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A4U Guidelines N3 Guidelines for GOEEI officers on Work with Quarterly AA Implementation Reports and on Documenting of the Completion of AA/DCFTA Implementation Milestones

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Guidelines for GOEEI officers on work with quarterly AA implementation reports – a proposal

1. You are not tasked to replicate the steps used at the line ministry level in production of the report. Your job is twofold: you are quality controller and policy analyst. Your task is to check the report for accuracy, completeness, adequacy of detail, consistency with the relevant provisions of the overall AA Action Plan. Your other duty is to define the status of execution of tasks, measuring it with the indicators fixed in the Action Plan. In all cases where you spot and identify implementation issues requiring action at political level, you are expected to formulate proposals for measures necessary for a proper implementation, or recommendations for improving the process of implementation of AA.
2. Upon receipt of quarterly report, your first step is to check the formal and procedural aspects:
 - Report delivered within deadline? **yes** **no**
 - Report signed by authorized official? **yes** **no**
 - Report respecting the agreed format? **yes** **no**
 - Report in both language versions? **yes** **no**
3. In the second step, please check the accuracy and completeness of information provided:
 - Are all provided data pertinent and relevant in relation to the tasks (column H of the scorecard) and sources (column AA)? **yes** **no**
 - Are informations on progress reached/deadline kept consistently supported by references to underlying documents (decisions, approved reports, minutes from decision-making meetings, etc.)? **yes** **no**
 - Is the level of detail provided as descriptive assessment (columns Z, AA of the scorecard) sufficient to understand the scope and content of progress in implementation? **yes** **no**
 - In particular, is any information available on human/material/budgetary resources planned/used to do the task? **yes** **no**
 - On tasks involving legislative alignment with the EU law, does the information provided allow to conclude that a draft of legal/normative act is highly likely to comply with the relevant *acquis*? **yes** **no**

- Where the task in relation to its deadline is in the risk zone or delayed, is explanation of reasons given? remedy proposed? **yes** **no**
4. Where references are provided to registered documents or to links to other documentary evidence, you are asked to perform additional quality check on at least a representative sample of such documents, verifying their content and assessing their reliability as confirmation of reaching an implementation milestone. As to the “no’s”, they all require additional clarifications. Your task is then to contact the author(s) of the quarterly report and to obtain the missing explanations/data. The maximum time allowed for this exchange should not exceed 2 business days from the time of your first e-mailed or telephone request. In case of apparent risk of exceeding this deadline, you must immediately alert in writing your group leader.
 5. With fullest obtainable information in hand, proceed in the next step to the definition of the status of execution of tasks, using the weights provided in the scorecard and applying the “traffic lights” coloring in appropriate column. After completion of this task please send the scorecard to your group leader for quality check and for final decision on uploading information in the system. Where you propose yellow or red coloring, add your explanations and comments in a separate message to your group leader. As your assessment in such cases may differ from the self-assessment and expectations of the author(s) of a submitted quarterly report, it is advisable for you or for your group leader to contact the ministry concerned and to explain the motivation of GOEEI decision before the release online of the report information.
 6. As a rule, each implementation task which is at risk (yellow or red status) has to be addressed by your structured reflection on ways and means of mitigating the emerging/existing risk. In this reflection you shall critically use information from the responsible ministry/service on causes of risk and on remedies considered or taken at their level. As outcome, you are expected to produce the draft of proposal for measures to take in order to reestablish adequate speed and quality of this implementation task, and to forward it to your group leader within the mutually agreed deadline.
 7. Work on every consecutive quarterly report should be used by you as opportunity to analyse the process of implementation, applying to such analysis your general knowledge of the policies deployed and evidence available in the sector under question. In such methodical analysis, you should reflect primarily on the efficiency of workflows used within the lead ministry, efficiency of coordination between the lead ministry and bodies cooperating on the given implementation task, adequacy of output and result indicators used in the monitoring of implementation. The product of that analysis, where resulting in findings which justify adaptation/improvement of the existing implementation practice, should be formatted into draft recommendations and forwarded to your group leader for further discussion.
 8. The work of group leaders on quarterly implementation reports is the second-tier quality control filter within GOEEI. Before uploading the report data in the final scorecard, the group leader should:

- Verify the contents of the checklist filled in by the sectoral GOEEI expert,
- Control the adequacy and completeness of additional information provided by the authors of reports upon request from the sectoral GOEEI expert,
- Analyse explanations and comments from the sectoral GOEEI expert re problematic implementation issues (yellow and red status): are they factual, clear and objective? If yes, accept and move to finalization/uploading of scorecard. Where in doubt, clarify first the situation in direct discussion with the sectoral expert,
- Signal the yellow and red status decisions to the relevant lead ministry or instruct the sectoral expert to perform that action,
- Alert the General Director to problematic implementation issues of significant magnitude and/or political sensitivity, revealed through analysis of quarterly progress reports.

The documenting of the completion of AA/DCFTA implementation milestones

In the scorecard-based information system, the statements on the completion of tasks or implementation milestones do not provide any references to the underlying decisions of the central executive bodies. Systematic use of such references should be considered, for following reasons: (i) availability and easy retrieval of documentary evidence of the process leading towards a formal conclusion that a task is completed; (ii) additional assurance of quality of the implementation process, facilitating the approval and publication of quarterly progress reports; (iii) enhanced credibility of information on the AA implementation process towards the general public and Ukraine's EU partners.

An illustration of how this could look will be made below, on the basis of the Healthcare scorecard made available to A4U by GOEEI:

Task under AA	Milestone completed	Possible documentary evidence
Adaptation of UA legislation to EU law in registration and circulation of medicines	<ol style="list-style-type: none"> 1. Roadmap project has been developed 2. Roadmap approved by the CMU 	<ol style="list-style-type: none"> 1. Lead ministry's approval of draft 2. Number/date of CMU decision, link to text provided
Creation of National Centre of Public Health	<ol style="list-style-type: none"> 1. Normative document developed, approved and registered 2. Staff, material and technical capabilities are provided 3. Network of facilities created, equipped with necessary equipment 	<ol style="list-style-type: none"> 1. Registration number/date, link to text provided 2. Relevant progress reports (staff recruitment, training, task assignment; acquisition, installation and testing of equipment), minutes of management board meetings handling final progress reports; where possible, link to document(s) 3. See above, similar docs
Alignment with Directive 2014/40 on labelling requirements for tobacco products	State supervision of the content of tar, nicotine (...) is provided	Reports confirming successful activation of procedures and workflows to control/verify/enforce the required functioning of manufacturers and trade outlets; where possible, link to such reports

Information on documentary evidence could be uploaded in the descriptive column of the scorecard. Its inclusion should be mandatory task for each central executive body when preparing the quarterly report on AA implementation. If such information missing or manifestly inadequate, uploading of report in the scorecard should be withheld by GOEEI until sufficient additional data are delivered by the author of quarterly report.

It is a matter to be discussed and agreed separately for each AA-implementation task, which documentary evidence is needed as confirmation of reaching – in an adequate fashion – another milestone towards the final completion of such task.

Generally, for the legislative part of the implementation process, such documents will be: the record of the outcome of intra-ministerial consultation on the draft and the Minister's written decision approving the draft, the information on the process of public consultation and on the handling of proposals received under such consultation, the table illustrating the processing of comments received by the lead CEB under inter-ministerial consultation, the table of concordance and the accompanying formal statement of EU compliance, finally also the Minister's approval of the final draft and his/her decision to submit the legislative proposal to the Cabinet of Ministers.

Equally important is the issue of institutional capacity needed for successful application and enforcement of EU-aligned legislation. The creation of this capacity usually means reorganization of existing institutions and/or setting up of new institution(s), additional recruitment or redeployment of staff, training of staff, budgeting decisions, procurement/installation/testing of equipment. Here, evidence will be based on the interim project tracking reports and on final progress reports adopted/approved at appropriate decision-making level within the lead CEB (and/or in other CEB carrying part of the implementation responsibility), as well as on formal governmental decisions on the increase or redeployment of human/financial resources.

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