries in the framework of the European Neighbourhood Instrument (ENI) cooperation according to the number of completed Twinning projects and projects at the stage of implementation as well as the leading country in TAIEX instrument use. The implementation of the European assistance instruments should be in close connection with sectorial reforms and development strategies.

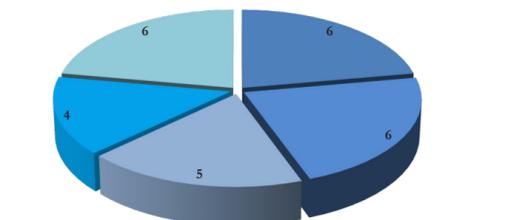
The key areas of Twinning instrument implementation in Ukraine are: Transport, Justice and Internal Security, Finance and Energy.



Thus, there are 34 completed Twinning projects in the following areas: Internal Financial Control, Competition Policy, Regulation of the Electricity Market, Civilian Aviation (2), Regulations and Standards, Space Technology, Internal Affairs, Transport (3), Accreditation, Statistics (2), Food Safety, Justice, Monetary Policy, Investment, Finance, Gas Sector Control (2), Civil Servants Training, Municipal Infrastructure, Environment Protection, Public Order Enforcement, Administrative Legal Proceedings, Telecommunication, Energy Efficiency, Phytosanitary Measure and Social Services.

Presently 6 ongoing projects are implemented in the areas of Transport (3), Statistics, Agriculture, Intellectual Property. Twinning contracts preparation at the stage of finalization are in the following areas: Border Management, Phytosanitary and Veterinary Standards, Energy and also in Municipal Services. It is planned to start call for proposal phase in the areas of Transport (2), Justice and Internal Security, Competition Protection and Border Management.

Preparation of the Twinning Fiche for 6 Twinning projects goes on in the following areas of: Civil Service, Justice and Internal Security, Social Security, Ecology and Environment, Finance and Investments, Phytosanitary and Veterinary Standards. At the stage of identification there are 6 projects in the areas of Energy, Transport, Justice and Internal Security (2), Finance and Health Security.



- Identification phase (6): State Energy Efficiency Agency, Ministry of Infrastructure, State Penitentiary Service, NAPU, State Financial Monitoring Service, SSES
- Twinning Fiche phase (6): NAPA, Supreme Court, Accounting Chamber, Sanitary and Phytosanitary Service, Ministry of Ecology and Natural Resources, Ministry of Social Policy
- Call for Proposals phase (5): State Aviation Service, Ombudsman, Ministry of Infrastructure, Antimonopoly Committee, State Border Guard Service
- Contract Preparation phase (4): State Fiscal Service, Sanitary and Phytosanitary Service, NEURC, Ministry of Regional Development
- Implementation phase (6): State Space Agency, Ministry of Infrastructure (2), SSSU, Service for Geodesy, Cartography and Cadastre, State Intellectual Property Service

Consequently, as of October 31, 2015 the Twinning projects indicative list and work plan contains 27 projects that are at different implementation phases.

## EU MEMBER STATES THAT ARE THE PARTNERS OF BENEFICIARY INSTITUTIONS OF UKRAINE WITHIN THE FRAMEWORK OF THE TWINNING PROJECT REALIZATION (6)

Twinning instrument is not a classical technical assistance since it provides only expert support and it is a form of partnership and administrative cooperation in specific areas aimed at achieving the project mandatory results as defined in the Twinning Contract. Within the framework of its implementation, the systems of the EU Member States are not copied but are adapted in order to operate effectively in Ukraine. One of the fundamental principles of Twinning is the "ownership" principle of the beneficiary. In addition, the beneficiary can choose a partner(s) from the EU Member States that submit a proposal according to a special tender procedure. Significant assessment of the benefits of "ownership" principle is that the Ukrainian government authorities are increasingly and actively involved in the process of Twinning projects implementation.

One of the peculiarities of the Twinning instrument is involvement of the Project Leaders (who provide overall coordination of the project) and the Resident Twinning Adviser (coordinates project activities being in the beneficiary administration) who is the EU Member State civil servant or equivalent staff seconded to work and to be based in the beneficiary country.

## TWINNING INSTRUMENT: PRACTICAL EFFECT OF IMPLEMENTATION

Twinning projects implementation comprises three major components: legislative – assistance for government authorities in the development and revision of existing legislation (laws and regulations, revision and preparation of proposals for amendments to the Ukrainian legislation according to the European standards; conducting the comparative analysis of national and European legislations); institutional capacity building (conduction of

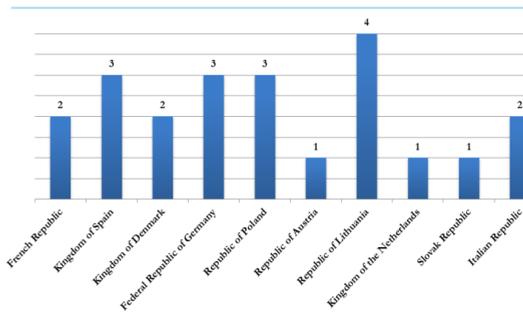


During the first half of the year of the project implementation, the EU Member States experts jointly with the Ukrainian specialists developed and presented reports on the organizational and functional review of StateGeoCadastre and its regional offices; conducted the analysis of Ukrainian legislation in the area of land matters and also provided recommendations regarding legislation adaptation in line with the European standards. Taking into account the experts recommendations, StateGeoCadastre developed a Draft Law On Land Consolidation (Twinning Project for the State Service of Ukraine for Geodesy, Cartography and Cadastre).



Foreign experts of Twinning project provided consultative and practical assistance on ensuring active participation of Ukrainian space industry in the European space initiatives, in particular in Galileo satellite navigation project and in the Global Monitoring for Environment and Security (GMES) programme within the framework of the project the Draft Law of Ukraine on Satellite Navigation was elaborated. The implementation of the above mentioned Law will allow to implement the state regulation in future in the area of satellite navigation and to extend it to the territory of Ukraine, it will also provide more accuracy of the location of the objects than current GPS.

Implementation of the Draft Law of Ukraine "On State Regulation of Earth Remote Sensing" will promote the economic development in many areas of industry and security of Ukraine. (Twinning Project for the State Space Agency of Ukraine).



"Joint responsibility" of the beneficiary authority and the relevant EU institution in achieving mandatory results of the Twinning project is supposed to be one of the most important principles.

functional review by the European experts and/ or comparative analysis of the existing institutional structure of government authority); personnel development of government authority (conduction of seminars and training by foreign experts, organization of study visits and internships for the Ukrainian authorities representatives, holding conferences, round tables, etc).



Ukrainian civil servants made study visit to the Statistical Service of France and got acquainted with examples of the Producer Price Index construction, the sample formation for calculations and basic principles of preparing comprehensive reports on the quality of tracking changes in producer prices in accordance with the EU standards (Twinning project for the State Statistics Service of Ukraine).



Foreign experts of the project in joint cooperation with the representatives of the Ministry of Social Policy of Ukraine and NGOs took part in the preparation of the new draft version of the Law of Ukraine "On Social Services". Training programme "The Implementation of the Reform of Social Services" for the social security system in all regions of Ukraine was launched during the project realization (Twinning project for the Ministry of Social Policy of Ukraine).



While developing the draft Law of Ukraine "On Professional Education" recommendations of the European experts were taken into account as well as the international experience was gained by Ukrainian specialists during study visits within the Twinning project implementation. Furthermore, methodical recommendations for the European standards implementation of vocational education in Ukraine were also developed (Twinning project for the Ministry of Education and Science of Ukraine).

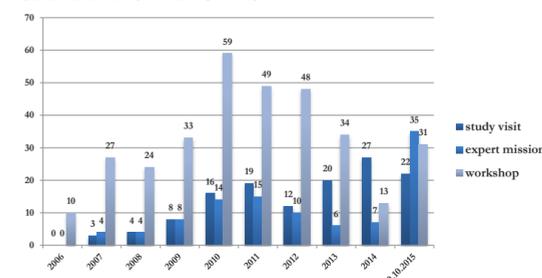
## TAIEX

TAIEX (Technical Assistance and Information Exchange) – is an instrument of external technical assistance provided by the European Commission with the aim of practical experience exchange that is essential for the institutional capacity building with further adaptation of national legislation to acquis communautaire. Instrument of technical assistance and information exchange was founded by the Directorate-General Enlargement of the European Commission in 1996.

The European Commission assistance in the framework of TAIEX in Ukraine is provided according to the Procedure for preparation and application for the involvement of the European Commission's external assistance within the framework of TAIEX, approved by the Resolution of the Cabinet of Ministers of Ukraine dated April 9, 2008 № 316.

The TAIEX instrument is covering different spheres and is implemented through organization of the workshops, expert missions and study visits. During 2006-2015 TAIEX events initiated by Ukrainian beneficiaries and European Commission were held in relevant spheres.

### GENERAL REVIEW OF TAIEX ACTIVITIES



## STRATEGIC APPROACH TO TAIEX IMPLEMENTATION IN UKRAINE

### SEVEN FOCAL SECTORS

- Short Term Priorities for Action;
- Political Dialogue;
- Co-Operation on Justice.
- Freedom and Security;
- Economic Cooperation;
- Trade and Trade Related Matters;
- Energy Cooperation and
- Other Sectorial Issues.

### SELECT KEY PRIORITIES OUTSIDE THE FOCAL SECTORS

If needed and duly justified, TAIEX requests should be submitted on key priorities with strong policy relevance even beyond the scope of seven focal sectors above.

TAIEX requests in other key priority areas of cooperation should be linked to:

- Implementation of the Association Agreement/Deep and Comprehensive Free Trade Agreement;
- Dialogue on mobility, in particular negotiations on the Mobility Partnership and the Visa Liberalisation Process, implementation of the Visa Facilitation and the Readmission Agreement;
- Key sector agreements with the EU, for example the Energy Community Treaty;
- Areas of strong interest for mutual benefit (some of them intertwined with the points above).

## TAIEX INSTRUMENT: PRACTICAL EFFECT OF IMPLEMENTATION



### MINISTRY OF FOREIGN AFFAIRS OF UKRAINE

- On May 12, 2015 Decree of President of Ukraine №264/201 "On the diplomatic and service passports of Ukraine" was signed.
- On March 25, 2015 Resolution of Cabinet of Ministers of Ukraine "On Approval sample form, the technical description and design of the order, distribution, exchange, transfer, removal, return to the state, destruction of the passport of citizen of Ukraine for traveling abroad, his temporary detention and seizure" was adopted.

JUSTICE, FREEDOM AND SECURITY



### MINISTRY OF INFRASTRUCTURE OF UKRAINE

- Draft laws of Ukraine "On ratification of the Convention of 2006 on the Maritime Labour", "On amendments to some legislative acts of Ukraine in connection with the accession to the Convention of 2006 on the Maritime Labour" and the Resolution of the Cabinet of Ministers of Ukraine "On Approval of the Action Plan to ensure the process of Ukraine's accession to the Convention 2006 on the Maritime Labour and implementing its provisions into national legislation of Ukraine" were prepared.

ECONOMIC AND SECTOR COOPERATION



### STATE SANITARY AND PHYTOSANITARY SERVICE OF UKRAINE

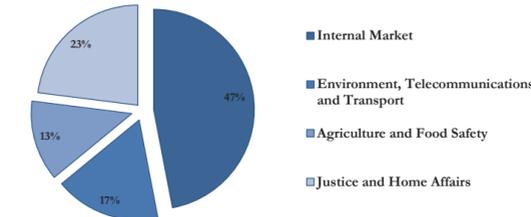
- The training plan for National Research Institute of Laboratory Diagnostics and Veterinary Expertise (hereinafter - NRILDVE) and perspective plan of the quality management division plan was elaborated.
- New skills on the principles of calibration laboratories, which will be established at the base of metrology support and calibration division of NRILDVE, and will provide calibration weights, volume substances, measuring instruments, temperature values were obtained.

TRADE AND TRADE-RELATED MATTERS

## MAIN TASKS OF THE TAIEX INSTRUMENT ARE

- to provide simplified mechanism of the experience exchange between beneficiary and European Union countries;
- networking with European experts;
- to help to solve specific practical problems and issues regarding approximation of the national legislation to the European Union standards;
- to enhance of the administration and institutional capacity.

### GENERAL REVIEW OF TAIEX ACTIVITIES PER SECTORS



### GENERAL REVIEW OF TAIEX ACTIVITIES PER TYPES

