

FINAL DRAFT VERSION

Basic information

- 1.1 CRIS Number:** 2010/022-264
- 1.2 Title:** Further strengthening of the organisational and institutional capacities for the accession negotiation process
- 1.3 ELARG Statistical code:** 01.34
- 1.4 Location:** Skopje

Implementing arrangements:

1.5 Implementing Agency:

The Central Financing and Contracting Department (CFCD) will be the contracting authority and will be responsible for all administrative and procedural aspects of the tendering process, contracting matters and financial management including payment of project activities. The Head of CFCD will act as the Programme Authorising Officer (PAO) of the project.

Central Financing and Contracting Department
Ministry of Finance

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1.6 Beneficiary (including details of SPO)

Secretariat for EU Affairs is the final beneficiary. A number of secondary beneficiaries, benefiting from the project activities will be targeted in the course of project implementation.

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Financing:

1.7 Overall cost (VAT excluded)¹: EUR 2 100 000

1.8 EU contribution: EUR 1 995 000

1.9 Final date for contracting:

Two years from the date of the conclusion of the Financing Agreement.

1.10 Final date for execution of contracts:

Two years from the final date for contracting.

1.11 Final date for disbursements:

One year from the final date for execution of contracts.

2. Overall Objective and Project Purpose

2.1 Overall Objective

The overall objective of the project is to further support the negotiation structures at national level to efficiently and successfully run the EU accession negotiations.

2.2 Project purpose

The purpose of the project is to enable the exchange of accession experience with EU Member State(s), thereby strengthening of the negotiating structures and contributing towards efficiency of the negotiating process and compliance with good negotiating practices.

The assistance provided throughout the assessment and recommendations concerning the opening and closing benchmarks and the subsequent opening of individual negotiation chapters will, *inter alia*, ensure that the necessary legislation is passed with due speed and in a transparent manner to ensure alignment with the *acquis*, while at the same time the skills for implementation of policies and the overall quality of the legislation are enhanced.

2.3 Link with AP/NPAA/EP/SAA

¹ The total cost of the project should be net of VAT and/or other taxes. Should this not be the case, the amount of VAT and the reasons why it should be considered eligible should be clearly indicated.

The **Accession Partnership** for the country, which updates the European Partnership of January 2006, on the basis of the findings of the 2007 Commission Progress Report, identifies new and remaining priorities for action which relate to the country's capacity to meet the criteria defined by the Copenhagen European Council of 1993 and the conditions set by the Stabilisation and Association Process, notably the conditions defined by the Council in its conclusions of 29 April 1997 and 21 and 22 June 1999, the final declaration of the Zagreb Summit of 24 November 2000 and the Thessaloniki Agenda.

In the process of integration of the former Yugoslav Republic of Macedonia² in the European Union, the Government of the former Yugoslav Republic of Macedonia has adopted a number of documents such as *National Programme for approximation of the national legislation, the National Strategy for European Integration, Action Plan for European Partnership, Accession partnership etc.* The **National Programme for Adoption of the Acquis (NPAA)** integrates all these documents and presents an integral framework of the reforms, plan and schedule for approximation of the national legislation with the legislation of the European Union, as well as administrative structures for implementation of legislation in terms of building capacity, establishment new and/or restructuring the existing institutions, human resource developments and training needs. Thus, NPAA has been a good starting point for initiation of the accession negotiations, and a basis for preparation of negotiating positions and negotiation process in general, which is expected to be support within this project.

2.4 Link with MIPD

The **MIPD** 2009-2011 identifies the overall objective of pre-accession assistance in supporting the country's efforts to comply with the accession criteria. In this respect, it clearly notes down the support for the country's preparation to meet the challenges of future EU membership, particularly through the targeted support in terms of adoption of the *acquis*, as well as the enhancing of the institutional and administrative capacity to transpose, implement and enforce Community standards.

2.5 Link with National Development Plan

N/A

2.6 Link with national / sectoral investment plans

N/A

3. Description of project

3.1 Background and justification

Following the establishment of the diplomatic relations between the former Yugoslav Republic of Macedonia and European Union, the signing of the Stabilisation and Association Agreement (SAA), and granting of the candidate-country status, the country has clearly defined its long term commitment to join the European family.

² The constitutional name of the Beneficiary country is Republic of Macedonia. The EU uses the reference former Yugoslav Republic of Macedonia, in line with United Nations Security Council resolution 817/1993 and United Nations General Assembly resolution 225/1993. The designation former Yugoslav Republic of Macedonia shall be used throughout this document, as well as under the project deliverables. It is acknowledged that national project partners shall reference the country under its constitutional name.

The fulfilment of the obligations that are raising form the Copenhagen criteria - political, economic and ability to assume the obligation from Acquis including the Madrid criterion, is a key element for obtaining date for negotiations, intensifying the processes for compliance and sooner accession to into the European Union.

In terms of a historic timeline, the SAA between the former Yugoslav Republic of Macedonia and the EU was signed in April 2001 and entered into force in April 2004. In December 2005 the European Council granted the status of candidate country and in February 2008, the Council of Ministers of the European Union adopted the 2008 Accession Partnership which includes 8 (eight) key priorities as requirements for acquiring negotiation date.

In October 2009, the European Commission recommended that EU accession negotiations are to be opened with the former Yugoslav Republic of Macedonia. "The country has made important progress and has substantially addressed the key accession partnership priorities. The Commission considers that the country sufficiently fulfils the political criteria set by the Copenhagen European Council in 1993 and the Stabilisation and Association Process and therefore has decided to recommend the opening of accession negotiations," the EC said in a report on the progress of would-be member states.

In November 2009, the Government laid down the negotiating structure by establishing working groups for preparing the National Programme for Adoption of the Acquis (NPAA) and the negotiation positions for EU membership. These working groups shall:

- Plan activities and determine priorities for aligning the legislation with the *acquis*;
- determine responsibilities of the ministries and public administration bodies in terms of aligning the legislation with the *acquis*;
- prepare their respective parts and harmonise them with the remaining parts of the NPAA;
- Make cost and resource assessment for building up the capacities for implementing the legislation;
- Submit reports to the Government regarding the implementation of the respective NPAA chapters;
- Provide recommendations concerning draft laws and implementing legislation from their respective chapters with which the *acquis* is being transposed;
- Ensure preparatory activities and active involvement in the screening process;
- Prepare the negotiation positions of the country in the negotiation process;
- Conduct other activities which arise from the NPAA preparation and the preparation of the negotiation positions.

The Council's Conclusions on the Enlargement/Stabilisation and Association process of December 2009 duly acknowledges the Commission's recommendation for the opening of accession negotiations, noting that it will return to the matter during the next Presidency in the first half of 2010. Hence all efforts are vested in achieving full institutional preparedness for negotiations by the time of the project beginning.

In order to respond to the challenges of the accession negotiations, the Secretariat for European Affairs and the Ministry of Foreign Affairs prepared draft Information for the Government on the next activities for starting the accession negotiations. It sets the principles and merits under which the process of negotiations will be conducted and determines the National Structures for Accession negotiations. The document is considering the National Platform for conduct of the negotiations adopted by the Government in 2007 and provides

comparative analysis of the last two rounds of enlargement (2004 and 2007), particularly in terms of the institutional set-up and the needed structures for negotiations.

In this respect, a formal decision for the composition of each of the 33 Working Group for the respective chapters has been adopted by the Government. The entire list of the members of Working Groups has been updated and they will be responsible for drafting the national positions in the negotiation process. In addition, already existing mechanism of Working Committee on European Integration for coordination of EU accession will continue to serve for EU negotiations. Working Committee on European Integration is a coordinative body, which is synchronising and monitoring the process of EU integration. Furthermore, there are regular bi-weekly meetings related to the EU integration process at two layers: of state secretaries and heads of sectors for EU integration.

There is a firm commitment of the Government to the negotiations process and understanding that it presents a highly complex process and a comprehensive dynamic undertaking that involves a large number of stakeholders. Thus, it requires full readiness of the state authorities and institutions. Moreover, the structures that coordinate and conduct negotiations must be well prepared prior to the commencement of the negotiations themselves. The negotiation process of the country for EU membership will bring an added value towards, the adoption of its legislation and rules, political orientations, practice and obligations. This will ultimately bring the country's institutions, management capacity and administrative and judicial systems up to EU values and to EU legal, economic and social system. It will also enhance the knowledge and the country's capacity to take up duties and responsibilities as a future EU member state.

3.2 Assessment of project impact, catalytic effect, sustainability and cross border impact

The project will exert its impact on accelerating the tempo and quality of the accession negotiations, which comprise the cornerstone of the accession process and cover the adoption, implementation and enforcement of the *acquis* by the candidate country. The direct and tangible impact will be most visible in terms of strengthened national organisational, institutional and administrative capacities structures as a result of the transfer of knowledge and experience from EU member states, as well as in terms of accelerated attainment of EU standards, heightened quality of legislation and implementation track record.

The catalytic effect of the project will manifest itself in further accelerated negotiation and accession process. Namely, the enhanced national capacities resulting, *inter alia*, from the project's activities will contribute towards swifter overall completion of the accession negotiations and bringing the country's institutions, management capacity and administrative system up to Union standards with a view to implementing the *acquis* effectively.

The sustainability of the project's results will be undoubtedly ensured through the country's faster and more in-depth attainment of EU standards and values, and the accelerated achievement of wider economic stability and the stability of the society as a whole, as a part of the negotiation process. The establishment of a suitable model for institution building and knowledge shearing for the most important and complex process of negotiation, which will be further aided by this particular project, brings an added value in ensuring long-term sustainability.

The project's cross-border effect, although not a direct one, will still additionally contribute towards the creation of a more positive regional climate, as it can further the regional cooperation and provide the external impetus and opportunity for exchange of valuable

experiences needed for the euro-integration processes of some of the remaining counties in the region.

3.3 Results and measurable indicators

Results and measurable indicators for Component 1: Extended horizontal support and enhanced capacities of the key institutions in the negotiation process, with a focus on the central level institutions

Results:

- Furthered capacities of the SEA, the Chief Negotiator, the Secretariat of the Chief Negotiator, the negotiation team, the working groups, the Working Committee for European Integration, etc. for a more efficient negotiation process on an expert, technical and administrative level;
- Furthered capacities for coordination of the translation and revision, especially with regards to the negotiation positions;
- Strengthened role of the Ministry for Foreign Affairs as per its mandate in the negotiation process, including the strengthened capacities of the structures for timely and prompt communication with the EU structures through the country's Mission in EU, the communication with the EU member states with the aim of supporting and accelerating the negotiation process, as well as the efficiency and effectiveness of the communication with the SEA and the Secretariat of the Chief Negotiator;
- Strengthened role of the Legislative Secretariat with regards to the negotiation process in terms of issues related to the legal system arising from the negotiation process (e.g. supremacy aspects), furthering the legislative plans, strengthening of the methodologies and capacities for timely compliance, harmonisation status, monitoring, etc. as per the concordance tables;
- Strengthened role of the General Secretariat within the Government as per the requirements of the negotiation process, especially related to the coordination of the governmental procedures *vis a vis* negotiations, policy making as per the requirements emanating from the negotiations, the elaboration of comprehensive impact assessments of the EU legislation, etc.

Measurable indicators:

- Furthered mechanism for coordination of the negotiations and support to the process, negotiation team and the Chief Negotiator;
- Enhanced mechanism for aligning of procedures, preparation for negotiation positions and leading the negotiation process;
- Enhanced coordinative mechanism for translation and revision with regards to the negotiation process;
- Number of translated pages with regards to the benchmarks.

Results and measurable indicators for Component 2: Extended targeted and thematic support and enhanced capacities of key line-ministries selected on the basis of the complexity of the respective chapters as per the last analytical report of 2005, and the subsequently reported changes.

Results:

- Sufficient capacity of the line ministries and structures to efficiently implement the acquis;
- Legal and institutional framework assessed in terms of rate of compliance with the acquis;
- Viewpoints and attention on forthcoming issues in the negotiation process concerning alignment with the acquis provided;
- Priorities for legislative framework set and appropriate timeline for enacting new/amending current laws or issuing/amending implementing legislation identified;
- Recommendations regarding potential opening benchmarks provided for each chapter;
- Substance of the opening benchmarks elaborated;
- Provided opinions and recommendations on the draft negotiating positions.

Measurable indicators:

- In-depth analysis of all screening reports and elaborated Plans for addressing the identified findings;
- Properly prepared country's position papers
- Number of opening and closing benchmarks met;
- Number of opened chapters;
- Annual Legislative Plan dully monitored and implemented.

3.4 Activities

Component 1: Extended horizontal support and enhanced capacities of the key institutions in the negotiation process, with a focus on the central level institutions

- Assessment report produced of the capacity and needed support for the negotiation team and chief negotiator with recommendations for further improvements;
- Exchange of experiences between EU member state(s) and national negotiations structures in the process of preparation of national negotiation positions;
- Development and implementation of a comprehensive set of trainings, seminars, in-house trainings and consultations with the aim of enhancing capabilities, building expertise, exchange of expertise and best practices, on a horizontal level (including simulation exercises,, techniques for management of procedures, people and agreements, monitoring, evaluation, communication (with regards to the general public and the involved institutions) and reporting in the framework of the negotiation process;
- Elaborated, adopted and implemented methodology for addressing opening and closing benchmarks – which are measurable and related to key elements of certain *Acquis* chapter and are aimed to further improve the quality of the negotiations, as well as for individual chapter negotiations;
- Determination of potential bottlenecks through identifying possible areas that could cause hindrance to the smooth continuation of negotiations;
- Providing viewpoints on forthcoming issues in the negotiation process;
- Exchange of expertise with regards to coordinating the process of translation and revision as per the requirements of the negotiation process.

Component 2: Extended targeted and thematic support and enhanced capacities of key line-ministries selected on the basis of the complexity of the respective chapters as per the last analytical report of 2005, and the subsequent reported changes.

- Acceleration of the realisation of legislative plans, monitoring of their realisation with generated recommendations for further improvements;
- Assessment and identification of line ministries as ad-hoc beneficiaries pending on the level of complexity of the respective chapters and the anticipated bottlenecks;
- Identification of laws and regulations that still need harmonisation with the EU Acquis, prioritisation and subsequent amendment and new law/regulation development;
- Assessment report produced of the legal/institutional framework with regards to negotiations (negotiation coordinative structures and team), assessment of the screening process with generated recommendations for further improvements;
- Tracking the progress and rate of compliance with the *acquis*;
- Elaborated, adopted and implemented methodology for addressing opening and closing benchmarks – which are measurable and related to key elements of certain *Acquis* chapter and are aimed to further improve the quality of the negotiations, as well as for individual chapter negotiations;
- Development and implementation of a comprehensive set of trainings, seminars, in-house trainings and consultations with the aim of enhancing capabilities, building expertise, exchange of expertise and best practices, on the level of particular *acquis* chapters (including simulation exercises,, techniques for management of procedures, people and agreements, monitoring, evaluation, communication (with regards to the general public and the involved institutions) and reporting in the framework of the negotiation process;
- Providing viewpoints on forthcoming issues in the negotiation process.

Management and contracting arrangements

The support to the EU integration structures in the Government and in line ministries will be implemented through one twinning arrangement. The knowledge and accession experience that will be exchanged with an EU Member State will allow for the government structures to cope better with the negotiation talks. The twinning arrangement will follow the regular operational instructions as documented in the Twinning Manual. A project steering committee will be established to oversee the implementation process of the project activities, while it is expected that the MS twinning partner(s) will bring in expertise – *inter alia* - on the issues arising from the so-called bilateral screening of the chapters and the assessment and recommendations concerning the opening and closing benchmarks. The twinning arrangement will also allow for administrative capacity building, training, integrity, legal development and addressing the cross-cutting issues.

The project leaders (PL) will be responsible for the overall management, representation (co-ordination with the EU and other international bodies) as well as reporting to the Contracting Authority.

The Secretariat for European Affairs will be directly responsible for co-ordination and management of the project from the beneficiary side and will support the Twinning project team, in organisational and technical matters.

Contact persons and contact details

Beneficiary Country (BC) Project Leader

To be defined prior to launching the Twinning Fiche.

Resident Twinning Advisor (RTA) counterpart

RTA will be defined following a selection procedure organised by the Contracting Authority from the MS countries responding to the launched fiche.

The expected contracting arrangements are:

One Twinning Contract will be concluded between MS partner(s) and the SEA, with duration of 18 to 24 months. Pending on the level of complexity and difficulty of the respective negotiation chapters and the anticipated bottlenecks, line-ministries will be identified as ad-hoc beneficiaries. The contract value will be approx. EUR 2 100 000, out of which EUR 1 995 000 will be IPA funds and EUR 105 000 would be co-financing.

Means/Input from MS Partner Administration

The project will be implemented in the form of a Twinning contract between the beneficiary country and EU Member State(s). The implementation of the project requires one PL with responsibility for the overall coordination of project activities, one RTA to manage project activities, two junior twinning MS partners and short-term experts - STE (number to be determined by the beneficiary in accordance with the Twinning Manual). It is essential that the team have sufficiently broad expertise to cover all the areas included in the project description. The interested Member State(s) shall include in their proposal the CVs of the designated PL, RTA, and the proposed pool of STEs, as well as the specific tasks to which they will be assigned. Provided that consistency within a consortium can be secured, two Member States may form a consortium.

Profile and Tasks of the Project Leaders

MS Project Leader

The MS Project Leader will detail, coordinate and supervise the overall thrust of the project. S/he will continue to work in his/her MS administration, but will devote a portion of his/her time to lead project activities and direct the implementation of the project, thus ensuring attainment of the projected output. S/he is expected to ensure that all the support from the management and staff of the EU side is available for the project. The PL is fully responsible for co-ordination of the work of the RTA and STE experts. S/he should be a high-ranking civil servant or equivalent staff commensurate with the requirement for an operational dialogue and backing at political level. S/he is expected to devote a minimum of 3 days per month to the project in his/her home administration with an on-site visit at least every 3 months. In addition, S/he should coordinate, on behalf of the MS(s), the Project Steering Committee (PSC), which will meet in Skopje every three months. The MS PL will co-manage the implementation of the project with the Project Leader from the Beneficiary Country. The MS PL is always complemented by at least one full-time expert, known as the Resident Twinning Adviser (RTA), from a MS to work on a day-to-day basis with the beneficiary administration in the BC and accompany the implementation of the Twinning project. The RTA is the backbone of a Twinning project. S/he is supported in his/her MS administration for logistics, accounting and administrative tasks. This support should allow the RTA to concentrate on the essence of the project.

BC Project Leader

The BC Project Leader will act as the counterpart of the MS PL and will ensure close cooperation in the overall steering and co-ordination of the project. S/he is likewise expected to be a high ranking official in the BC administration, who is in a position to operate at the appropriate political level and to mobilise the necessary staff in support of the efficient

implementation of the project. He/she will also coordinate the Project Steering Committee (PSC) on behalf of the BC. The role of the BC Project Leader and the MS PL counterpart are complementary. A BC RTA Counterpart will be assigned as well.

Profile and tasks of the RTA(s):

RTA(s) will be civil servants or equivalent staff (mandated body) seconded to work and to be based in the BC throughout the overall duration of the project. RTAs are made available by MS' administrations and mandated bodies to counterparts in BCs through EU funding. The seconded experts covered by these provisions remain in employment in their national administration or mandated body throughout the period of secondment

Professional experience

RTAs must have at least three years' experience in the organisation of the practical application of the EU acquis or the Twinning project fiche's relevant field of substance, legislative process or other duties as described in the Twinning project fiche covering their secondment. RTAs shall have a rank equivalent to university level and should have a good working knowledge of English.

Additional assets are:

A pool of STEs should be knowledgeable in the field of EU accession negotiation process.

3.5 Conditionality and sequencing

The project includes the following conditionalities:

- Endorsement by all key stakeholders of the twinning project fiche, specifications for the individual contracts to be engaged;
- Appointment of the members of the country's negotiation structure before contract signature;
- Allocation of working space and facilities by the beneficiaries for technical assistance before contract signature;
- Participation by the beneficiaries in the tender process as per EU regulations;
- Organisation, selection and appointment of members of working groups, steering and coordination committees, seminars by the beneficiaries as per the work plan of the project;
- Appointing the relevant staff by the beneficiaries to participate in training activities as per work plan;
- Sufficient managerial and technical human resources allocated to the relevant EU integration structures;
- BC is fully determined to carry out the reforms and reorganisation needed in accordance with the policy priorities set in the context of enlargement or other fields of co-operation with the EU.

In the event that conditions are not met, suspension or cancellation of projects will be considered.

3.6 Linked activities

EU Assistance in the area of approximation of legislation was provided through Phare COP 1996, with allocated funds from the 2001 budget year (€0.72 million). The project was aiming for institutional capacity building providing technical assistance to:

- the Translation Unit in the European Integration Sector;
- the Legislative Secretariat;
- the Parliament, its Legislative Committee and its Experts' Services; and
- the Unit for Approximation of Legislation in the Sector for European Integration.

The project was implemented as four respective components and was finalised in 2003. It was coordinated by the Sector for EU integration in the Government.

The **UK's** SPFRE Project on Capacity Building for EU integration will aim at contributing to effective and efficient public administration able to respond to EU requirements and standards. It will aim at improving legislation and procedures, improving the human resource management system and practising standards in Human Resources units and improving the system for EU communication for decision and opinion makers in public administration. Additionally, it will tackle the preparation for the negotiation process, aiming, *inter alia*, at improving the NPAA Working Groups and future negotiation teams' capacities and setting up operational, integrated IT network able to support the entire NPAA planning process, and the level of implementation and monitoring mechanisms.

The Government of Norway, through the **NORMAK** project office, is providing support to policy development capacities in several state administration bodies (Legislative Secretariat and the General Secretariat – the area of policy making).

The **French** Government provides training support to government officers, while the UN system (particularly the **UNDP**) provides overall coordination support to the government, as well as capacity building.

3.7 Lessons learned

Phare programme highlighted a number of priorities for approximation of laws, including ability of the Government structures to scrutinise critically the order selected for the approximation of laws, need of clear and transparent priority criteria, closer coordination and exchange of information between the Government structures – preferably through regular coordination meetings.

A number of challenges as documented in monitoring and evaluations reports of other relevant projects remain to be fully taken into account:

- The availability and permanence of adequate human resources is an issue that should be addressed up-front before implementation of some project's components;
- Additional problems can appear when projects are characterised by a long take-off. Often preliminary analysis are not conducted in order to check whether circumstances have changed since design phase, which, in turn, could call for an adjustment of ToR prior to embarking into the implementation phase;
- Better linkages between projects belonging to the same sector should also be ensured (at both design and implementation levels) and external coordination with other international donors has to be also ensured.

4. Indicative Budget (amounts in EUR)

			SOURCES OF FUNDING										
			TOTAL EXP.RE	TOTAL PUBLIC EXP.RE	IPA COMMUNITY CONTRIBUTION		NATIONAL PUBLIC CONTRIBUTION					PRIVATE CONTRIBUTION	
ACTIVITIES	IB (1)	INV (1)	EUR (a)=(b)+(e)	EUR (b)=(c)+(d)	EUR (c)	% (2)	Total EUR (d)=(x)+(y)+(z)	% (2)	Central EUR (x)	Regional/ Local EUR (y)	IFIs EUR (z)	EUR (e)	% (3)
Twinning contract	X		2.100.000	2.100.000	1.995.000	95	105.000	5					
TOTAL IB			2.100.000	2.100.000									
TOTAL INV													
TOTAL PROJECT			2.100.000	2.100.000	1.995.000	95	105.000	5					

NOTE: DO NOT MIX IB AND INV IN THE SAME ACTIVITY ROW. USE SEPARATE ROW

Amounts net of VAT

- (1) In the Activity row use "X" to identify whether IB or INV
- (2) Expressed in % of the Public Expenditure (column (b))
- (3) Expressed in % of the Total Expenditure (column (a))

5. Indicative Implementation Schedule (periods broken down per quarter)

Contracts	Start of Tendering	Signature of contract	Project Completion
Twinning Contract	Q3 2011	Q3 2012	Q3 2014

6. Cross cutting issues

The cross-cutting issues will be addressed throughout the project. Up to 10% of the budget of the service contract for tender support supervision and training may be allocated to assist the different beneficiaries to comply with European standards and best practices, implement relevant existing Government strategies and develop internal measures to ensure each cross-cutting issue is appropriately mainstreamed.

Throughout the project cycle, in particular when developing project ToR, state actors specifically addressing (one of) the cross cutting issues shall be consulted.

The mainstreaming of the cross cutting issues is regarded on two different levels: (a) Ensuring that the internal policies, structure or operating procedures of the beneficiary agency will conform to and promote the relevant principles outlined per section below and (b) ensuring that the products, outputs produced by the beneficiaries (e.g. laws, regulations, policies, and strategies) will conform to and promote the relevant principles outlined per section below.

6.1 Equal opportunity and non-discrimination

The project implementation will ensure the observance of the principles of equal opportunities and non-discrimination. Equal gender opportunities will be fully respected in the composition of the Steering Committee and where necessary. In addition to this, the internal policies, structure or operating procedures of the beneficiaries, as well as products and outputs produced by the beneficiaries (e.g. laws, regulations, policies, and strategies) will conform to the relevant principles of equal opportunities and non-discrimination.

6.2 Environmental considerations

The European Community has a longstanding commitment to address environmental concerns in its assistance programmes (as part as a wider commitment to sustainable development). Key references include art. 6 of the Treaty and the Cardiff process which foresees the systematic consideration of environmental aspects into EC development cooperation and in other policies (hence very important for the *acquis*). The support will include activities for the beneficiary to improve its internal performance vis-à-vis environmental aspects.

6.3 Support to minorities and vulnerable groups

Where the main reference in the country in relation to minority groups is the Ohrid Framework Agreement, in an EU context, reference is made to the “Race directive” of 2000 (200/43/EC of 29 June), which has an important impact on employment (incl. vocational training, working conditions, social protection etc.) and is also a crucial aspect of the *acquis*. The beneficiary will be assisted to improve its internal performance vis-à-vis minorities or other vulnerable groups.

6.4 Civil Society Development and Dialogue

The consultation and communication processes will constitute important aspects of the experience and knowledge exchange established with the EU MS as a result of the project. Hence, the generated experience will further the inclusiveness of the national consultation platform, and will improve the transparency and clarity of the national communication

strategy with regards to the negotiation process (both with regards to the participating institutions and structures and the general public). The project can therefore further the overall societal dialogue on the highly important issue – the negotiation process.

6.5 Good governance, with particular attention to fight against corruption

The accelerated approximation of the national with the EU legislation, along with the obligation for full harmonisation up to the accession date will further the legislative, strengthen the administrative and judicial authorities and improve the *acquis* adoption, implementation and enforcement data, indirectly leading to overall improved stability, good governance and functional economy. The project's contribution towards a well-functioning and stable public administration built on an efficient and impartial civil service, and an independent and efficient judicial system will further the good governance and reinforce the fight against corruption. The accelerated negotiation process, aided by this project, will contribute towards the sooner adoption of the benefits and values of the EU, as well as the complete adaptation of the Macedonian institutions towards functioning to that of the Union's institutions.

ANNEX I - Log frame in standard format

LOGFRAME PLANNING MATRIX FOR Project Fiche: Further strengthening of the organisational and institutional capacities for the accession negotiation process	Programme name and number: National Programme for the former Yugoslav Republic of Macedonia under the IPA Transition Assistance and Institution Building Component for 2010 CRIS number :		
	Contracting period expires two years from the date of the conclusion of the Financing Agreement	Execution period expires two years from the final date for contracting	Disbursement period expires one year from the final date for execution of contracts.
	Total budget : EUR 2 100 000		IPA budget: EUR 1 995 000

Overall objective	Objectively verifiable indicators	Sources of Verification	
The overall objective of the project is to further support the negotiation structures at national level to efficiently and successfully run the EU accession negotiations.	<ul style="list-style-type: none"> - Well established mechanism for conducting accession negotiations; - Improved intra governmental procedure for documents and data flow regarding negotiations; - Quality and on time adoption of the negotiating positions. 	<ul style="list-style-type: none"> - EC Progress reports; - Adopted and implemented action plans on opening and closing benchmarks; - Reports on the fulfilment of opening and closing benchmarks; - Legislative plan; - National Programme for Adoption of the Acquis; - Reasonable speed of the negotiations course (EC assessment). 	

Project purpose	Objectively verifiable indicators	Sources of Verification	Assumptions
<p>The purpose of the project is to enable the exchange of accession experience with EU Member State(s), thereby strengthening of the negotiating structures and contributing towards efficiency of the negotiating process and compliance with good negotiating practices.</p> <p>The assistance provided throughout the assessment and recommendations concerning the opening and closing benchmarks and the subsequent opening of individual</p>	<ul style="list-style-type: none"> - Reasonable time for responding on screening reports and benchmarks; - Appropriately determined and addressed gaps in the negotiating structure; - Shared best practices with the country of the twinning partner; - Adopted and implemented action 	<ul style="list-style-type: none"> - Monthly monitoring progress report from SPO to CFCD; - High level of fulfilment of the legislative plan; - EC progress reports; - Reports on the fulfilment of opening and closing 	<ul style="list-style-type: none"> - Beginning of the negotiations before the projects; - Government maintains consistent policy and commitment to the EU accession; - The experience of the

<p>negotiation chapters will, <i>inter alia</i>, ensure that the necessary legislation is passed with due speed and in a transparent manner to ensure alignment with the <i>acquis</i>, while at the same time the skills for implementation of policies and the overall quality of the legislation are enhanced.</p>	<p>plans for quality, and on time, addressing benchmarks;</p> <ul style="list-style-type: none"> - Number of quality prepared negotiating positions; - Number of negotiated transitional periods; - Translation of the documents and Acquis on time. 	<p>benchmarks;</p> <ul style="list-style-type: none"> - Legislative plan; - National Programme for Adoption of the Acquis. 	<p>twinning partner country will be applicable to the existing negotiating structure;</p> <ul style="list-style-type: none"> - Usefulness of the recommendations from the twinning partner; - Good and precise management of the project.
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Results	Objectively verifiable indicators	Sources of Verification	Assumptions
<p>Results and measurable indicators for Component 1: Extended horizontal support and enhanced capacities of the key institutions in the negotiation process, with a focus on the central level institutions</p> <p>Results:</p> <ul style="list-style-type: none"> - Strengthened role of the Secretariat for European Affairs and the respective coordinative structures with regards to the negotiation process; - Furthered strengthening of the SEA capacities, the Chief Negotiator, the Secretariat of the Chief Negotiator, the negotiation team, the working groups, the Working Committee for European Integration, etc. for a more efficient negotiation process on an expert, technical and administrative level; - Furthered capacities for coordination of the translation and revision, especially with regards to the negotiation positions; - Strengthened role of the Ministry for Foreign Affairs as per its mandate in the negotiation process, including the strengthened capacities of the structures for timely and prompt communication with the EU structures through the country's Mission in EU, the communication with the EU member states with the aim of supporting and accelerating the negotiation process, as well as the efficiency and effectiveness of the communication with the SEA and the Secretariat of the Chief Negotiator; - Strengthened role of the Legislative Secretariat with 	<ul style="list-style-type: none"> - Furthered mechanism for coordination of the negotiations and support to the process, negotiation team and the Chief Negotiator; - Enhanced mechanism for aligning of procedures, preparation for negotiation positions and leading the negotiation process; - Enhanced coordinative mechanism for translation and revision with regards to the negotiation process; - Number of translated pages with regards to the benchmarks. 	<ul style="list-style-type: none"> - EC Progress reports; - Adopted and implemented action plans on opening and closing benchmarks; - Reports on the fulfilment of opening and closing benchmarks; - Legislative plan; - National Programme for Adoption of the Acquis; - Reasonable speed of the negotiations course (EC assessment). 	<ul style="list-style-type: none"> - Beginning of the negotiations before the projects; - Government maintains consistent policy and commitment to the EU accession; - The experience of the twinning partner country will be applicable to the existing negotiating structure; - Usefulness of the recommendations from the twinning partner; - Good and precise management of the project.

<p>regards to the negotiation process in terms of issues related to the legal system arising from the negotiation process (e.g. supremacy aspects), furthering the legislative plans, strengthening of the methodologies and capacities for timely compliance, harmonisation status, monitoring, etc. as per the concordance tables;</p> <ul style="list-style-type: none"> - Strengthened role of the General Secretariat within the Government as per the requirements of the negotiation process, especially related to the coordination of the governmental procedures <i>vis a vis</i> negotiations, policy making as per the requirements emanating from the negotiations, the elaboration of comprehensive impact assessments of the EU legislation, etc. <p>Results and measurable indicators for Component 2: Extended targeted and thematic support and enhanced capacities of key line-ministries selected on the basis of the complexity of the respective chapters as per the last analytical report of 2005, and the subsequently reported changes</p> <p>Results:</p> <ul style="list-style-type: none"> - Sufficient capacity of the line ministries and structures to efficiently implement the acquis; - Legal and institutional framework assessed in terms of rate of compliance with the acquis; - Viewpoints and attention on forthcoming issues in the negotiation process concerning alignment with the acquis provided; - Priorities for legislative framework set and appropriate timeline for enacting new/ amending current laws or issuing/amending implementing legislation identified; - Recommendations regarding potential opening benchmarks provided for each chapter; - Substance of the opening benchmarks elaborated; - Provided opinions and recommendations on the draft negotiating positions. 	<ul style="list-style-type: none"> - In-depth analysis of all screening reports and elaborated Plans for addressing the identified findings; - Properly prepared country's position papers; - Number of opening and closing benchmarks met; - Number of opened chapters; - Annual Legislative Plan duly monitored and implemented. 		
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Activities	Means	Costs	Assumptions
Component 1: Extended horizontal support and enhanced	Twinning arrangement	Total EUR 2 100 000 (EUR 1	- MS institution interested to

<p>capacities of the key institutions in the negotiation process, with a focus on the central level institutions:</p> <ul style="list-style-type: none"> - Assessment report produced of the capacity and needed support for the negotiation team and chief negotiator with recommendations for further improvements; - Exchange of experiences between EU member states and national negotiations structures in the process of preparation of national negotiation positions; - Development and implementation of a comprehensive set of trainings, seminars, in-house trainings and consultations with the aim of enhancing capabilities, building expertise, exchange of expertise and best practices, on a horizontal level (including simulation exercises, techniques for management of procedures, people and agreements, monitoring, evaluation, communication (with regards to the general public and the involved institutions) and reporting in the framework of the negotiation process; - Elaborated, adopted and implemented methodology for addressing opening and closing benchmarks – which are measurable and related to key elements of certain <i>Acquis</i> chapter and are aimed to further improve the quality of the negotiations, as well as for individual chapter negotiations; - Determination of potential bottlenecks through identifying possible areas that could cause hindrance to the smooth continuation of negotiations; - Providing viewpoints on forthcoming issues in the negotiation process; - Exchange of expertise with regards to coordinating the process of translation and revision as per the requirements of the negotiation process. <p>Component 2: Extended targeted and thematic support and enhanced capacities of key line-ministries selected on the basis of the complexity of the respective chapters as per the last analytical report of 2005, and the subsequent reported changes:</p> <ul style="list-style-type: none"> - Acceleration of the realisation of legislative plans, 		<p>995 000 IPA and EUR 105 000 national contribution)</p>	<p>enter into a twinning arrangements;</p> <ul style="list-style-type: none"> - Availability of the Beneficiary institutions can make staff available.
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<p>monitoring of their realisation with generated recommendations for further improvements;</p> <ul style="list-style-type: none"> - Assessment and identification of line ministries as ad-hoc beneficiaries pending on the level of complexity and difficulty of the respective chapters and the anticipated bottlenecks; - Identification of laws and regulations that still need harmonisation with the EU Acquis, prioritisation and subsequent amendment and new law/regulation development; - Assessment report produced of the legal/institutional framework with regards to negotiations (negotiation coordinative structures and team), assessment of the screening process with generated recommendations for further improvements; - Tracking the progress and rate of compliance with the <i>acquis</i>; - Elaborated, adopted and implemented methodology for addressing opening and closing benchmarks – which are measurable and related to key elements of certain <i>Acquis</i> chapter and are aimed to further improve the quality of the negotiations, as well as for individual chapter negotiations; - Development and implementation of a comprehensive set of trainings, seminars, in-house trainings and consultations with the aim of enhancing capabilities, building expertise, exchange of expertise and best practices, on the level of particular <i>acquis</i> chapters (including simulation exercises,, techniques for management of procedures, people and agreements, monitoring, evaluation, communication (with regards to the general public and the involved institutions) and reporting in the framework of the negotiation process; - Providing viewpoints on forthcoming issues in the negotiation process. 			
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Pre conditions

The project includes the following conditionalities:

- Endorsement by all key stakeholders of the twinning project fiche, specifications for the individual contracts to be engaged;

- Appointment of the members of the country's negotiation structure before contract signature;
- Allocation of working space and facilities by the beneficiaries for technical assistance before contract signature;
- Participation by the beneficiaries in the tender process as per EU regulations;
- Organisation, selection and appointment of members of working groups, steering and coordination committees, seminars by the beneficiaries as per the work plan of the project;
- Appointing the relevant staff by the beneficiaries to participate in training activities as per work plan;
- Sufficient managerial and technical human resources allocated to the relevant EU integration structures;
- BC is fully determined to carry out the reforms and reorganisation needed in accordance with the policy priorities set in the context of enlargement or other fields of co-operation with the EU.

In the event that conditions are not met, suspension or cancellation of projects will be considered.

ANNEX II - Amounts (in EUR) contracted and distributed per Quarter over the full duration of Programme

	2012				2013				2014			
Contracted	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Twinning Contract			2 100 000									
Cumulated			2 100 000									
Disbursed												
Twinning Contract			1 050 000				840 000				210 000	
Cumulated			1 050 000				1 890 000				2 100 000	

ANNEX III – Description of Institutional Framework

Brief description of the institutional framework of the institutions to be involved in the process of negotiations:

The Secretariat for European Affairs specific activities are as follows:

- Coordination and conformance of the work of the state administration authorities and of other bodies and institutions relating to preparation of the former Yugoslav Republic of Macedonia for the European Union membership;
- Monitoring of implementation of the Stabilisation and Association Agreement concluded between the former Yugoslav Republic of Macedonia and the European Communities and their Member States and of other Agreements concluded between the former Yugoslav Republic of Macedonia and the European Union;
- Participation and monitoring of the working bodies established within the Stabilisation and Association Agreement and other Agreements with the European Union;
- Coordination and monitoring of the realisation of the European Partnership;
- Coordination and monitoring of the realisation of the National Programme for Adoption of the Acquis Communautaire;
- Preparation of the national version of the acquis communautaire and translation of Macedonian legislation;
- Strengthening the institutional capacity for conducting the European integration process;
- Preparation for negotiations of the former Yugoslav Republic of Macedonia for European Union membership and taking part in formulation further negotiation positions;
- Coordination of the foreign assistance provided by the European Union and its Member States and of other foreign assistance intended for the reforms complementary to the integration process of the former Yugoslav Republic of Macedonia in the European Union;
- Public communication and information dissemination for the activities associated with the European integration process and European affairs;
- Operation conformance of the state administration authorities of the former Yugoslav Republic of Macedonia as a European Union Member State;

Ministry of Foreign Affairs of the former Yugoslav Republic of Macedonia

Extract from the Law on foreign affairs Article 8

In the performance of its foreign affairs competences the Ministry:

- Shall represent and promote the former Yugoslav Republic of Macedonia and shall develop and coordinate the bilateral and multilateral relations and cooperation with other states and international organisations;
- Shall implements the foreign policy;
- Shall ensure coordination of bodies having foreign affairs competences;
- Shall institute procedures for establishment and termination of diplomatic and consular relations with other states, as well as procedures for membership of and establishment of relations with international organisations;
- Shall protect the interests, rights and property of the state and of its nationals and legal entities abroad;
- Shall undertake activities required for the implementation of decisions of the United Nations Security Council in respect of restrictive measures, adopted in line with the provisions of Chapter VII of the United Nations Charter;

- Shall coordinate the participation of the former Yugoslav Republic of Macedonia in the Common Foreign and Security Policy and in the European Security and Defence Policy of the European Union;
- Shall ensure coordination of the foreign policy aspects of the participation of the former Yugoslav Republic of Macedonia in mission and operations for maintenance of the international peace and security;
- Shall follow the development of international economic relations and shall propose relevant decisions to the competent bodies;
- Shall exert due care for the position and rights of persons belonging to the Macedonian nation living in the neighbouring countries;
- Shall exert due care for the situation and human rights of persons belonging to the communities- nationals of the former Yugoslav Republic of Macedonia abroad;
- shall exert due care for the position and human rights of nationals of the former Yugoslav Republic of Macedonia temporarily or permanently residing abroad and of the emigrants;
- shall organise and manage the diplomatic-consular missions and other representative offices of the former Yugoslav Republic of Macedonia and shall organise the system linking the missions and offices;
- Shall participate in the conclusion, preparation for ratification and depositing of international treaties to which the former Yugoslav Republic of Macedonia has acceded;
- Shall follow and contribute towards the development of the international relations and international law;
- Shall undertake activities for the determination and demarcation of the state border, shall maintain and renew the border marks and shall participate in the resolution of border incidents;
- Shall propose and implement the visa policy and the visa regime of the former Yugoslav Republic of Macedonia;
- Shall manage the Visa Centre and the Visa Information Centre that ensure links among all segments in the implementation of the visa regime of the former Yugoslav Republic of Macedonia;
- Shall communicate with and shall coordinate the cooperation with foreign diplomatic and consular missions and with missions of international organisations in the former Yugoslav Republic of Macedonia;
- Shall manage the accreditation procedure and the procedure regarding the letters of credence of foreign Ambassadors, the procedure for recognition of privileges and immunities of foreign diplomatic missions and missions of international organisations in accordance with international law;
- Shall propose, design and manage the procedure for appointment and recall of heads of diplomatic and consular missions of the former Yugoslav Republic of Macedonia;
- Shall manage the procedure for rental, purchase, construction and maintenance of immovable property in other countries for the needs of diplomatic and consular missions of the former Yugoslav Republic of Macedonia;
- Shall collect and archive domestic and foreign documentation in the foreign policy area and in respect of international relations of the former Yugoslav Republic of Macedonia and shall keep the Diplomatic Archives of the MFA;
- Shall inform the President about major issues in the pursuance of the foreign policy of the country and shall present opinions and proposals with respect to foreign policy issues within the President's competences, including security and defence aspects, which derive under international relations;

- Shall participate in the preparation and application of documents and initiatives of the President, in accordance with the MFA's competences;
- Shall cooperate with citizens' associations and with scientific and professional institutions;
- Shall coordinate the pursuance of political positions on the participation in international peace and security maintenance operations, in cooperation with the competent ministries; and
- Shall perform other activities set forth by law.

Secretariat for Legislation

In the Rules of Procedure of the Government of the former Yugoslav Republic of Macedonia, among other things, the manner of implementation of the competencies of the Legislation Secretariat has been defined by law.

Namely, the ministries and the other state administration bodies which submit the draft-laws, bills and proposals for other regulations and general acts to the Government of the former Yugoslav Republic of Macedonia for the purpose of review, assessment, i.e. adopting, shall also submit the above-mentioned legal documents to the Legislation Secretariat. The draft-laws, bills and proposals for other materials (analyses, reports, information and other materials i.e. proposals) prepared upon the request of the Government of the former Yugoslav Republic of Macedonia by a special committees, a scientific or expert institution, or individual scientific workers or academics, shall be sent by the Government to both the line Ministry and to the Legislation Secretariat for the purpose of receiving an opinion.

The Legislation Secretariat provides opinion on the proposal for annulment or cancellation of a regulation adopted by a Minister, i.e. a Director of an independent state administration body submitted by the Prime Minister of the Government, or a member of the Government, should it account that such regulation is not in compliance with the Constitution, a certain law or regulation of the Government.

The Legislation Secretariat also provides an opinion on the initiatives for assessment of the constitutionality and lawfulness of the laws and other regulations, i.e. decisions of the Constitutional Court for initiation of a procedure for assessment of the constitutionality and lawfulness of the laws and other regulations.

In order to fulfil the function of the Government regarding the supervision of the work done by the Ministries and the other state administration bodies, the Legislation Secretariat reviews the regulations adopted by the Ministries and the Directors of the independent state administration bodies from the aspect of their approximation with a certain law or another regulation, or an Act of the Assembly of the former Yugoslav Republic of Macedonia, the regulations and other acts by the Government as well as with the legal system, and provides an opinion to the Government on that issue.

In addition to the competency of the Legislation Secretariat to provide the aforementioned expert opinions, according to the Rules of Procedure of the Government of the former Yugoslav Republic of Macedonia, another competency of the Legislation Secretariat has been determined and that is the competency of the Secretary of the Legislation Secretariat to participate in the work of the Government without right to decision, to participate in the working bodies of the Government and in the sessions of the Legal and the Economic Council. The Secretary is also a member of the State Secretaries Board (General Board) which reviews the preparedness level of the materials and the acts for a session of the Government regarding the expert aspects as well as the realisation of the strategic priorities of the Government.

Moreover, the Legislation Secretariat was involved in the activities for providing the answers of the Questionnaire of the European Commission on the Application of the former Yugoslav

Republic of Macedonia for membership in the European Union. Namely, the Working Committee for European Integration as a body which coordinated the process on an operational level decided in cases of clarification of the competencies in the distribution of the Questionnaire and possible complications of the answers i.e. harmonisation of the answers on all levels (from all of the chapters) in view of their correctness, accuracy and consistency. The Legislation Secretariat participated in this process, in addition to the state secretaries, directors of the State Statistical Office and the Civil Servants Agency and the representative from the National Bank..

A coordinative team for participation in the activity for providing the answers to the Questionnaire was established within the Legislation Secretariat.

From the competencies of the Legislation Secretariat, it results that the Secretariat provides opinion on the proposals for regulations, participates in the creation of the legal norm, however, it does not provide opinion on the individual acts for realisation of the citizens' rights which would in fact mean participation in the direct changes of the regulations – which in turn is within the competencies of the line ministries.

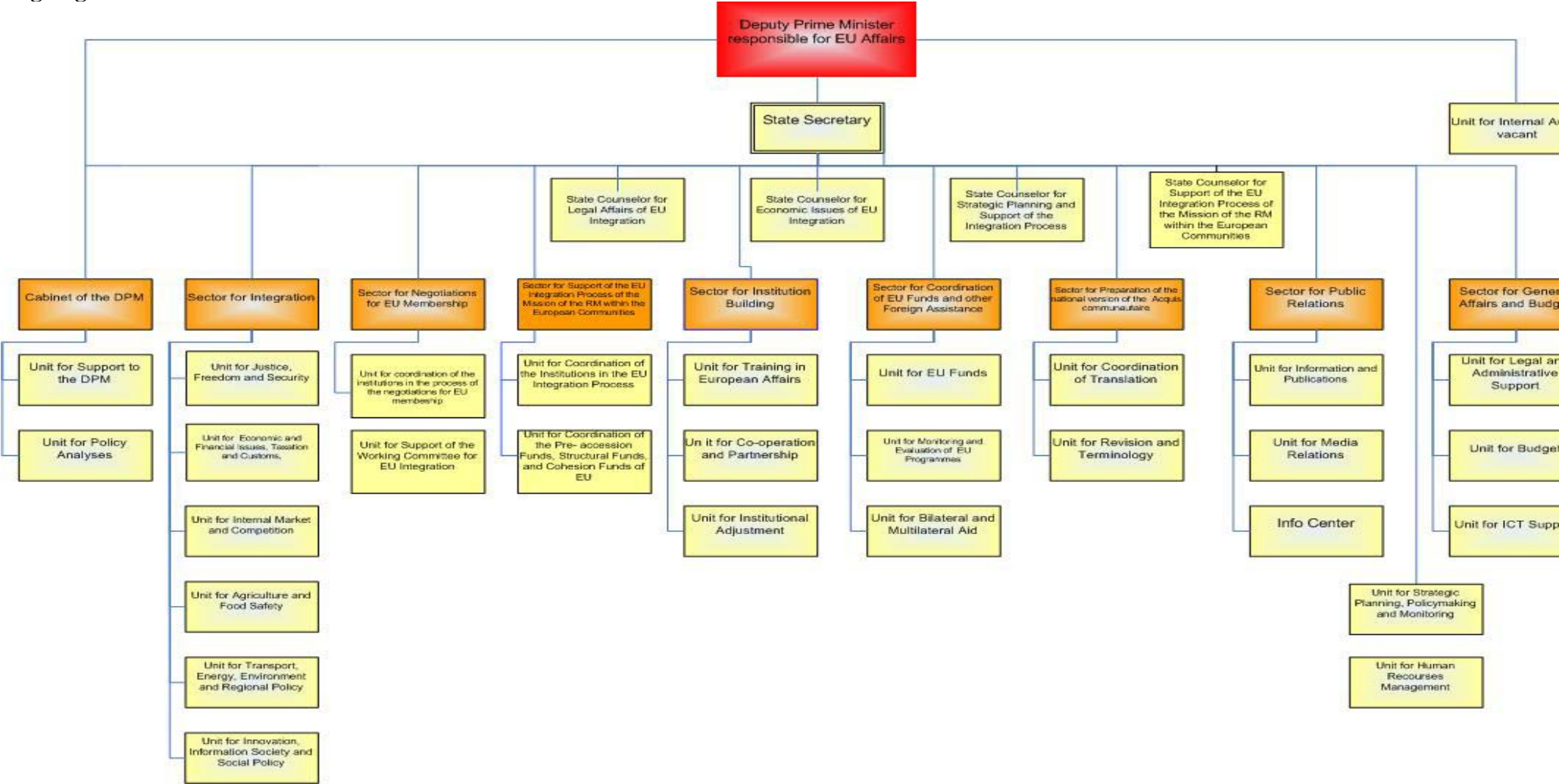
The Opinions of the Legislation Secretariat are of a formal-legal character and although expert opinions, they are not binding.

- Prepares an analysis on the achieved objectives and results from the implementation of the Government's Strategic Priorities from the previous year;
- Prepares a Draft-Decision on Government's Strategic Priorities;
- Oversees the manner and the degree of implementation of Government's Strategic Priorities;
- Prepares a Draft-Annual Working Program of the Government's working and observes its implementation;
- Provides the consistency of acts and materials submitted to the Government and its working bodies, which should be based upon well-developed and qualitative analysis;
- Cooperates and coordinates with the ministries in resolving certain issues of a strategic character for which they have different opinions and positions, in order to overcome the consequences upon the set policy and their impact on the Government's Strategic Priorities;
- Takes care of prompt preparation of the sessions of working bodies and expert bodies of the Government - the Legal and Economic Council and prepares reports, minutes from their work;
- Oversees, coordinates and updates the implementation of the Strategy for Public Administration Reform of the former Yugoslav Republic of Macedonia ;
- Realises cooperation with organisations and institutions from the non-governmental sector;
- Coordinates activities and offers expert logistic support to the preparation and holding of sessions of the General College of state secretaries and of Government's sessions;
- Oversees the rate and manner of realisation of Government's Conclusions;
- Cooperates with ministries and other bodies of the state administration regarding documents and acts submitted for reviewing and adopting by the Government;
- Performs expert activities deriving from Government's relations with the Parliament of the former Yugoslav Republic of Macedonia and the President of the former Yugoslav Republic of Macedonia and other bodies and organisations;
- Carries out other expert and organisation activities deriving from Government's work - editing the minutes and acts of the Government, as well as submitting the Government's acts for publishing in the "Official Gazette of the former Yugoslav Republic of Macedonia ";

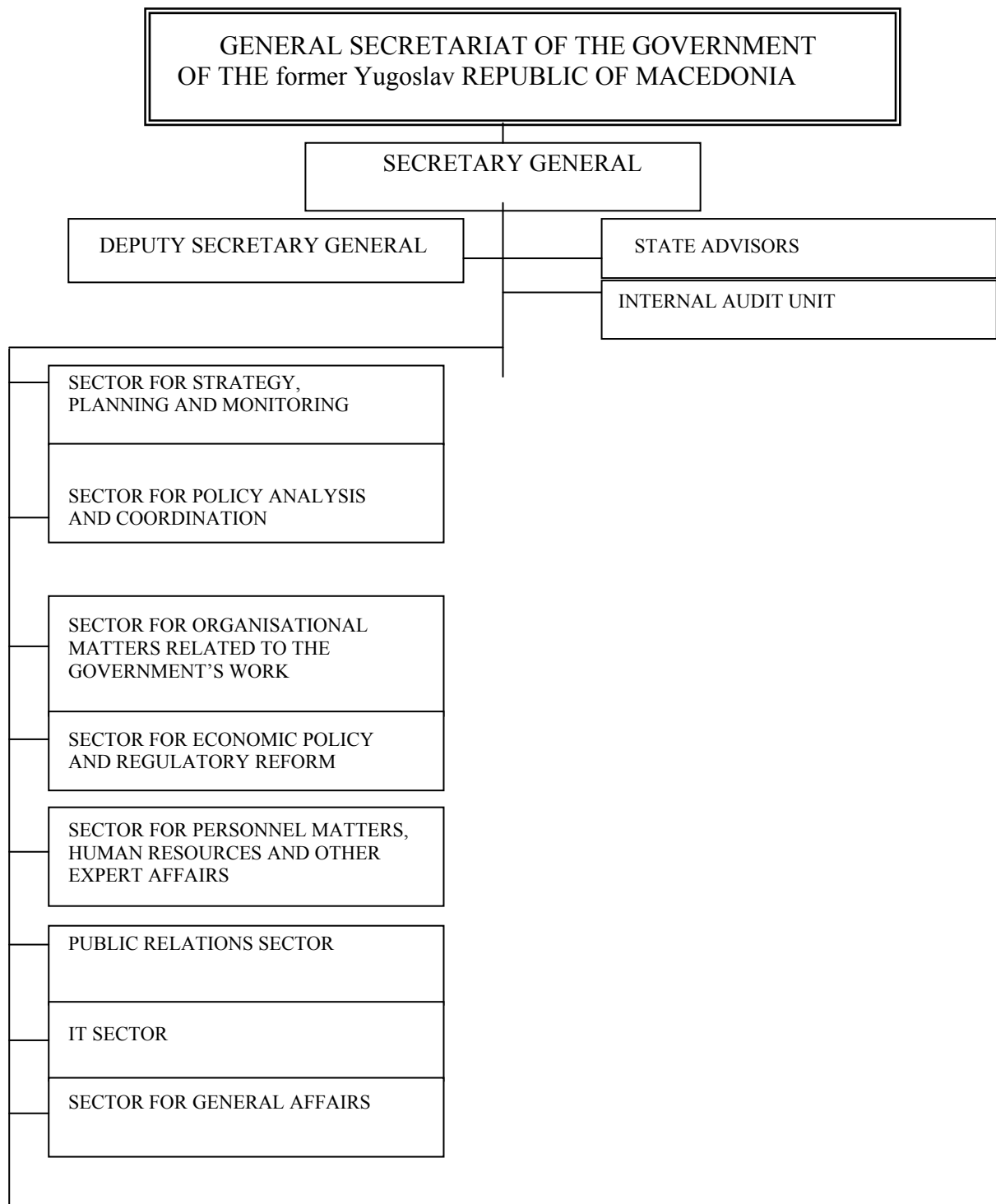
- Oversees and studies EU policies and legislation;
- Coordinates and offers expert support to the process of approximation of legislation of the former Yugoslav Republic of Macedonia to the European Union legislation;
- Takes care of construction and strengthening the institutional infrastructure necessary for integration of the former Yugoslav Republic of Macedonia with the EU;
- Programs and plans the priorities of the former Yugoslav Republic of Macedonia for realisation of foreign-technical assistance;

The General Secretariat provides coordination and expertise support for the necessities of the Government, the President of the Government, its deputies, as well as the members of the Government in accomplishing their duties; does cooperation and coordination with the line ministries and other state administrative bodies regarding questions for the strategic priorities of the Government especially connected with the implementation of the Framework Agreement; coordinates the proposing, adopting and implementing of the Annual working programme of the Government; provides the necessary information and expert advises and opinions regarding the creation and analysis of policies of the Government; operatively follows and informs the Government regarding the implementation of the conclusions of the Government; secures efficient preparation and conduct of the sessions of the Government and its working bodies, provides information for the public; coordinates the activities regarding the implementation of the public administration reform process; achieves cooperation with the professional service of the Parliament of the former Yugoslav Republic of Macedonia, as well as the non governmental organizations and other legal entities; manages the working process, does other professional, expert and logistical duties established in the Rules of procedures, as well as other issues that will be determined by the President of the Government and the Government itself.

Organigram of SEA



Organigram of the General Secretariat



ANNEX IV - Reference to laws, regulations and strategic documents

Reference list of relevant laws and regulations

Reference to AP/NPAA/EP/SAA

The **Accession Partnership** for the country, which updates the European Partnership of January 2006, on the basis of the findings of the 2007 Commission Progress Report, identifies new and remaining priorities for action which relate to the country's capacity to meet the criteria defined by the Copenhagen European Council of 1993 and the conditions set by the Stabilisation and Association Process, notably the conditions defined by the Council in its conclusions of 29 April 1997 and 21 and 22 June 1999, the final declaration of the Zagreb Summit of 24 November 2000 and the Thessaloniki Agenda.

In the process of integration of the former Yugoslav Republic of Macedonia³ in the European Union, the Government of the former Yugoslav Republic of Macedonia has adopted a number of documents such as *National Programme for approximation of the national legislation, the National Strategy for European Integration, Action Plan for European Partnership, Accession partnership etc.* The **National Programme for Adoption of the Acquis (NPAA)** integrates all these documents and presents an integral framework of the reforms, plan and schedule for approximation of the national legislation with the legislation of the European Union, as well as administrative structures for implementation of legislation in terms of building capacity, establishment new and/or restructuring the existing institutions, human resource developments and training needs. Thus, NPAA has been a good starting point for initiation of the accession negotiations, and a basis for preparation of negotiating positions and negotiation process in general, which is expected to be support within this project.

Reference to MIPD

The **MIPD** 2009-2011 identifies the overall objective of pre-accession assistance in supporting the country's efforts to comply with the accession criteria. In this respect, it clearly notes down the support for the country's preparation to meet the challenges of future EU membership, particularly through the targeted support in terms of adoption of the *acquis*, as well as the enhancing of the institutional and administrative capacity to transpose, implement and enforce Community standards.

Reference to National Development Plan

N/A

Reference to national / sectoral investment plans

N/A

³ The constitutional name of the Beneficiary country is Republic of Macedonia. The EU uses the reference former Yugoslav Republic of Macedonia, in line with United Nations Security Council resolution 817/1993 and United Nations General Assembly resolution 225/1993. The designation former Yugoslav Republic of Macedonia shall be used throughout this document, as well as under the project deliverables. It is acknowledged that national project partners shall reference the country under its constitutional name.

ANNEX V – Details per EU funded contracts

Management and contracting arrangements

The support to the EU integration structures in the Government and in line ministries will be implemented through one twinning arrangement. The knowledge and accession experience that will be exchanged with an EU Member State will allow for the government structures to cope better with the negotiation talks. The twinning arrangement will follow the regular operational instructions as documented in the Twinning Manual. A project steering committee will be established to oversee the implementation process of the project activities, while it is expected that the MS twinning partner(s) will bring in expertise – *inter alia* - on the issues arising from the so-called bilateral screening of the chapters and the assessment and recommendations concerning the opening and closing benchmarks. The twinning arrangement will also allow for administrative capacity building, training, integrity, legal development and addressing the cross-cutting issues.

The project leaders will be responsible for the overall management, representation (co-ordination with the EU and other international bodies) as well as reporting to the Contracting Authority.

The Secretariat for European Affairs will be directly responsible for co-ordination and management of the project from the beneficiary side and will support the Twinning project team, in organisational and technical matters.

Contact persons and contact details

Beneficiary Country (BC) Project Leader

To be defined prior to launching the Twinning Fiche

Resident Twinning Advisor (RTA) counterpart

RTA will be defined following a selection procedure organised by the Contracting Authority from the MS countries responding to the launched fiche.

The expected contracting arrangements are:

One Twinning Contract will be concluded between MS partner(s) and the SEA, with duration of 18 to 24 months. Pending on the level of complexity and difficulty of the respective negotiation chapters and the anticipated bottlenecks, line-ministries will be identified as ad-hoc beneficiaries. The contract value will be approx. EUR 2 100 000, out of which EUR 1 995 000 will be IPA funds and EUR 105 000 would be co-financing.

Means/Input from MS Partner Administration

The project will be implemented in the form of a Twinning contract between the beneficiary country and EU Member State(s). The implementation of the project requires one PL with responsibility for the overall coordination of project activities, one RTA to manage project activities, two junior twinning MS partners and short-term experts - STE (number to be determined by the beneficiary in accordance with the Twinning Manual). It is essential that the team have sufficiently broad expertise to cover all the areas included in the project description. The interested Member State(s) shall include in their proposal the CVs of the designated PL, RTA, and the proposed pool of STEs, as well as the specific tasks to which they will be assigned.

Profile and Tasks of the Project Leaders

MS Project Leader

The MS Project Leader will detail, coordinate and supervise the overall thrust of the project. S/he will continue to work in his/her MS administration, but will devote a portion of his/her time to lead project activities and direct the implementation of the project, thus ensuring attainment of the projected output. S/he is expected to ensure that all the support from the management and staff of the EU side is available for the project. The PL is fully responsible for co-ordination of the work of the RTA and STE experts. S/he should be a high-ranking civil servant or equivalent staff commensurate with the requirement for an operational dialogue and backing at political level. S/he is expected to devote a minimum of 3 days per month to the project in his/her home administration with an on-site visit at least every 3 months. In addition, S/he should coordinate, on behalf of the MS(s), the Project Steering Committee (PSC), which will meet in Skopje every three months. The MS PL will co-manage the implementation of the project with the Project Leader from the Beneficiary Country. The MS PL is always complemented by at least one full-time expert, known as the Resident Twinning Adviser (RTA), from a MS to work on a day-to-day basis with the beneficiary administration in the BC and accompany the implementation of the Twinning project. The RTA is the backbone of a Twinning project. S/he is supported in his/her MS administration for logistics, accounting and administrative tasks. This support should allow the RTA to concentrate on the essence of the project.

BC Project Leader

The BC Project Leader will act as the counterpart of the MS PL and will ensure close cooperation in the overall steering and co-ordination of the project. S/he is likewise expected to be a high ranking official in the BC administration, who is in a position to operate at the appropriate political level and to mobilise the necessary staff in support of the efficient implementation of the project. He/she will also coordinate the Project Steering Committee (PSC) on behalf of the BC. The role of the BC Project Leader and the MS PL counterpart are complementary. A BC RTA Counterpart will be assigned as well.

Profile and tasks of the RTA(s):

RTA(s) will be civil servants or equivalent staff (mandated body) seconded to work and to be based in the BC throughout the overall duration of the project. RTAs are made available by MS' administrations and mandated bodies to counterparts in BCs through EU funding. The seconded experts covered by these provisions remain in employment in their national administration or mandated body throughout the period of secondment.

Professional experience

RTAs must have at least three years' experience in the organisation of the practical application of the EU acquis or the Twinning project fiche's relevant field of substance, legislative process or other duties as described in the Twinning project fiche covering their secondment. RTAs shall have a rank equivalent to university level and should have a good working knowledge of English.