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Few updated recommendations for GOCEEI how to improve coordination of the AA-implementation reflecting main A4U recommendations and introduction of new organizational structures (DGs) in line ministries – Part 1

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Few updated recommendations for GOCEEI how to improve AA-implementation coordination reflecting main A4U recommendations and introduction of new organizational structures (DGs) in line ministries

1. Our understanding is, that concerning the coordination mechanisms the following key “structures” should be taken account (apart from the bilateral bodies):
 - a. The Government Committee on Euro-Euro Atlantic Integration (GC- EEAI), that meets regularly
 - b. The working meetings of the deputy ministers in charge of EEAI (Deputy ministers’ meeting)
 - c. The regular (linked to the GC-EEAI sessions) meetings of Directors of Strategic Planning-EUI DGs/Heads of EI departments (Directors’ meeting)
 - d. Regular individual meetings with the Directors/Heads of EI Depts of ministries that have significant role in the AA implementation.

Below we summarised our recommendations. Most of them are detailed in documents had been sent to GOCEEI earlier.

Although the most logical way of establishing the functions of these structures would be to start with the GC-EEAI and align the others accordingly, improvement is achievable even if the GC-EEAI set-up remains unchanged for a while.

2. A key measure to be recommended by A4U is to **‘individualise’ and raise the legal position of the GC-EEAI clearly distinguishing it from other GCs and granting it specific competences concentrating all European policy issues, not just draft legislation in one priority governmental committee.**

This can be implemented either in the form of a separate law covering all institutional and procedural issues of the EI related policy and decision making, but that would require a long political process. The other, “minimalistic” solution could be the amendment of the Rules of Procedures of the Government (RoP). It would be more realistic, taken into account and reflected in the currently discussed new version of the RoP.

As consequence of this step – together with the proposed changes in point 8 - the position and role of GOCEEI as central and main coordination body in the preparations and monitoring of the GC-EEAI works and outputs would rise without the necessity to introduce new/separate regulations.

3. **It is worth considering to adopt a regulation on the GC-EEAI, which would allow for special situations the committee to be held on the level of ministers, with the possibility of participation of the PM and the deputies of the VR.** In addition to the expressing of governments determination to AA-implementation, this formula necessarily engages and motivates institutional actors showing arrears or doubts in the implementation of specific provisions and activities. **At the same time, the postulate of direct (formal) subordination of the GC-EEAI to the PM or at least of an closer institutional (legal) connection with the VPM chairing its works remains valid.**

4. **The creation of one single European Affairs responsible GC would be also important from the point of view of European coordination and tasks of the newly introduced SPEI-DGs limiting the number of institutions/processes dealing with AA-implementation.**

The role of the SPDG of the SMCU and GOCEEI in the preparation of the GC-EEI and CMU meetings discussing EI/AA related issues should be clarified. GOCEEI should be the main coordinator/partner of the ministries.

5. It is worth considering to introduce regular (in the beginning at least monthly, however ideally could precede the GC-EEAI sessions) Directors meetings. Such meetings might have three main functions:
 - a. preceding the deliberations in the GC-EEAI to operate as a dispute resolution forum
 - b. provide them with regular and updated information on the current state of play of UA-EU relations
 - c. to discuss planning, reporting, monitoring and other procedural issues.
6. The Deputy ministers' meeting chaired by the VPM might have similar functions however, focused on the politically sensitive issues and can, if necessary formally endorse the outcome of the Directors' meeting.
7. **These steps would be helpful in transforming the GC-EEAI into a core strategic institution enlarging its scope of responsibilities including the settlement of political inter-ministerial disputes that is a core task of its European equivalents.** However, the introduction of this measures also requires a clarification concerning the status of the DGs to be introduced in the remaining ministries and the reciprocal (systemic) relation between DPEIs and Directors General in the line ministries.
8. Before introducing any of the above described structural changes, it is recommended to start with matters of lesser importance but crucial for raising the effectiveness of the GC and implementation process. **One of the priorities is to simplify the system of preparation of the GC-EEAI and monitoring its provisions, delegating more activities in this respect (both substantive and technical) to GOCEEI.**

The current 'multi-stage-level' preparation formula, which is accompanied by many unnecessary administrative activities, involves participation in convening and organizing one committee meeting of several bodies such as: a) GOCEEI, b) OVPM, c) sectoral department in the SCMU, d) department responsible for the organization of meetings of all GCs and e) informal State Secretaries (StS) meeting with participation of SCMU directors during which the agenda of the GC is established. **The agenda determined in this current way is most probably more a result of the interests of individual ministries than the expression of analytical reflection made by the responsible body (GOCEEI).**

9. **With regard to substantive issues, a key opinion on a draft legal act to be discussed by the GC-EEAI is prepared by the substantive department in the SCMU. The role of GOCEEI boils down mainly to the assessment of its compliance with EU law/commitments of the Association Agreement.** In case of discrepancies, quite a complicated procedure has to be engaged by the VPM calling on a given ministry to make the necessary modifications. The complexity of the process that follows is primarily due to the necessity to re-pass almost all phases of the proceedings, which are accompanied by a sequence of actions and formal activities (signatures, minutes, additional letters reflecting minutes of the meeting, etc.) that could certainly be reduced to a necessary minimum. Meanwhile, the revision of an controversial draft legal act could be the subject of working arrangement between GOCEEI and a given ministry, which would require the GOCEEI to be given a key role in the reconciliation process. As consequence it would be possible to imagine a simplified procedure where: a) GOCEEI only in case of serious doubts requests the position of the sectoral SCMU department(s), that should soon be absorbed by new DGs, b) the additional 'verification' would be carried out by the separate GC responsible for the preparation of CMU meetings. In this option, the key institutional change conditioning the effectiveness of such a procedure would require the 'natural' subordination of the GOCEEI directly to the VPM instead of the SCMU management.
10. It is also recommended, that the GOCEEI Director regularly (once a month probably) invites the SPEI Directors/EI Department Heads of the ministries that have a key role in the AA implementation for a one on one meeting. During these meetings:
- a. Progress can be assess, looking both back and forward,
 - b. Problems, difficulties, potential conflicts with other institutions could be identified,
 - c. Areas of support to be provided by GOCEEI or other sources could be identified.

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