

INFORMATION BULLETIN BUREAUCRAT



PARTNERSHIPS STRENGTHENING and experience exchange are the attributes of Twinning and TAIEX institution building instruments

The strategic course of Ukraine at the European integration is targeted and stays one of the main priorities of eternal policy of our country. The main role in strengthening the administrative capacity of our public executive authorities and adaptation of national legislation to the EU standards plays the implementation of institution building instruments in Ukraine.

The key evidence of high estimate of Twinning Programme Administration Office activity and important role in creation of new institutional capacity of public authorities is setting aside of functions of preparation and implementation of institution building instruments in Ukraine into the separate activity direction of the Center for Adaptation of the Civil Service to the Standards of the European Union.

Coordination of Twinning implementation is provided through cooperation establishment between the European Union and Ukraine public institutions, participation in meetings of joint bodies, including the EU-Ukraine Association Committee, subcommittees, organization and holding the Twinning Programme Coordination Group meetings, monitoring of public authorities activities regarding the fulfillment of undertaken commitments of Ukraine before the European Union and other international organizations.

Establishment of the continuous cooperation and regular dialog as with projects beneficiary authorities as with the EU Member States and neighbouring countries facilitates the exchange of experience and the best practices in institution building instruments



Eighth Annual Regional Conference on Institution Building, November 27 – 28, 2014, Kyiv, Ukraine



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implementation, opinions interchange concerning use of its resources, ideas discussion regarding strengthening the future cooperation, promotes better understanding and stimulates common initiatives.

For 10 years Ukrainian public executive authorities implement Twinning and TAIEX institution building instruments. Every year implementation procedure of these instruments improves and interest of public authorities grows.

As of today 46 central executive authorities of Ukraine are involved into cooperation in the frameworks of Twinning instrument and some beneficiary authorities implement some projects simultaneously.

Currently 34 Twinning projects are successfully completed, 6 projects are under implementation in the pipeline and 21 projects are on the different implementation phases in the Twinning indicative list.

2015 is the year of the activity peak of Ukrainian beneficiaries at technical assistance instrument TAIEX implementation, in particular as of the end of October present year 91 TAIEX events were organized and successfully held, 7 of which were initiated by the European Commission. 2021 public authorities' representatives took part in above mentioned events.

It is an eloquent testimony of efficiency and productivity of implemented Twinning and TAIEX instruments and loyalty which these instruments gained among the Ukrainian beneficiary authorities.

Institution building instruments implementation becomes particular important in the context of the Strategy for Sustainable Development of Ukraine until 2020 because these projects are directed at:

- primarily at the EU-Ukraine Association Agreement implementation;
- nationwide priorities of state development;
- the EU-Ukraine Association Agenda priorities;
- mid-term priorities of the beneficiary authority;

In its turn it helps Ukrainian beneficiary authorities to fulfill the commitments in the sphere of approximation to the EU norms and standards. ■

Pablo Rodenas SANTOS

**Resident Twinning Adviser of the
Twinning project for State Intellectual
Property Service of Ukraine**

«Twinning Project helps to create direct contacts between counterpart civil servants from EU and BC»

What are advantages of Twinning projects implementation in Ukraine? (In general)

Being an administration-to-administration tool, a Twinning Project helps to create direct contacts between counterpart civil servants from EU and BC. STEs coming to BC are not professional consultants, but real employees who have the same issues and worries as their BC colleagues, they often remember the adaption period of their country to EU requirements (in legislation or other fields) and will advice on this to the BC.



*Pablo Rodenas SANTOS
Resident Twinning Adviser of the Twinning project
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What is the key of the effective Twinning projects implementation?

Informing STEs and BC participants about the main peculiarities of a Twinning, as it may be the first Twinning experience for both administrations.

— Good coordination of efforts from both MS and BC sides.

— Flexibility, especially from MS side, as Twinning Contacts take several years from being drafted to being implemented, which may require an effort to adapt the work to new circumstances (eg. a new law adopted in the field during this period may influence the legal component; one of the co-beneficiary administrations that was dismissed or reformed with a new structure).

Please, list 3 – 5 advice for the Ukrainian beneficiaries who are going to use or now using Twinning instrument.

We are sometimes asked by those administrations that are not the direct beneficiaries of the Project, what a Twinning is and how to organize it for their institutions. Better information of existing possibilities would help them to get more advantages from this instrument. An effort explaining what Twinning is and when should be requested will be very helpful at the earlier stages so Ukrainian authorities can better decide which EU tool to use.

Moreover, those already experienced on implementing a Twinning Project rarely know that it may be complemented by a TAIEX and in which manner.

— As a Twinning Project is usually inspired by a group of enthusiasts in the BC administration, it would be useful that before starting the implementation will organize a brief meeting, where the inspirers of the Project would explain to the BC civil servants directly involved in the future cooperation: the main features of a Twinning Project in general (what should be expected from STE and from BC, the fact of having a Twinning team in the administration, what is covered by the budget); a brief content of the Contract (components, overview of the activities); mandatory results that should be achieved by the end of the Project, etc.

— Some of the BC civil servants might see a Twinning Project running in their administration as an additional workload, without a real compensation for their efforts. That is why it is very important for the administration's high officials, together with MS representatives, to explain to their subordinates the real advantages they will receive from their project: EU best practices as answers to their long asked for questions; external point of view for the legal texts they are drafting; possibility to meet their colleagues from other countries, comparing their daily working practices; for some of them it will also be an opportunity to travel abroad during a study visit and to see with their own eyes the daily routine of a partner institution. ■

Michał RZEMIENIEWSKI

Resident Twinning Advisor of the Project for Ministry of Infrastructure of Ukraine

«Twinning project avails best EU practices, so that Ukraine chooses the optimal model»***What are advantages of Twinning projects implementation in Ukraine (In general)?***

Twinning essence is multilateral cooperation for strengthening of administrative and judicial capacity of beneficiary country to implement EU legislation as future candidate for accession to the EU. The first advantage is that a beneficiary has a possibility to choose EU partners from which it wishes to receive the expertise, and to take part in forming of short term experts' pool. Secondly, Twinning projects put forward real help not only in approximation of national legislation to the acquis, but also in support

of realization of beneficiary's mid-term objectives. For example, our Twinning project has four main aims:

- introduction of safety management system in road transport undertakings;
- establishment of system for training and certification of professional competence of road transport operators and drivers;
- improvement of technical investigation of road accidents;
- approximation of the process of certification of vehicles, their parts and components to the EU standards.



On beneficiary's request Twinning project avails best EU practices, so that Ukraine chooses the optimal model. However, what works in Germany or France is not necessarily applicable for Ukraine due to variety of reasons – economic, political, cultural. In light of this, another important advantage is that project's short term experts help to adapt the working EU systems to Ukrainian environment. In our case we have three Partner states – Poland, Germany and Lithuania, however, in the course of the project implementation we have also attracted expertise from France and Great Britain. According to the EU-Ukraine Association Agreement, the Ministry of Infrastructure has about 45 EU regulations which have to be implemented in Ukraine in 3 coming years – a very short period of time. Therefore, our experts work together with the Ministry to fill in a part of these legal gaps. There is much more work to do than just to study directives. With this purpose, within the framework of the Twinning project the beneficiary has a possibility to travel to Europe and to get close practical overview of how components and the system on the whole are functioning.



Michał RZEMIENIEWSKI
Resident Twinning Advisor of the Project for Ministry of Infrastructure of Ukraine

What is the key of the effective Twinning projects implementation??

Judging from our own experience, I can tell that the crucial issue is to do a good planning. The beneficiary administration has to set project objectives as precisely as possible. Moreover, it is crucial to plan ahead. Nowadays reforms in Ukraine are being conducted in quite a prompt way, and it is very important to foresee it in the Twinning Contract. The second aspect of success is close cooperation between Twinning partners. Twinning provides a unique opportunity to build effective international relations to be maintained in the future.

Please, list 3 – 5 pieces of advice for the Ukrainian beneficiaries who are going to use or now using Twinning instrument.

— It is very important to ensure relevant beneficiary staff is available and involved into meetings, workshops and round tables with EU experts.

— It is necessary to find appropriate ways and means to avoid excessive staff turnover and a loss of know-how acquired during the project (for example, salary gratifications and various incentives for being actively involved into a project).

— It is recommended to set realistic and achievable project results and not to rush at once for very global goals. ■

Manuel MULERO

Project Leader of the Twinning Project for the State Space Agency of Ukraine

«Chance to changes»

What does Twinning propose to the beneficiaries?

Twinning Projects are one of the mechanisms that the European Union offers to some third Countries to advance in their way to become full members of the Union. The EU supports projects on a wide variety of aspects aimed at helping Countries like Ukraine to adapt their Procedures, Laws and Regulations to harmonize them with those in force in the EU.

In this particular case, these actions are related to

the Space Sector, aiming at helping Ukrainian Authorities to adapt the existing Laws on: Global Navigation Satellite Systems, Earth Observation and Public Private Partnership (PPP) to the European Standards.

Other core element of this Twinning Project aims at achieving a full understanding of Ukrainian experts on the aims and technical procedures related with the main R&D Programs at European level, such as: GALILEO, COPERNICUS and the main R&D Program at the EU as it is the HORIZON 2020.



What is the use of Twinning for the “man of the street”?

Adoption of those rules and laws by the Ukrainian authorities will allow these authorities to establish a regulatory frame where all the Ukrainian actors in the Space Sector will be able to develop strategies, projects and actions fully backed up by those laws, therefore allowing the growth of the institutional actions as well as private ones on the benefit of the citizens.

Will life of Ukrainian citizens be improved in the result of Twinning?

As a brief overview, Ukrainian citizens will benefit in their normal live with the wide possibilities of having access to the European Navigation Satellite System (EGNOS and GALILEO), independent of any other system used now and therefore, not depending of external sources for these essential service, in daily life like positioning and timing, those related to such important applications such as those used for Aeronautics, Space, Traffic, Banks, etc.

The Law on Earth Remote Sensing will allow multitude of users in many sectors to take profit of all the COPERNICUS performances, in sectors of such a great impact as Agriculture, Land use planning, emergency events (floods, earthquakes, etc.).



Manuel MULERO
Project Leader of the Twinning Project for the State Space Agency of Ukraine

Adoption of procedures for PPP will allow a more dynamic action for initiatives in close cooperation between the Public Bodies and Industry, which could impulse the rise of economic activity in the Space and other sectors in Ukraine. ■

EXPERIENCE:

Ministry of Finance of Ukraine

Ministry of Finance of Ukraine has used TAIEX instrument numerously to obtain expert assistance and exchange of best practice on national legislation adaptation to asquis communautaire.

During 2015 were initiated TAIEX events, after realization some of them were developed models of Business process on providing guarantees in Ukraine to improve the procedure of providing state grantees, introduce changes in the document electronic storage in accordance with approved nomenclature of Ministry of Finance, as well prepared draft Law on amendments to the Law of Ukraine "On Accounting and Financial Reporting in Ukraine". Also EU experience is applied for creation of the integrated information-analytical system "Transparent Budget" and developing of the single web portal on public funds using (<http://e-data.gov.ua>). According to the Law of Ukraine "On openness use of public funds" all information will be published in aforesaid portal.



Study visit on State Guarantees, Document Management and Business Process Management, September 22-24, 2015, Stockholm, Sweden

Among the advantages of TAIEX instrument the mobility is noted, which made it possible in a short time to organize activities and to solve current issues. ■



Ministry of Infrastructure of Ukraine

TAIEX instrument is the important and actual for the development of national legislation in the transport sphere which includes many specific issues regarding European Union legislation and standards. TAIEX provide a good opportunity to obtain best practices in short period, thus the application process and the organization of events continue several months. Aforesaid instrument is characterized as a very mobile, allowing to solve topical issues. Events for Ministry of Infrastructure were quality organized and qualified EU specialists were involved, taking into consideration the specific beneficiary needs and wishes.

According to events such results were achieved: improved legislation and technical regulations in road transport sphere, in particular were developed provisions of the new version of the draft Law of Ukraine "On Automobile Transport", amendments to the Laws of Ukraine "On Road Traffic" and "On

Amending the Law of Ukraine" On some issues of import to the customs territory of Ukraine and vehicle registration", which gradually introduced international environmental standards "Euro-3" – "Euro 6" for motor vehicles. Obtained experience also helped to define the conception regarding establishment of national research and testing center of perspective technologies of road transport for the implementation of the Transport Strategy of Ukraine. It should be admitted that there is a progress towards ratification of Maritime Labour Convention, 2006 which subsequently lead to increasing of labor and social rights protection of seafarers.

Through the networking with EU experts were established constant cooperation with scientific research institutions (primarily research and test centers) of EU countries, in particular Italian Coast Guard. ■

State Sanitary and Phytosanitary Service of Ukraine

The sphere of sanitary and phytosanitary activities should be harmonized with the EU regulations and standards to fulfill the implementation of the Association Agreement between Ukraine and the European Union, so it requires targeted expert assistance. TAIEX is the one of the instruments of assistance provided by the European Commission. Thus State Sanitary and Phytosanitary Service applies aforesaid instrument very actively.

It should be admitted that TAIEX is very effective. Firstly, evaluation by Twinning Programme Administration Office and consideration by the European Commission of the application forms continue rather quickly. Secondly, organization of the event oblige beneficiary to define clearly topic, agenda of the event and create list of participants, in turn European Commission provide financing and arranging of all logistical aspects (venue, accommodation, etc). Also important is networking with experts from European institutions, which enables free communication

with them and, if necessary, carrying out professional consultation.

In 2015 the most important result of TAIEX activity was the expert mission on assessment of legislation on sanitary and phytosanitary measures, in particular animal welfare. By joint efforts of the representatives Directorate-General for Health and Food Safety and State Sanitary and Phytosanitary Service were carried out the assessment of the Ukrainian legislation in sphere of sanitary and phytosanitary measures regarding compliance with *acquis communautaire* and worked out the draft of Comprehensive strategy in accordance with Article 4 "Sanitary and Phytosanitary Measures".

According to the results of the mission were drafted the order of Cabinet of Ministers of Ukraine "Comprehensive Strategy in Accordance with Article 4 "Sanitary and Phytosanitary Measures" According to Article 4 of EU-Ukraine Association Agreement on the one Part and European Union, the European Atomic Energy Community and its Member States on the Other Part". ■





Natalia STAROSTENKO

TAIEX coordinator
at the Delegation
of the European Union to Ukraine



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TAIEX: FREQUENTLY ASKED QUESTIONS

How the TAIEX instrument was implemented in Ukraine?

TAIEX was established in 1996 aimed at supporting candidate countries in limited time to solve issues regarding the EU legislation implementation (*acquis communautaire*). The official Decision 206/62/EC, adopted in February 2006, created legal basis for the extension of the TAIEX instrument to the countries covered by the European Neighbourhood Policy.

On November 22, 2006 the official kick-off during the workshop for the representatives of government authorities of Ukraine took place.

Who coordinates the TAIEX instrument implementation in Ukraine?

The National Agency of Ukraine on Civil Service (hereinafter – the NAUCS) coordinates the TAIEX instrument implementation in Ukraine. The use of the TAIEX instrument in Ukraine is carried out in accordance with the Order for preparation and fulfillment of the plan of engaging external assistance of the European Commission within TAIEX, approved by the Resolution of the Cabinet of Ministers of Ukraine, dated of April 9, 2008, № 316.

The NAUCS provides government authorities and other eligible beneficiaries with relevant information, consultation and methodological assistance regarding the principles of the TAIEX instrument using; examines, reviews application forms, submitted them to the European Commission, and monitors TAIEX activities.

The Centre for Adaptation of the Civil Service to the Standards of the European Union performs the functions of the Twinning Programme Administration Office in Ukraine, managing activities aiming at the effective use of the EU institutional building instruments Twinning and TAIEX in Ukraine.

The Delegation of the European Union to Ukraine provides feedback on applications of beneficiaries and gives expert recommendations regarding their relevance.

What should be taken into consideration when filling in the application forms?

The application form should contain comprehensive information on orienting-planned event, in order to get a positive assessment of the European Commission.

The Project type should be selected according to the need and direction of the event.

The project title must be of high priority and corresponds with:

- 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, in the years 2014-2017;

- Action Plan for the implementation of 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, in the years 2014-2017;

- Strategic approach to TAIEX implementation in Ukraine;

- Commitments of Ukraine according to agreements and arrangements between Ukraine and the European Union;

- Priorities of the beneficiaries' activity;
- Other EU technical assistance projects, the subjects of which should not duplicate the activities that take place within the TAIEX instrument.

Objective of the request should be clearly and concisely formulated, issues from the title and type of the event. The Objective of the request should relate to the EU legislation review (e.g. during workshop) or elaboration/ making amendments to the current



national legislation (e.g. during expert mission) or adoption of practical experience and the best practices (e.g. during study visit).

The application forms are available on the website of the Centre for Adaptation of the Civil Service to the Standards of the European Union: www.center.gov.ua.

What is the procedure of TAIEX event organisation? (in case of the approval of the application form)?

After the approval of the TAIEX application, the European Commission and the beneficiary contact person (co-organiser) are responsible for the preparation and organisation of the TAIEX event.

For TAIEX workshops, the co-organiser should draft agenda with clearly-defined expertise. The co-organiser is also responsible for inviting participants and local speakers to the workshop. In case of a study visit or expert mission, the co-organiser selects TAIEX participants (maximum of three people involved in a study visit, and five to ten in an expert mission).

Co-organisers can suggest experts. If the beneficiary or expert knows the organisation from which he or she intends to draw expertise, this should be clearly noted in TAIEX application form. Although the European Commission is responsible for the final selection of experts, all parties must agree on the final nominations.

Before any TAIEX study visit, participants must check whether they will require a visa.

Neither the European Commission nor the EU Delegation to Ukraine contacts Embassies on behalf of participants or provides additional attestations in support of visa applications.

The participants will be contacted by the EU Delegation to Ukraine with information on when and how they can pick up originals of their invitation letters.

Costs associated with obtaining a visa must in principle be paid by the participant or their government.

What is the strategic approach to TAIEX implementation in Ukraine provide?

The aim of the new approach is for the beneficiary institutions in Ukraine to be able to fully harness the potential of TAIEX and make the most out of synergies with sector programmes and projects. This should be accomplished by concentrating on few focal sectors, aligning with the key priorities of bilateral cooperation and avoiding duplication with other regional projects and programmes.

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.

What is the statistics of TAIEX activity in 2015?

In 2015 as of October, 30 2021 representatives from government authorities took part in 91 events in the framework of TAIEX among which 7 – events were initiated by the European Commission (diagram 1, 2). ■

Diagram 1. GENERAL REVIEW OF TAIEX ACTIVITIES PER TYPES OF EVENTS

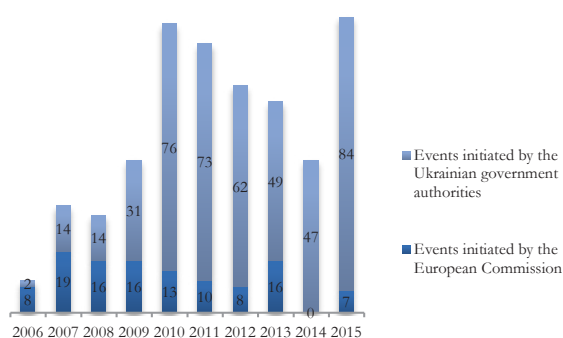
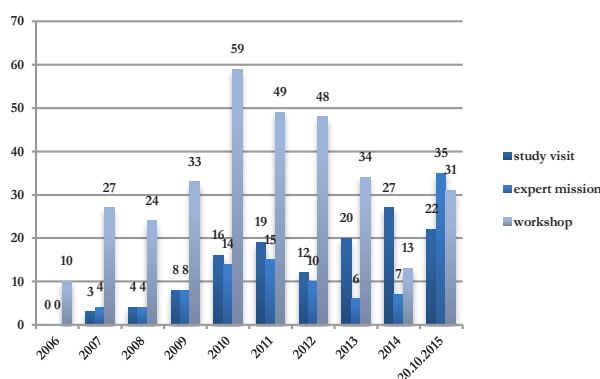


Diagram 2. GENERAL REVIEW OF TAIEX ACTIVITIES



NOTE!

The NAUCS was reviewed and submitted 105 application forms among which 64 were accepted, 25 – refused and 16 are validated by the European

Commission. It should be noted, that overall number of the application forms that were reviewed by the NAUCS is 240.

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