



Legal framework

Legal Experts Group

IDEA II

Chisinau, 05.06.2014



DORNIER
CONSULTING



Scope of the legal framework

- common **TRACECA targets**, agreed on the TRACECA level
- common **regional targets** – European Neighbourhood countries and Central Asian countries
- **individual targets**, planned in their National plans

Common TRACECA targets

International conventions and agreements, based on:

- Strategy of the IGC TRACECA for the development of transport corridor Europe – the Caucasus – Asia (TRACECA), respectively the Action Plan for period 2013–2015, and
- Plan of Measures for the implementation of the Concept of Development of International Road Traffic along the Transport Corridor Europe – the Caucasus – Asia, Increase of Competitiveness and Attractiveness of the TRACECA Road Routes

International conventions and agreements

- **Road transport**
- **Railway transport**
- **Border-crossing procedures**
- **Core network transport corridors**

Regional targets

- Considering the desired level of approximation in European Neighbourhood countries implementing bilateral agreements with the EU – list of the *acquis communautaire*
- Considering the TRACECA Strategy, 2006 - for Central Asian countries the level of approximation is limited to **the main principles** of the EU transport law
- Regional agreements in the field of transport

EU legislation – legal instruments

Regulations

Directives

Decisions

Case-law

EU legislation – scope and objectives

- **Road transport**
- **Railway transport**
- **Core network transport corridors**

Regulatory Impact Analysis

a method for policy analysis

**an instrument to identify both
benefits and costs**

**three pillars of sustainable development:
economic, social and environment**

a decision – make process

RIA as a process

- description of the problem and the goal of the proposal;
- description of the options (regulatory and non-regulatory) for achieving the goal;
- assessment of the significant positive and negative impacts, including an assessment of the incidence of the benefits and costs on consumers, business and other interests groups;
- consultation with stakeholders and other interested parties, and
- recommendations with justifications

RIA in Legal Approximation Context

the impact of legal harmonisation
(*and only this impact*) is estimated

to detect legal and institutional differences

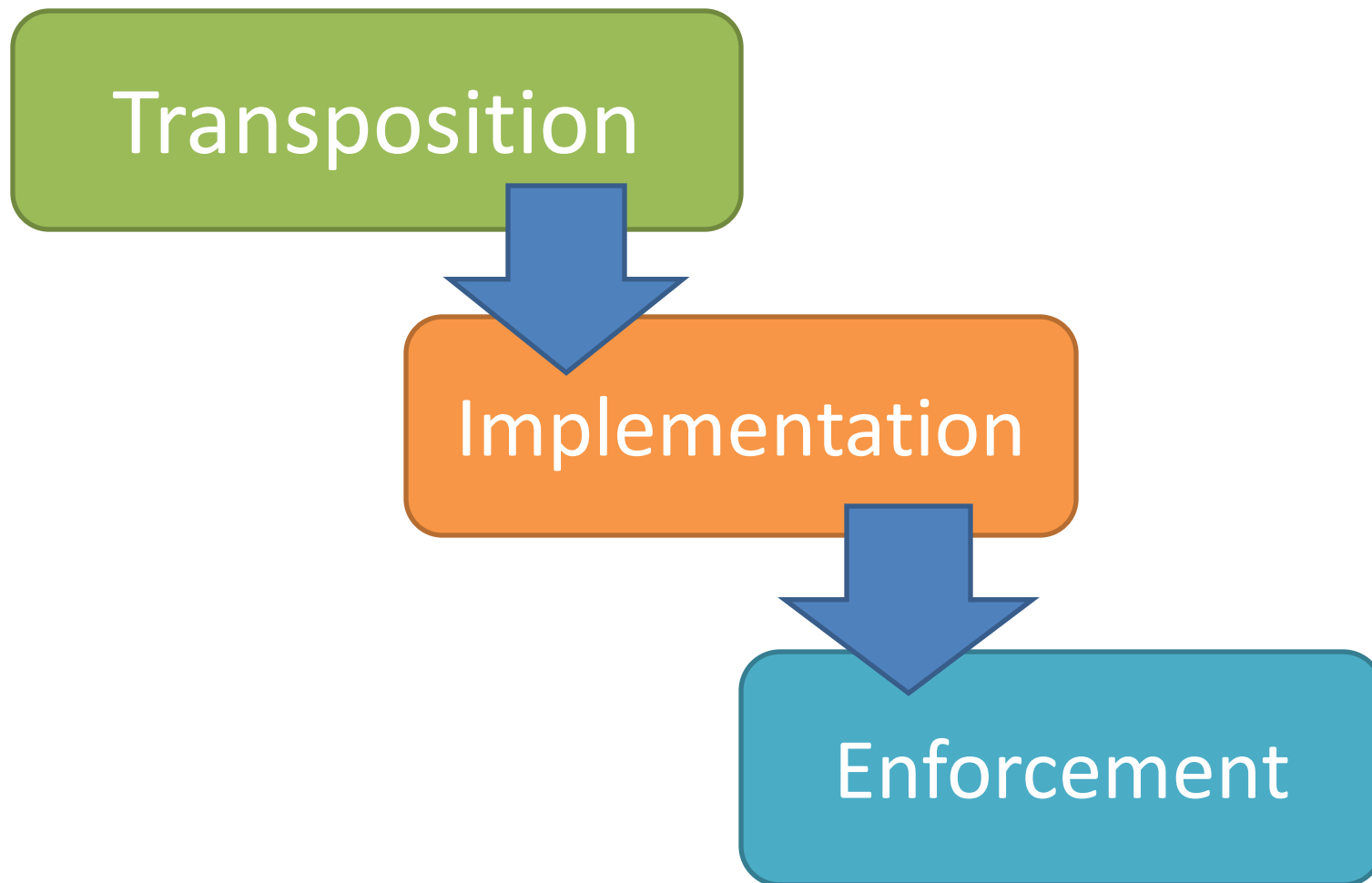
a “doing nothing” option is not available

variations of possible options are available, feasible and meaningful:
(a) “*partial* harmonisation” or (b) “*full* harmonisation”

RIA and RIA in Legal Approximation Context

RIA	RIA in LA Context
an information-based analytical approach	a legal instrument based approach
to determine anticipated costs, benefits, risks, consequences, and side effects	to determine the gaps in national legislation
an useful tool of regulatory policy	an useful tool of regulatory drafting
many available and tested methodologies	there is no widely known or accepted methodology
widely practised for the last two decades	practised in specific cases only
supporting decision-makers on policy level	policy decision is taken

Directions of legal harmonisation:



White paper on legal approximation

The EU White paper

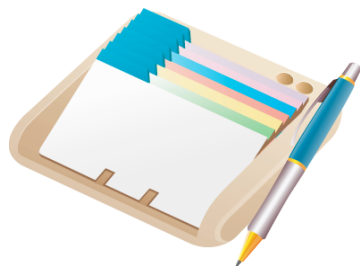
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Bulgaria experience

**EU TA projects for the
period 1995-1999**

**Final results: 7 laws and
22 by-laws**

Thank you!



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