

The Way to Europe: A Path of Sudden Prosperity or Strenuous Efforts?

Where do the roads lead?

Different people perceive the way to Europe differently. Actually, the approach “Let’s become European so that we can live in prosperity” is dominant among euro-advocates. Even when it is not voiced as such, it is always tacitly implied. However, few of us have ever thought about how this prosperity should “pour” on us at the end of the Euro-road.

Few will argue the logic of the statement that in order to be considered a European, one at least needs to live as a European. We even seem to have come to understand that in order to live like a European, we have to adopt the European rules of the game and follow those like an average European would do. In fact, the European way is a road with two rail tracks where both tracks are always parallel and mandatory.

How to get the pie?

Establishing the European rules of the game among us will require wide scale and long term efforts. The crucial issue here is not the mechanical copying of the norms that have already proved their effectiveness, but instead their local adjustment, the establishment of a strong foundation for the institutions that will ensure their implementation and the drastic change of the public attitude towards these very norms. The whole transitional process perforce will require serious efforts at least in six directions:

1. approximation of the RA legislation to the European one through adaptive imitation;
2. development and ratification of the necessary sub-legislative acts;
3. approximation of the institutional capacities necessary for ensuring the functionality of the new legislation;
4. education and training of relevant staff;
5. management, monitoring and coordination of the whole process;
6. efforts targeting social and psychological reforms.

A considerable progress is registered in the process of approximation of European and Armenian legislations. The development, ratification of the Action Plans for the Partnership and Cooperation Agreement (PCA) and the European Neighborhood Policy (ENP), as well as the effective and intent development of financial instruments defined by the latter will create a wide pool of opportunities for the process of approximation of the RA legislation to the current European one. Therefore, the PCA AP can become an accurate compass on the mentioned way. Significant amount of work has already been done in the preliminary phase of the PCA Action Plan, particularly in terms of comparing both legislations. For instance, during the comparative analysis of the legislative norms and acts covering environment, 123 European legal acts consisting of 4508 legal norms have been analyzed, among which about 100 legal norms have been in compliance with the Armenian legislation, 500 have been inadequate and about 3400

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simply do not exist in the Armenian legislation. One thing is obvious: there is an enormous amount of work ahead.

The opinion that the priority within the process of Armenia's integration with Europe is only the approximation of Armenian legislation to the European one is deficient. There are a number other important issues, and among them the necessity of ensuring the rule of law, which is the most important constituent of the European legal system. Another significant issue is the development of institutional capacities, which cannot be restricted to the executive agencies only. Within the same issue lies yet another one: the issue of professionalism, awareness and education of the whole society and the officials of responsible agencies, among whom judges in particular.

Legislative approximation should not be interpreted as a mechanical copying of European legislation. If this falls short of reflecting the difference in our institutions, administration, mentality and resources, the developed legislation will simply become another set of declarative documents. In this case it is perhaps better not to engage in the process of updating and approximating the normative-legal documents at all, in order to avoid defaming the whole process by not following and obeying the defined norms.

Finally, all these should become holistic only through the development and implementation of certain mechanisms for public monitoring and participation. In fact, on this way we need not only the support and involvement of the authorities and state agencies, but the assistance of the public as well.

Beyond illusions

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Thus, what is the way to Europe, anyway? It is the way of consistent and hard daily labor, the way of public goal-setting, effective management of assets, intent efforts and willingness to change. Yes, it is also the way to prosperous and affluent life in future, which depends on our consistency today.

The paper is elaborated based on the opinions passed by the participants of the discussion "NP Chapter on Environment", which took place on December 20, 2005. The roundtable discussion was attended by independent analysts, government officials, and representatives of the international organizations.

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