



Regional School of Public Administration (Phase 1)

A Joint Initiative of the European Union
and the OECD, principally financed by the EU



RESPA/SC(2008)M3

RESPA LIST OF DECISIONS
8TH SESSION OF THE RESPA STEERING COMMITTEE
PODGORICA
26 -27 MAY 2008

8th ReSPA Steering Committee, 26 – 27 May 2008

Headquarters of the Human Resources Management Authority of Montenegro, Podgorica

According to art 14 of the Rules of Procedure, the Secretary submits to the Members of the Steering Committee the list of decisions within 7 days after the Session. If no objection is made during the following 2 weeks, the list of decisions is considered informally approved.

Art 14 of the Rules of Procedure stipulates that formal approval should take place at the beginning of the following session.

Committee action

The Steering Committee is invited to:

Approve the list of decisions of the 8th Session of the Steering Committee.

All signatories and parties of the ReSPA protocol of cooperation were present at the 8th Session of the Steering Committee.¹

In its 8th session, the Steering Committee Chaired by the European Commission took the following decisions:

1. Adoption of the Agenda	RESPA/SC(2008)A3
The agenda of the meeting was adopted .	

2. Approval of the list of decisions, 7th session of the Steering Committee, Maastricht, April 2008	RESPA/SC(2008)M2
The List of decisions of the April 2008 Steering Committee Meeting was adopted and it was decided to post it on ReSPAweb.	

3. Institutionalisation	ReSPA/SC(2008)2/001(rev)
<p>1. Debrief of the visit to the ReSPA site in Danilovgrad: in presence of the authorities of Danilovgrad, the Steering Committee visited the Site. The project was presented by the architect. After the visit, the Steering Committee member of Montenegro recalled the administrative and procedural work being done, informed the SC that the tendering process should be completed by end-June 2008 and reassured the Steering Committee members of the completion of the work by the end of 2008.</p> <p>The Steering Committee members took note of the steps undertaken (tender procedures, decisions at local and national level) by the Montenegrin authorities with respect to the future site of RESPA.</p>	
<p>2. Agreement on the text of the International Agreement establishing ReSPA, for submission to formal government processes: Following the decision taken in the 7th session of the Steering Committee held in Maastricht in April 2008, Steering Committee Members consulted with key ministries and reported on the consultation. The chair noted that, given the political situation with some signatory authorities, informal consultation could not always take place. The Steering Committee amended the draft International Agreement and agreed the policy framework (see annex 4). In particular:</p> <ul style="list-style-type: none"> -Agreement on the basic principles as recorded in the Preamble of Thessaloniki Agenda, in the Protocol of cooperation for the creation of ReSPA and further institutionalisation as agreed upon during the selection procedure of the seat of ReSPA in Paris in January 2008 and through the letters of expression of interest of the authorities during that period. -Agreement reached on the International Agreement to be used as the basis for the establishment of the legal personality of RESPA. -Agreement reached on basic principles and text for: Objectives, Activities, Members, Observers and Participants, Information, Governing Board, Secretariat and Final Provisions. -The notion of a core budget (running costs necessary for having a location open and adequately supported to deliver training) was agreed upon and a cap fixed at a maximum 	

¹ For list of participants, please see Annex 2

of 150.000€ per signatory (assuming 7 signatories) was agreed **as a basis of discussion**.

There were however a number of issues which remained unresolved, as follows:

- Acts and Privileges and Immunities. It was agreed in this respect to task a group of legal experts to be analyse these aspects in more detail and suggest solutions in accordance with the several beneficiaries' legal systems; as well as for a general revision of the International Agreement.
- Budget to cover the accommodation facilities. Where several options were discussed eg additional budget by each signatory (it was indicated that in order to minimise financial risk of the campus, an additional 50.000 EUR annual contribution could be added), or levelling the accommodation fees depending upon courses provided, and number of participants. See infra.

Following the discussion, the chair **invited** the ReSPA team at the OECD to send the amended text to the Steering Committee Members by **2nd June 2008**. Steering Committee members agreed to send written Comments of their Lawyers to the ReSPA team at the OECD by **6th June 2008**. The ReSPA team at the OECD will send the revised text to all parties by **10th June 2008**. A meeting between the lawyers of the ReSPA signatories and the OECD expert is planned for **20th June 2008 (exact date to be confirmed)**.

It was also agreed that there was no additional need for the Steering Committee to discuss the legal text of the draft International Agreement, which will be passed for legal scrutiny. **The final version of the International Agreement should be ready for 25 June 2008.**

- 3 **Signature of the letter of Intent:** The text of the agreed letter of intent was sent by Email to all Steering Committee Members on 27 May 2008. (See annex 1) The chair informed the SC of the date and location of the signature ceremony: Subject to final confirmation, the ceremony will take place in Ljubljana **on 12 June 2008**.

4. **Agreement on cost model, framework for financial policy and possible “cap” clause in the International Agreement:** Following the discussion at the 7th Session of the Steering Committee, the ReSPA team at the OECD presented detailed budget calculations and cost models for ReSPA beyond phase 1. **Steering Committee Members noted and discussed the cost estimates of the future institution.**

The Chair invited the ReSPA team at the OECD to work with the Montenegrin authorities to finalise the core budget and accommodation costs estimate^s. The ReSPA team at the OECD will send a revised document to Steering Committee Members.

Finally, at the invitation of the Chair, the Steering Committee **decided** that the ReSPA core budget will be covered by the ReSPA signatories in equal proportions.

3. Follow-up to the 7 TH session of the Steering Committee	
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- 1 **Additional Training activities 2008:** The Steering Committee **decided** to incorporate in the 2008 Work Programme the proposal made by the German Baköv of a Law drafting course. The Chair **invited** the ReSPA team at the OECD to implement the training programme and depending on the availability of funds at the end of phase 1, the chair expects ReSPA to organise more man/days of training in 2008 than in 2007.
- 2 The Steering Committee **decided** on the theme of the 3rd ReSPA Annual conference: "Managing the Stock of Legislations". It will be held in Belgrade on 23 – 24 September 2008.
- 3 The Steering Committee **decided** that Mr Metodija Dimovski, General Secretary of the Civil Servant Agency in Skopje will represent ReSPA at the 2008 EGPA conference.

4. Any other Business	
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To the request of several Members, the European Commission agreed to send a letter to all signatories in order to stress the importance paid by the EU to the creation of ReSPA.

This letter should also address inter alia the issue of budget for the financial contribution of the signatories for the first years of operation of ReSPA so that the beneficiaries can go ahead with the budgetary commitments for 2009.

Moreover, at the suggestion of Steering Committee Members, the Chair invited the Secretary and the European Commission to visit key stake-holders (Ministries of Foreign Affairs, Ministries of Finance, Ministries and institutions in charge of European Integration, etc) in the first half of July 2008.

The Chair thanked all participants for their constructive contribution, and the Human Resource Management Authority of Montenegro for hosting the meeting.

No other issue being raised, the chair declared the meeting Closed.

Annex 1

Draft Text of the Letter of Intent

LETTER OF INTENT CONCERNING THE ESTABLISHMENT OF THE REGIONAL SCHOOL OF PUBLIC ADMINISTRATION (ReSPA)

The Minister [Director General of the Ministry] for [Public Administration][European Integration][] of the Republic of Albania, ... Bosnia and Herzegovina, ... the Republic of Croatia, ... the former Yugoslav Republic of Macedonia, ... Montenegro, the ... Republic of Serbia and the United Nations Interim Administration Mission in Kosovo, acting on behalf of Kosovo pursuant to the United Nations Security Council Resolution 1244, in the presence of European Commissioner for Enlargement,

Recalling that in June 2003 the Council of the European Union endorsed “[t]he Thessaloniki Agenda for the Western Balkans: moving towards European integration” which encouraged the creation of a regional mechanism fostering training and education for public administration,

Recalling that the “Protocol of Co-operation on the Creation of the Regional School of Public Administration (Phase 1)” was signed on 2nd May 2006 by the representatives of the Republic of Albania, Bosnia and Herzegovina, the Republic of Croatia, the former Yugoslav Republic of Macedonia, the State Union of Serbia and Montenegro along with the Republic of Montenegro and the Republic of Serbia, the United Nations Interim Administration Mission in Kosovo (UNMIK) acting on behalf of Kosovo pursuant to United Nations Security Council Resolution 1244, in presence of the European Commission,

Recalling that, in accordance with Article V of that Protocol, the Parties considered “further institutionalisation of their cooperation, including participation by all Members in the funding arrangements”,

Recalling the agreement reached in Paris on 31 January 2008 at the 6th session of the Steering Committee to proceed towards the establishment of a Regional School of Public Administration (RESPA) located in Montenegro.

Noting that a draft International Agreement has been elaborated by the Steering Committee set up under the “Protocol of Co-operation on the Creation of the Regional School of Public Administration (Phase 1)”,

Declare their intention to enhance the internal preparations for the signature of the International Agreement on the Regional School of Public Administration, and afterwards for its ratification, acceptance or approval in accordance with the respective Constitutional requirements, so that it could enter into force before the end of 2008.

In witness whereof, the undersigned have signed this letter of intent.

Done in [place] this [e.g. tenth] day of [month], [year].

The Minister for [] of Xxxx:

The Minister for [] of Xxxx: (etc.)

Annex 2
Participants list
Podgorica, Montenegro

26/5/2008 - 27/5/2008

Albania

Ms. Blerta SELENICA
 Director
 Department of Public Administration (DoPA)
 Council of Ministers
 "Deshmoret e kombit" 1
 Tirana
 Albania

Tel: +355 4 23 59 37
 Fax: +355 25 12 41
 Email: bselenica@moi.gov.al

Bosnia and Herzegovina

Mr. Niko GRUBESIC
 Assistant Minister
 Sector for Strategic Planning, Aid Coordination and European
 Integration
 Ministry of Justice
 Trg BiH 1
 71000 Sarajevo
 Bosnia and Herzegovina

Tel: +387 33 22 35 05
 Fax: +387 33 22 35 07
 Email: niko.grubestic@mpr.gov.ba

Croatia

Ms. Tatjana CORLIJA MILIVOJEVIC
 Head of Training Department
 Directorate for Information and Education
 Ministry of Foreign Affairs and European Integration
 Petreticev trg 2
 Zagreb
 Croatia

Tel: +385 1 4599 406
 Fax: +385 1 4599 440
 Email: tatjana.corlija@mvpei.hr

**former Yugoslav Republic
 of Macedonia**

Mr. Metodija DIMOVSKI
 Secretary General
 Civil Service Agency
 Jurij Gagarin 15
 10000 Skopje
 FYROM

Tel: + 389 2 30 94 231
 Fax: + 389 2 3082 937
 Email: m.dimovski@ads.gov.mk

Kosovo (under UNSCR 1244)

Mr. Timothy HUDNER
Civil Affairs Officer
DCA/CGU Room 204
UNMIK HQ
Pristina
UN Mission in Kosovo (UNMIK)

Tel: +381 504 604
Email: hudner@un.org

Mr. Dardan KRASNIQI
Government of Kosovo
New Government Building
Mother Teresa Str. N.N
6th Floor, Room No. 605
Pristina

Tel: +377 44 148 736
Email: krasniqi.dardan@gmail.com

Montenegro

Ms. Jadranka DJURKOVIC
Deputy Director
Human Resources Management Authority
Government of the Republic of Montenegro
Jovana Tomasevica b.b.
Podgorica
Montenegro

Tel: +382 81 20 22 90
Fax: +382 81 20 22 90
Email: jadranka.djurkovic@uzk.cg.yu

Serbia

Ms. Mila CIPOVIC
Head Of Division
Serbian European Integration Office
Nemanjina 34
11 000 Belgrade
Serbia

Tel: +381 11 306 1112
Email: mila@seio.sr.gov.yu

CHAIR

José Antonio TORRES LACASA
 Deputy Head of Unit
 DG Enlargement - D3 Regional Programmes
 European Commission
 Rue de la Loi/Wetstraat 170
 Brussels
 Belgium

Tel: +32 (2) 295 0596
 Fax: +32 (2) 299 2198
 Email: jose-antonio.torres-lacasa@ec.europa.eu

EC

Ms. Sofia PAPANTONIADOU
 DG Enlargement - D3 Regional Programmes
 European Commission
 Rue de la Loi 200
 1049 Brussels
 Belgium

Tel: +32 2 299 8916
 Fax: +32 2 299 8503
 Email: Sofia.PAPANTONIADOU@ec.europa.eu

OECD

Mr. Bob BONWITT
 Head of Programme
 GOV/SIGMA
 OECD
 2 rue André-Pascal
 75016 Paris
 France

Tel: +(33-1) 45 24 13 10
 Email: Bob.BONWITT@oecd.org

M. Nicolas DUBOIS
 Secretary to the SC
 OECD/ReSPA
 2 rue André-Pascal
 75016 Paris
 France

Tel: +(33-1) 45 24 13 92
 Email: Nicolas.DUBOIS@oecd.org

Ms. Inga STEFANOWICZ
Administrator
OECD/ReSPA
2 rue André-Pascal
75016 Paris
France

Tel: +(33-1) 45 24 97 51
Email: Inga.STEFANOWICZ@oecd.org

Ms. Maggie REDMOND
Project Assistant
OECD/ReSPA
2 rue André-Pascal
75016 Paris
France

Tel: +(33-1) 45 24 83 56
Email: Maggie.REDMOND@oecd.org

***Human Resources
Management Authority /
ReSPA Resource***

Ms. Mina VOJINOVIC
Human Resources Management Authority
Jovana Tomasevica bb
Podgorica
Montenegro

Tel: +382 81 202 290
Fax: +382 81 202 290
Email: minavojin@yahoo.com

Interpreters

26 May 2008

Ms Milica Kadic-Akovic
Trg B Vucinwic 7
Podgorica, 81000
Montenegro

27 May 2008

Ms. Azra Kosovac
Stari Aerodrom
Iamella 2A/4
Podgorica
Montenegro

Annex 3

SIGNATURE PROCESS	
TARGET	TASK
27/05	Agreement on the text of the letter of Intent
02/06	Circulation of revised IA text
06/06	Written Comments by Signatories
10/06	Revised text produced by the ReSPA team at the OECD.
16/06	Signature of the letter of intent
Around 20/06	Meeting lawyers signatories and OECD expert lawyer. Agreement on the final text.
21/06	Opening of signature process Submission to formal government process
Mid Oct	Finalisation of subsidiary instruments
End December 2008	Close of Signature process
01/01/2009	Formal opening ReSPA (assuming 5/7 have signed)
End March 2009	Close of Ratification process

TO DO LIST (Institutionalisation)

DATE	RESPONIBILITY	TASK
2/6	OECD	Revised Budget sent to SCM
2/6	OECD	Revised text IA sent to SCM
2/6	EC	Letter of the EC to the Signatories
6/6	SCM	Comments on AI sent to OECD
10/06	OECD	Comments incorporated sent to SCM
16/06	EC	Signature letter of Intent
20/06	OECD	Meeting lawyers
1/9	Montenegro/OECD	Draft HQ Agreement submitted to SC
1/9	OECD	Draft Diplomacy and Privileges agreement submitted to SC
1/9	Montenegro/OECD	Draft Letter ReSPA/Montenegro submitted to SC
1/9	OECD	Draft Governing Board Rules of Procedure submitted to SC
1/9	OECD	Draft Financial Regulation submitted to SC
1/9	OECD	Draft Staff Regulation submitted to SC
1/9	OECD	Draft submitted to SC <ul style="list-style-type: none"> • JD Director • Recruitment process Director • Org Chart and Recruitment need for International Secretariat
1/10	OECD	Advertise posts
Oct	SC	Selection process Director
Nov	SC	Selection Director
Dec	Director and SC	Select staff