

No. 605-N of 29 May, 2009

ON PREPARATION AND SUBMISSION OF PROJECT PROPOSALS AND
APPLICATIONS ON TWINNING, TAIEX, SIGMA AND OTHER TOOLS UNDER
THE EUROPEAN NEIGHBOURHOOD AND PARTNERSHIP INSTRUMENT
AS WELL AS IMPLEMENTATION OF THE APPROVED PROJECTS

To ensure an effective implementation of Twinning, TAIEX, Sigma and other projects under the European Neighbourhood and Partnership Instrument, the Government of the Republic of Armenia *decrees*:

1. To approve:

- 1) the Procedure on preparation of Twinning Project Proposals under the European Neighbourhood and Partnership Instrument and implementation of the approved projects, pursuant to Annex 1;
- 2) the Regulations of the Twinning Projects Implementation Board, pursuant to Annex 2.

2. To define that the Twinning, TAIEX, Sigma and other project proposals under the European Neighbourhood and Partnership Instrument shall be submitted to the European Commission through the Programme Administration Agency of the RA Ministry of Economy and further exchange of information thereon shall be performed with the participation of the Programme Administration Agency of the RA Ministry of Economy.

3. This Decree comes into effect on the day following its official promulgation.

Prime Minister
of the Republic of Armenia

T.Sargsyan

June 2009
Yerevan

PROCEDURE

ON PREPARATION OF TWINNING PROJECT PROPOSALS UNDER THE EUROPEAN NEIGHBOURHOOD AND PARTNERSHIP INSTRUMENT AND IMPLEMENTATION OF THE APPROVED PROJECTS IN THE REPUBLIC OF ARMENIA

I. GENERAL PROVISIONS

1. This Procedure defines the requirements set for the preparation and submission of Twinning project proposals under the European Neighbourhood and Partnership Instrument by RA Ministries, agencies and other public administration bodies as well as implementation of the approved projects.

2. Definitions used in this Procedure are as follows:

1) Twinning Project – a cooperation tool of the European Commission, which assumes cooperation in a particular field between the public administration of the Member State of the European Union (hereinafter referred to as EU) and the equivalent institution in the Republic of Armenia that provides mandatory results. The purpose of the Twinning project is to support the Beneficiary Country in developing and establishing modern and efficient administrations, with the structures, human resources and management skills needed to implement the EU legislation according to the same criteria as in EU Member States.

2) Stakeholders – RA ministries, agencies or other public administration bodies which expressed a wish to make use of the Twinning instrument.

3) Coordinating Unit – a unit designated by the management of the RA ministries, agencies or other public administration bodies, which during preparation and implementation of Twinning projects shall:

a. provide technical and methodical assistance to relevant divisions of the institution;

b. communicate with main participants of the Twinning project;

c. coordinate preparation and implementation activities of Twinning projects; and

d. attend trainings on Twinning instrument organised by the Programme Administration Agency of the RA Ministry of Economy and convey the gained knowledge to relevant divisions.

4) Beneficiary Administration – RA Ministry, agency or other public administration body, whose Twinning project proposal was considered a priority and the Twinning fiche preparation was started.

5) Twinning Project Fiche – detailed sequence of actions aimed at implementation of the Twinning project and the Terms of Reference defining the mandatory results.

6) Twinning Contract – an agreement between the RA ministries, agencies or other public administration bodies, the relevant institution of the EU Member State and the European Commission, drawn up in accordance with the model defined by the European Commission and endorsed by the Beneficiary Administration. The Work Plan is an integral part of the Contract that sets forth expected results and actions necessary to achieve the results, the time frame, performance assessment indicators and duties of the project participants.

7) EU Member State Resident Twinning Adviser (hereinafter MS RTA) – an adviser seconded by the EU Member State Administration, who works at the Beneficiary Administration on a full-time basis for at least one year assisting the latter to implement the Twinning project and to achieve the predefined goals.

8) EU MS RTA Counterpart in the Beneficiary Country (hereinafter BC RTA) – an official appointed by the Beneficiary Administration, normally head of the unit/division, who directly and on full-time basis works with and supports the MS RTA throughout the entire implementation period of the respective Twinning project.

9) EU Member State Project Leader – a high-ranking official appointed by the EU Member State, who jointly with the Beneficiary Administration Project Leader coordinates in the Beneficiary Administration the preparation of the Twinning Contract and the Twinning project implementation and is responsible for the achievement of the Twinning project mandatory results.

10) Beneficiary Administration Project Leader – a high-ranking official of the Beneficiary Administration, who is the counterpart of the EU Member State Project Leader and provides close cooperation in supervision and coordination of the given Twinning project and can act at respective political level.

11) Partner Country – EU Member State, which has won the Twinning project tender.

12) Notification – an official note by European Commission Delegation to Armenia on the signature of the Contract.

3. The main bodies responsible for coordination of Twinning projects are as follows:

1) The European Commission Delegation in the Republic of Armenia (hereinafter EC Delegation in RA), which is a signatory party and is responsible for the signing, financing, independent monitoring and auditing of the Twinning projects;

2) The Programme Administration Agency of the RA Ministry of Economy (hereinafter the Agency), which supports the RA ministries, agencies or other public administration bodies in preparation of Twinning project proposals and implementation of the approved Twinning projects, coordinates implementation of Twinning projects and provides counselling to the Stakeholders and the Beneficiary Administration, when needed;

3) The Twinning Projects Implementation Board (hereinafter the Board), which is responsible for coordination of the Twinning project implementation in line with EU technical assistance programme as well as the fair and transparent selection of Twinning project proposals submitted by stakeholders.

4. During the implementation of Twinning projects, the Beneficiary Administration, together with the relevant EU Member State institution, shall bear responsibility for the achievement of the mandatory results defined in the Twinning project.

5. Beneficiary Administrations, whose Twinning project proposals have been assessed against the EU quality criteria and the Twinning fiche preparation process has started, shall, for the entire period of implementation of the Twinning project, envisage funds under the maintenance costs of the respective administration, fixed in the RA state budget, for the co-financing of the Twinning project. The co-funding costs of the Beneficiary Administration include the following:
 - 1) Provision the MS RTA and relevant advisers with office space, equipped with computers, internet connection, telephone and other communication means, photocopiers and printers, available during the whole period of Twinning project implementation;
 - 2) When needed, provision of equipment and devices necessary for trainings, workshops and conferences under the Twinning project, as well as provision of translation services.
6. Each December the RA ministries, agencies and other public administration bodies shall provide the Agency with data on the Coordinating Unit and its head. Exchange of information on Twinning instrument between the Agency and the RA ministries, agencies and other public administration bodies shall be executed directly through the Coordinating Unit, and the proposals received by the latter shall be considered as the official view of the given institution.

II. PREPARATION OF TWINNING PROJECTS

7. The Agency shall, each year, in March and September, suggest the RA ministries, agencies and other public administration bodies to submit, within 60 days, up to the three priority project proposals to be implemented under the Twinning instrument.
8. Coordinating Units shall forward the call of the Agency to all departments of the given institution. The Agency shall provide methodological support, if requested.
9. The Coordinating Units shall assess Twinning project proposals received from departments of the given institution against the quality criteria set by the European Commission (Partnership and Cooperation Agreement between the Republic of Armenia and European Communities and their Member States, and RA-EU joint Action Plan under the European Neighbourhood Policy).
10. Proposals failing to meet the EC quality criteria shall be returned. Three priority proposals shall be selected from the remaining proposals and sent to the Agency (via e-mail as well) by the fixed deadline.
11. The relevant public administration bodies may elaborate corresponding manuals and create ad hoc boards for the purpose of evaluation and selection of Twinning project proposals.
12. The Agency, within 20 business days, shall evaluate the correspondence of the received project proposals with the quality criteria defined by the European Commission. Proposals not meeting the EC quality criteria shall be returned and from the remaining proposals a preliminary list of Twinning project proposals shall be designed and submitted to the Board for review. Proposals submitted after the deadline shall be returned to the sender without relevant evaluation.
13. The Agency, within one week after the evaluation of proposals, shall inform the stakeholder on the inclusion of the submitted proposal into the preliminary list and

shall apply to the chairman of the Board in the defined manner requesting to convene a meeting of the Board and include discussion of the project proposals in the agenda. The procedure on Board activities shall be defined by the Government of Armenia.

14. The Agency, within seven business days after the reception of prioritised list of Twinning project proposals approved by the Board, shall submit the list to the EC Delegation in the RA for the approval of up to the three priority project proposals.

III. DEVELOPMENT OF TERMS OF REFERENCE TO INVOLVE CONSULTANTS FOR DRAFTING OF THE TWINNING FICHE

15. The Agency, within one week after the reception of notice by the EC Delegation in RA on approval of prioritised list of Twinning project proposals, shall start preparing Terms of Reference (TOR) for the purpose of involving consultants to draft Twinning Fiche.
16. The TOR for involvement of consultants to draft the Twinning Fiche shall be prepared by the Agency with direct participation of the respective Beneficiary Administration.
17. The relevant unit of the Beneficiary Administration shall:
- 1) be directly involved in drafting of the TOR and provide relevant materials upon request of the Agency;
 - 2) within two weeks of the official receipt of the draft TOR, review the latter and submit the approved version or relevant objections to the Agency;
 - 3) within two weeks of the official receipt of the final TOR, review the latter and submit the approved TOR to the Agency.
18. In case of failure to submit objections by the set deadlines the draft TOR shall be deemed approved.
19. The Agency, within three business days of the receipt of the approval by the Beneficiary Administration, shall submit the TOR to the EC Delegation in RA.

IV. PREPARATION OF TWINNING PROJECT FICHE

20. Consultants for the drafting of the Twinning project fiche shall be selected by the EC Delegation in RA on the basis of the submitted TOR.
21. For the purpose of organising preparation of the Twinning project fiche, prior to the arrival of the consultants to the RA:
- 1) The head of the Beneficiary Administration shall appoint Resident Twinning Adviser and a respective working group which will be responsible for implementation of activities specified in this chapter;
 - 2) The Beneficiary Administration shall provide the English translation of the legislation related to the given field and may, if needed, arrange English courses for the members of the working group.
22. The Beneficiary Administration shall closely cooperate with consultants in preparation of the Twinning project fiche. The said cooperation shall imply the following:
- 1) direct involvement in preparation of the Twinning project fiche;

- 2) providing consultants with needed office space;
- 3) provision of materials, information and other documents necessary for the preparation of the Twinning project fiche;
- 4) arranging meetings with potential beneficiaries, including public agencies, organisations and consultants;
- 5) review of the Twinning project fiche and submission of objections.

23. The Beneficiary Administration shall be entitled to:

- 1) receive from the consultants draft and final reports on performed works;
- 2) receive from the EC Delegation in RA the latter's comments on draft report of the consultants;
- 3) request and receive the Twinning project fiche in Armenian and English languages;
- 4) request the EC Delegation in RA to waive the consultants' services if the latter fail to perform their duties in workmanlike manner or refuse to regard observations of the Beneficiary Administration;
- 5) receive information on approval of the Twinning project fiche by the European Commission and its provision to the EU Member States.

24. The Beneficiary Administration shall submit the finally agreed Twinning project fiche to the Agency for approval. The latter, in case of having no objections to the submitted version, shall forward it to EC Delegation in RA for approval. Otherwise the Fiche shall be returned to the Beneficiary Administration with corresponding recommendations.

V. EVALUATION AND SELECTION OF PROPOSALS BY THE EU MEMBER STATES FOR TWINNING PROJECT IMPLEMENTATION

25. Evaluation and selection of proposals by the EU Member States, made on the basis of finally agreed version of the Twinning project fiche and communicated to the EU MS by the EC Delegation in Armenia, shall comprise three steps, viz. reception, registration and verification; submission of proposals to the Beneficiary Administration; and evaluation of proposals.
26. The Agency shall receive the project implementation proposals by the EU Member States and shall send one copy to the Beneficiary Administration.
27. The Beneficiary Administration, with the support of the Agency and jointly with the EC Delegation in RA, shall verify the submitted proposals, evaluating their correspondence to criteria defined by the EC and outlined in the Twinning project fiche.
28. The EU Member States, which had submitted successful/eligible proposals, shall be invited by the EC Delegation in RA to participate in the meeting of the Evaluation Commission and to present their proposals.
29. The Evaluation Commission shall be appointed and act pursuant to the procedure defined by the European Commission. The Evaluation Commission shall be comprised of members of the EC Delegation in RA and the Beneficiary Administration. The Agency shall participate in the meeting of the Commission with

the status of an observer. The RTAs and other EC members can also participate in the Evaluation Commission meetings as observers.

30. Based on the submitted written proposals and oral presentations, as well as taking into consideration fact sheets of the European Commission, the Evaluation Commission shall adopt a decision on the project proposals.
31. The Beneficiary Administration may reject the decision of the Evaluation Commission and may refuse to receive the selected Member State if it had voted against that Member State due to valid reasons.
32. After the Evaluation Commission has chosen the winner on the basis of the project proposals, the Agency or EC Delegation in RA shall notify the results to National Contact Points of all EU participating Member States.

VI. PREPARATION OF THE TWINNING CONTRACT

33. The relevant institution of the country, that had submitted the proposal selected as a winner of the tender, and the Beneficiary Administration shall jointly start drafting the Twinning Contract, which shall take no longer than three months.
34. Twinning Contract shall be prepared pursuant to the model defined by the European Commission.
35. The Beneficiary Administration shall actively participate in preparation of the Twinning Contract work plan and the budget providing data on the officer and specialists responsible for implementation of the Twinning project, the situation in and legislation of the given area/sector, as well as other necessary information.
36. The Beneficiary Administration shall provide the draft Twinning Contract to the Agency and the EC Delegation in RA.
37. The Agency, jointly with the EC Delegation in RA, shall forward a copy of the submitted draft Contract to the EC Headquarters for consultations with DGs.
38. After consideration of the comments by the EC Headquarters and preparation of the final version of draft Twinning Contract, the Beneficiary Administration shall submit the Contract to the Agency and the EC Delegation in RA, which shall send it to the European Commission for approval.
39. Once the approval of the European Commission is received, the relevant institution of the EU Member State and the EC Delegation in RA shall start the signing of the Contract acting as the parties thereof.
40. The Beneficiary Administration shall initial the work plan and the budget, which constitute the annex of the Contract, thus expressing its commitment.

VII. IMPLEMENTATION, MONITORING AND AUDIT OF THE TWINNING CONTRACT

41. Prior to implementation of the Twinning Contract the Beneficiary Administration shall ensure relevant working conditions for the partner country experts. For that purpose the Beneficiary Administration shall provide furnished and duly equipped offices.
42. The Agency shall be entitled to oversee preparatory works for the Twinning project implementation and to give relevant instructions.

43. Upon final signature of the Twinning Contract the EC Delegation in RA shall officially notify all parties.
44. The notification day shall be deemed the official start of the Twinning Contract implementation.
45. The EU Member State and Beneficiary Administration Project Leaders, as well as the Beneficiary Administration shall bear joint responsibility for implementation of the Twinning Contract and achievement of set results.
46. Implementation of each Twinning Contract shall be overseen and monitored by the Agency. For that purpose the Agency, on monthly basis and for each Twinning project, may invite the MS RTA, BC RTA and the Project Coordinator from the EC Delegation in RA, to review the achievements of the respective project.
47. For the purpose of monitoring the implementation of the Twinning project, making recommendations and finding solutions to the problems arisen during the implementation, a Steering Committee shall be established for each Twinning project. The Committee shall be comprised of Project Leaders, BC RTA, MS RTA, the Agency representative and the Project Manager from the EC Delegation in RA. Other officers from Beneficiary Administration and respective institution of the partner country may also participate in the meetings of Steering Committee.
48. Issues related to the Twinning Contract implementation, as well as those raised during review meetings and deemed unsolvable, shall be presented to the Board. Conclusions by the Steering Committee of the Twinning project shall be presented to the Board as well.
49. The Beneficiary Administration and the EU Member State Project Leaders, throughout the entire period of Twinning Contract implementation, starting with the day of notification on the approval of the Twinning project, once per quarter, during the month following the reporting quarter, shall submit Interim Quarterly Reports to the EC Delegation in RA (the copy shall be sent to the Agency), pursuant to the form set by the European Commission.
50. Failure to provide comments/feedback on the submitted Report within 45 days shall be viewed as approval of the Report.
51. The Beneficiary Administration and the EU Member State Project Leaders, no later than within three months after implementation period, shall submit the Project Final Report to the EC Delegation in RA (the copy shall be sent to the Agency), pursuant to the Twinning Contract and the procedure and form defined by the European Commission.
52. In case of not submitting the Report by the fixed deadline or not providing an acceptable and sufficient explanation of the reasons for the delay, the EC Delegation in RA may terminate the Twinning Contract.
53. On the initiative of the European Commission any Twinning project at any time may be subject to external audit.
54. Addenda to the Twinning Contract shall be made pursuant to the procedure defined by the European Commission, in compliance with provisions of Chapter VI of this Procedure.

55. To ensure transparency of implementation of the Twinning projects the Beneficiary Administrations shall place sections in their websites presenting non-confidential information on the implemented projects.

HEAD OF STAFF OF THE
GOVERNMENT OF THE
REPUBLIC OF ARMENIA

D.SARGSYAN

REGULATIONS

OF THE TWINNING PROJECT IMPLEMENTATION BOARD

I. GENERAL PROVISIONS

1. These Regulations shall define the procedure of organisation of activities of the Board of Twinning projects implemented under the European Neighbourhood and Partnership Instrument (hereinafter the Board), as well as procedures of review and adoption of Twinning projects.
2. In the conduct of its activities the Board shall be guided by the Constitution of the Republic of Armenia, the legislation of RA, and these Regulations.

II. ORGANISATION OF ACTIVITIES OF THE BOARD

3. The Board shall organise its activities by virtue of sessions, which are called at least twice a year, during the month following the deadline fixed for submission of Twinning project proposals. The Board sessions shall be called by the Chair of the Board.
4. If needed, an extra session may be called on the initiative of the Chair of the Board.
5. The respective Deputy Ministers of Justice, Foreign Affairs, Economy and Finance shall, ex officio, be standing members of the Board.
6. The respective representative of the European Commission Delegation in RA shall also be a standing member of the Board (under the agreement).
7. The Head of Programme Administration Agency of the RA Ministry of Economy shall be the Secretary of the Board.
8. The Heads or Deputy Heads of the RA ministries, agencies and other public administration bodies, whose Twinning project proposals have been included in the agenda, shall be invited to the Board sessions. The Twinning Project Leaders, RTAs, representatives of the RA Ministry of Economy and stakeholders from other public administration bodies may be invited to the Board sessions as observers.
9. In case of absence of the Chair of the Board, the session shall be held by the Board member authorised by the Chair.

III. HOLDING OF THE BOARD SESSION

10. The Board sessions shall be held according to agenda approved by the Chair of the Board.

11. The Board session agenda shall include the following:

- 1) Issues to be discussed (submitted Twinning project proposals or issues related to implementation of Twinning projects);
- 2) Full name of each speaker;
- 3) Date, venue and time of the session.

12. Documents related to issues included in the agenda as well as the draft agenda shall be provided to the session members at least three days prior to the session. The said documents may be e-mailed.

IV. THE GOAL OF THE BOARD, THE SCOPE OF ISSUES DISCUSSED AND DECISIONS MADE

13. The main goal of the Board is to select and prioritise, through transparent and unbiased discussions, the Twinning project proposals to be implemented under the European Neighbourhood and Partnership Instrument, and to take decisions on preparation of Twinning projects and regulation of issues occurred during implementation thereof.

14. To achieve the said goal the Board shall:

- 1) Review and approve the prioritised list of Twinning project proposals prepared by the Programme Administration Agency of the RA Ministry of Economy (hereinafter the Agency) based on Twinning project proposals submitted by RA ministries, agencies and other public administration bodies, identifying up to the three priority project proposals to be approved by the EC Delegation to Armenia;
- 2) Study issues and problems occurred during implementation of Twinning projects and take decisions;
- 3) Hear conclusions/opinions of each project Steering Committee on implementation reports of the Twinning projects and take decisions.

14. The Board decisions shall be made based on the majority of votes by standing members of the Board present at the session. In case of equal votes the vote of the Chair shall be decisive.

15. Issues included in the agenda of the Board session shall be presented by the head of the respective ministry, agency or public administration body.

16. During the Board session, the head of the respective ministry, agency or public administration body shall justify the necessity of the submitted project proposals and their priority/urgency for the moment.

V. PROTOCOLLING OF THE BOARD SESSIONS

17. The Board sessions shall be protocolled. The protocols shall be drawn up by the Agency and signed by the Chair.

18. The session protocol shall include the following:

- 1) Date, venue and time of the session;

- 2) Session agenda;
 - 3) List of session participants,
 - 4) Main provisions of the issues discussed and the speeches made during the session; and
 - 5) Decisions taken.
19. Documents related to the discussed issues shall be attached to the session protocol.
20. The session protocols shall be kept at the Agency pursuant to the document archiving procedure.

VI. THE CHAIR OF THE BOARD

21. The Minister of Economy of the Republic of Armenia shall be the Chair of the Board.
22. The Chair of the Board shall:
- 1) Call and hold sessions;
 - 2) Participate in decision-making process;
 - 3) Exercise other authorities stipulated by these Regulations.

VII. THE RIGHTS OF BOARD MEMBERS AND INVITEES

23. The Board members shall:
- 1) Hear justifications brought by invitees as well as presentations on issues raised or problems occurred;
 - 2) Take corresponding decisions based on discussions of the Board;
 - 3) Submit suggestions to the session on inviting specialists, experts and others for the discussion of certain issues.
24. The invitees shall:
- 1) Present Twinning project proposals submitted by respective ministry, agency or other public administration bodies and included in the agenda of the session; justify their compliance with EU-Armenia strategic documents and priority of implementation;
 - 2) Answer questions of the Board members;
 - 3) Present issues and problems occurred during implementation of Twinning projects and suggest relevant solutions.

HEAD OF STAFF OF THE
GOVERNMENT OF THE
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D.SARGSYAN