

**NPAA2002-2003**



**National Programme  
for the Adoption  
of the *Acquis***

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# PART I

## POLITICAL CRITERIA

### 1. JUDICIAL SYSTEM

#### **Improving the qualification of judges**

The Courts Act, which is expected to enter into force in the third quarter of 2002, will provide for the principles and organisation for training of judges. In accordance with the above act the Training Council shall be established.

In order to improve the qualification of judges, the second phase of the post training, which started in 2002, will be carried out in the years 2002 – 2003, and that means training of all judges and prosecutors by these judges and prosecutors, who have already passed the training in the frameworks of the *twinning*-programme. The basis for organisation of the post-training is the *twinning*-agreement, where the parties of the training project are the Ministries of Justice of the German Länder Mecklenburg–Vorpommern and Schleswig-Holstein and the Ministry of Justice of the Republic of Estonia on one hand, and the German Federal Ministry of Justice and the representative of the European Union *twinning*-programme on the other hand.

The supplementary training, which will focus on the amendments of the presently valid legislation, case law and its development trends, will be continued.

In spring 2002 the training of judges in four horizontal areas of the European Union Law will start (consumer protection law, competition law, intellectual property law and labour law). The training will be financed in the framework of the Phare 2001 project.

#### **The equipment of the courts**

The continuous priority of the Government of the Republic is to guarantee the functioning of courts by providing necessary technical means – budgets, facilities, information technology and office equipment. During the period under discussion the Tartu Justice Building (will be completed in 2002) and the Harju County Court building have to be constructed. It is also planned to renovate the Tallinn Justice Building, where the Tallinn District Court and the Tallinn Administrative Court will continue their work.

The development of the information systems in courts will take place in co-operation between the Courts' Department and the Information Systems' Department of the Ministry of Justice. In the year 2000 a strategic analyses of information systems in the courts of the 1st and 2nd instance was carried out, which included mapping the information processing in courts, analyses of the results and drafting the action plans for the future. In the years 2002-2003 the execution of the projects, which proceed from the analyses, will be continued. The existing software will be continuously upgraded with the purpose to grant its successful implementation.

The principal objective in developing the information systems in courts will be to create a system, encompassing the operation of courts, enabling automatically to draft and systematise documents and to record the data they contain in such a way, which makes it possible to recover it in the new documents, as an input of statistics and of different registers.

It is also planned to link the court information system with the information systems of the police, of the prosecutor's office and of prisons. The efficient recovery of the data in the electronic form will help to reduce the workload of the judges and of the court personnel significantly and is a part of the project for optimising the workload of judges.

In the framework of the Phare 2001 project the implementation of the electronic court file and of the digital recording will continue.

### **Optimising the workload of judges**

The objective is to optimise the workload of judges, proceeding from the results of the analyses about judges' workload and the time spent on proceeding of the court cases. The factors which help to increase the reliability of the courts and the quality of administration of justice are merging the courts and in case of larger courts making it possible for judges to specialise, but also the possibility to divide the workload in a more flexible way. Encouraging of competition inside the court in the best sense of the word and existence of social control is also necessary.

The analyses of the courts' organisation will be financed in the frameworks of the Phare 2001 project.

**Implementation and administrative capacity**

<b>1.</b>	<b>2.</b>	<b>3.</b>	<b>4.</b>	<b>5.</b>
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
Ministry of Justice, enforcement of the Courts Act and elaboration of the implementation acts, July 01, 2002.	<i>Courts Act</i>	Ministry of Justice		
Ministry of Justice, starting of the courts administration council and training council October 01, 2002.	<i>Courts Act</i>	Ministry of Justice		
Ministry of Justice, increasing the salary of the judges and court officials, July 01, 2002.	<i>Courts Act</i>	Ministry of Justice		

**Enhancing access to administration of justice through improving access to legal assistance**

In 2002 the Ministry of Justice will actively participate in processing of the *Draft Legal Service Law* in the *Riigikogu*. The objective of this Act will be to secure the improvement of the quality of legal service and the timely and sufficient accessibility to qualified and reliable legal service for everybody, including the most destitute.

The law will specify the terms of legal service and establish general requirements for rendering legal service for all the professional providers of legal service (lawyers, notaries, solicitors). The law will also regulate the categories of legal aid, granted by the state, the basis and order for requesting and providing legal aid, and considerably expand the possibility to get legal aid from the state.

The law provides for a new category of the providers of legal aid – legal counsels. After the law has entered into force and expiry of the transition period (ends on January 01, 2004) persons without the proper qualification or relevant professional licence will not be allowed to offer legal service.

**Implementation and administrative capacity**

1.	2.	3.	4.	5.
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
Ministry of Justice, training of the judges and of the assistant judges, dealing with public legal assistance I quarter of 2003.	<i>Legal Service Act</i> (read by the Riigikogu, enters into force presumably on 1 January 2003)	From the resources, allocated to the Ministry of Justice in the state budget of 2003		
Ministry of Justice, conclusion of administrative contracts with lawyers' professional organisation for organisation of assignment of the profession of legal counsel, 1 July 2003.	<i>Legal Service Act</i> (read by the Riigikogu, will presumably enter into force on 1 January 2003)	Ministry of Justice		
Ministry of Justice, the publicity campaign on the public legal service 1 July 2003.	<i>Legal Service Act</i> (read by the Riigikogu, presumably enters into force on 1 January 2003)	Ministry of Justice		
Ministry of Justice, conclusion of the administrative contract with the disbursing authority for disbursing the money for legal assistance, 1 July 2003.	<i>Legal Service Act</i> (read by the Riigikogu presumably enters into force on 1 January 2003).	Ministry of Justice		



## 2. HUMAN RIGHTS AND THE PROTECTION OF MINORITIES

### 2.1. Human rights

#### Implementation and administrative capacity

1.	2.	3.	4.	5.
Institution, planned measures (incl training), deadline	Legal basis, implemented legal act	Financing (State budget line, other sources)	Technical assistance needs	Remarks
1.1. Completion and launching of the Tartu Prison in the year 2002  Deadline: 4th quarter of 2002	<i>Decision of the Government of the Republic</i>	1.1. State Budget Part 131 Chapter 53 and the Nordic Investments Bank	Finnish Ministry of Justice – training of the personnel; Swedish Ministry of Justice – training of the personnel; German Ministry of Justice – training of the personnel	The Tartu Prison will be the first penal institution, which is specially designed as a cell-type prison. As a rule, the cell is meant for only one to two inmates, serving their sentence.
1.2. Opening of the new Central Hospital of prisons at the Viljandi Prison in the 4th quarter of 2002.  Closing down of the Central Prison in the 1st quarter year of 2003.	<i>Decision of the Government of the Republic</i>	1.2. State Budget Part 131 Chapter 53		1.2. In connection with closing down of the Central Prison in the 1st quarter of 2003 the Central Hospital of prisons, located there, must be transferred to the Viljandi Prison in the 4th quarter of 2002. 1.3. The detained persons, located in the Central Prison will be transferred to the Tartu Prison.

## **Criminal Probation**

In order to prevent the convicted persons from returning to criminal activity, Estonia needs an effectively functioning criminal probation system.

According to the *Penal Code* additional responsibilities will be added to the criminal probation system from 1 March 2002 in the form of obligation to organize socially useful work.. Implementation of the *Penal Code* in the year 2002 will be one of the priorities of the criminal probation system in the year 2002. The new *Criminal Procedure Code* will add the function of the criminal probation system as a preventive measure in the pre-trial procedure to the obligations of criminal probation system.

New obligations presume closer co-operation with the different network partners. One of the important factors is also continued training of criminal probation officials in order to enable them to perform their obligations most efficiently. Specialization in criminal probation during studies in the institutions of higher education under a comprehensive study curriculum secures sufficient reserve of the criminal probation officers with the view to cope with the increasing workload. In the year 2002 it is planned to begin closer co-operation with the institutions of higher education.

In order to secure efficient functioning of the criminal probation system and to reduce the workload of the officers, it is necessary, in addition to recruitment of new criminal probation officials, also to improve the use of the modern equipment. Elaboration and implementation of the criminal probation information system must be completed by the end of the year 2002, thus creating a possibility for document administration without paper. For electronic data exchange it is necessary to conclude agreements with the administrators of the police, prison and other databases that criminal probation officers need.

Designing of the image of criminal probation and constant informing of the society of its activity will help to shape the public opinion in the direction favourable to the alternative punishments. By more efficiently involving volunteers as assistants in criminal probation the participation of the other members of society in re-socialisation of the criminals could be increased.

Introduction of service standards in 2002 makes it possible to more successfully estimate the efficiency of the system. Elaboration of the criteria and methods for evaluation of results is one of the main goals for the year 2002.

## 2.2. Protection of minorities

### Integration of non-Estonians

[See Part III, Chap. 18, Education, training and youth]

#### Non-Estonians Integration Foundation

The planning of the activities of the Non-Estonians Integration Foundation (hereinafter the Integration Foundation) for the year 2002 is based on the *State programme "Integration in Estonian society 2000-2007"*, which was approved by the Government of the Republic on 14 March 2000. The central purpose of the programme is the development of a citizenry loyal to the Estonian state and the reduction in the number of persons in Estonia with undetermined citizenship.

The State Programme is an activity plan that establishes directions and offers initial guidelines, primarily for government institutions, local governments and the Integration Foundation. The programme's activity plan also encompasses the active inclusion of academic institutions and universities, the third sector, international organisations and foreign financiers in the process.

The Minister for Ethnic Affairs is responsible for the implementation of the programme. The four sub-programmes all have a responsible institution that, within the limits of its competency and to the extent of the tasks assigned it, ensures the implementation of the sub-programme. Responsibility for the sub-programme "*The Teaching of Estonian to Adults*" is held by the Ministry of Education, the Ministry of Social Affairs and the Integration Foundation.

#### Project-related activities

In accordance with the 2002 State Budget Act, the Estonian government allocate, through the foundation, 8.5 million kroons from amounts earmarked for integration for integration-related activities:

- Estica (the objective is the creation of materials and the organisation of activities that attach value to Estonia as a homeland, the broadening of non-Estonians' knowledge about Estonia, Estonian history and culture, Estonians and their way of life, multicultural Estonia);
- support for non-Estonian-speaking students in Estonian-medium schools, youth work and student exchange (the objective is to support young people in the solution of their difficulties coping and in initiatives, to promote inter-cultural relations);
- support for the activities of national cultural societies and Sunday schools (the objective is the expansion of possibilities for the preservation of the linguistic and cultural distinctiveness of the ethnic minorities residing in Estonia, the increasing of Estonian society's knowledge of cultural differences and the development of co-operation between the third sector and state institutions in the integration of non-Estonians);
- Estonian language camps, family exchange programmes (the objective is the improvement of the teaching of the Estonian language and the increasing of mutual tolerance);
- notification of the public, social advertising campaigns, the shaping of media relations, the professional and integration-related training of journalists and editors and creative stipends, media education in schools (the objective is the

notification of the public concerning activities in the integration process, the valuing of Estonian citizenship, the raising of the reputation of the Estonian language and the valuing of language proficiency, the activation of reporting of integration-related topics in the Estonian- and Russian-language media, the raising of the competency of journalists writing / authoring programmes for a Russian-speaking audience);

- integration-related surveys (the assessment of the effectiveness and success of the state programme shall take place on the basis of annual general monitoring and media monitoring aimed at target groups and the media and periodic surveys of the success and effectiveness of the management and activities of the state programme. The Integration Foundation is responsible for ordering and publishing the above-mentioned monitoring and surveys).

The Integration Foundation administers the implementation of the activity plans of the sub-programmes of the state programme “*Integration in Estonian society 2000-2007*”, which is in the sphere of responsibility of the Ministry of Education, as of result of which the following shall take place in 2002:

- development of language didactics shall take place in accordance with the results of methodology- and didactics-related surveys;
- a language didactics programme for pre-school child care institutions shall be completed, on the basis of which the application of language teaching methodologies that take into consideration the interaction between languages shall take place, the development of teaching materials promoting language learning shall be developed; in co-operation with Helsinki University 15 credits' worth of training in the area of language teaching methodologies shall be provided to 30 teachers at pre-school child care institutions and representatives of the centres and universities training them;
- the development of the regional supplementary training network for teachers of Estonian as a second language shall, as of 2002, be organised by the Association of Teachers of Estonian as a Second Language, 4 seminars of the network's teachers shall be held, a collection of Estonian language teaching materials shall be prepared for the teachers, and the availability of the teaching materials shall be ensured through the network's web page;
- 50 teachers who teach other subjects in Estonian at non-Estonian-medium schools have received supplementary training in the Estonian language;
- a curriculum for the supplementary training of special teachers dealing with youths of other nationalities shall be completed, and this has been initiated with corresponding teaching;
- curriculum development work between Estonian-medium and Russian-medium schools shall continue, 500 teachers and school administrators shall receive training in school development, 7 training materials shall be completed, the project's home page shall become more informative;
- the opportunities of Estonian- and Russian-speaking students at vocational institutions and institutions of higher education to study together shall be developed and the elaboration of corresponding intensive Estonian teaching materials shall be supported;
- teaching materials for subject teaching in the Estonian language at non-Estonian-medium basic schools and upper secondary schools and methodological materials supporting acquisition of the Estonian language at vocational institutions shall be developed;

- teaching materials for Estonian-language subject teaching in non-Estonian-medium basic schools and upper secondary schools shall be elaborated and methodological materials supporting the acquisition of the Estonian language shall be developed for vocational institutions;
- the civics teaching conception shall be completed and material supporting national cultural identity shall be developed;
- an integration-related database shall be opened as one part of the database of the youth notification and advising centre and projects promoting civil awareness shall be supported;
- the training of Sunday school teachers shall be supported with the objective of preserving the languages and cultures of ethnic minorities, a definition of the status of Sunday schools shall be completed and principles for providing state support for Sunday schools shall be established;
- development of Estonian language proficiency examinations in co-operation with Council of Europe and Estonian experts and the training of compilers and text-writers of Estonian language proficiency examination material shall continue;
- in order to ensure non-Estonian-speaking young people increasing opportunities for joint activity, support for the training of leaders of youth organisations and student self-governments (number to be trained: 200) and the development of information material supporting initiative shall continue and a survey of youth organisations' development plans shall be carried out;
- a media education programme for Russian-medium basic schools and secondary schools shall be prepared, and 100 pupils and 70 teachers shall receive training on the basis thereof;

***The Integration Foundation's partners – supporters of the process***

In addition to work with funds allocated from the Estonian state budget, the Integration Foundation administers large-scale programmes financed from international sources.

- In 2002 a large-scale foreign aid project entitled “Integrating Estonia 2002-2004”, which is a continuation of the 1998-2001 Nordic (Norway, Finland, Sweden and Denmark), British and UN Development Programme project entitled “*Support for the state programme for the integration of non-Estonians into Estonian society*”, shall be launched. The following areas shall be emphasised in 2002:
  - the development of a language didactics programme for non-Estonian-medium pre-school child care institutions shall be developed for the implementation of early immersion in pre-school child care institutions;
  - Estonian language camps and family exchange programmes, also for children in risk groups;
  - development of co-operation network at Estonian-medium and Russian-medium schools (with the objective of intensifying curriculum development at Estonian-medium and Russian-medium schools);
  - training for the preparation and updating of curricula and development plans at Russian-medium schools; new training models shall be developed;
  - implementation of labour exchange programmes targeting the non-Estonian population, with the aim of raising the non-Estonian population's competitiveness in the labour market; funding of media training targeting teachers at Russian-medium schools;

- support for co-operation projects and programmes including youth of different nationalities, with the aim of guaranteeing youths the opportunity of joint activity; support for youth initiative; training of leaders of youth organisations and student self-governments;
- support is provided for the production of radio programmes in the language of the national minority in the areas of social life and integration;
- a publicity programme for obtaining information for the writing of the citizenship examination and application for citizenship shall be developed; a social advertising campaign motivating and encouraging non-Estonians to take the citizenship examination shall be organised; joint activities in the area of legal-political integration targeting youths of different nationalities shall be supported; additional materials shall appear for those preparing for the Examination on Knowledge of the Constitution of the Republic of Estonia and the Citizenship Act.

Upon the conclusion of the support project in 2004, the integration activities launched in the framework of the various sub-projects shall continue to guarantee the realisation of the objectives of the state programme.

#### European Union Phare programme

“The Social Integration and Language Training Programme for Ethnic Minorities in Estonia” in the amount of 3.14 MEUR (49.1 million EEK) shall be implemented over three years (2001-2003). It shall contribute to the achievement of the medium-term objectives set forth in the *State Integration Programme*, focusing specifically on the linguistic-communicative and socio-economic spheres.

The following portion of the Programme activities planned for the three years is to be performed in 2002:

- the reimbursement system *Interest* (through which those who pass the Estonian language proficiency examination (also for the purpose of applying for citizenship) have up to 50% of their language tuition costs reimbursed) launched by the PHARE Estonian language training programme in 1999 shall continue;
- free language training courses for 600 unemployed people in East Viru County;
- manuscripts for Estonian language teaching sets (textbook, workbook, audiocassette, teacher’s book) for grades 4 – 9 at non-Estonian-medium schools shall be prepared;
- additional teaching materials (reference books, handbooks) shall be acquired for the libraries of 170 non-Estonian-medium educational establishments;
- an intermediate level Estonian language teaching set for adults shall be published;
- interactive teaching programmes and materials shall be prepared for the support of subject teaching at Russian schools through Estonian museums, recreation centres and science centres. The materials shall be completed in 2003;
- a competition shall be organised for the creation of opportunities for Internet-based Estonian language teaching;
- a cycle of supplementary training for Estonian language teachers shall be launched for ca 200 teachers on the basis of the completed competency model;
- a model shall be developed on the basis of which the work-related exchange programmes for teachers at Estonian and Russian schools shall be financed. In 2002 ca 30 teachers shall participate in professional practical training lasting 3-4 weeks;

- financing of summer language camps and family teaching aimed at students of non-Estonian-medium schools shall be continued. Up to 1500 children shall take part in projects in 2002;
- a model for the development of the professional teaching of Estonian at vocational institutions shall be elaborated through the creation of teaching materials and student exchange, for which 5-10 student exchange projects at vocational schools shall be supported in 2002;
- a publicity campaign shall be organised for the propagation of Estonian language training, and information shall be distributed concerning programme activities;
- two parts of the series of methodology handbooks shall be published;
- production of a bilingual interactive radio programme and radio programme supporting language teaching shall be financed;
- production of a language teaching programme on television and as VHS video shall be financed.

### 3. INFORMING THE GENERAL PUBLIC OF EUROPEAN INTEGRATION

#### 1. Introduction

The regular activities of spreading information about European integration for which preparations were made in 1998 and which started in 1999 will be continued in 2002–2003 as one of the Government's priorities in preparing Estonia for becoming a member of the European Union.

The role of the European Union Information Secretariat (ELIS), the body that coordinates the dissemination of information within the country, was remarkably extended in spring 2001 when ELIS was enabled participation in planning Government work and given the mandate of the advocate to the accession process. This launched a new stage in the information policy, based on the harmonised positions of the framework instrument *Principles of Informing Estonian Public about the EU*<sup>1</sup>. Recognition provided on the highest political and administrative level to the importance of public awareness and information policy as a priority area enables a more effective performance of the information policy for the pre-referendum period during 2002–2003 concerning media channels and opinion makers and leaders. To that end, maximum use will be made of the national information communication network (information centres and information telephone) that were created for informing purposes and have now been integrated into a single system. Information policy continues to be implemented based on the principles of involvement, coordination and decentralisation, which enable non-governmental organisations, occupational associations and interest groups to participate in the active dissemination of information about European integration. The priorities of informing activities as discussed by the Working Group on Public Awareness Issues of the ministries (WGPAI) and approved by the Council of Senior Civil Servants (CSCS) at the meeting of 17.10.2001 are:

- development of media partnership;
- implementation of sustainable all-Estonian media projects;
- extensive involvement of opinion leaders and makers in the dissemination of EU information and networking.

The task of ELIS during 2002–2003 is to ensure that balanced information reaches the public prior to the referendum on accession to the European Union and to improve the knowledge and competence of the participants in informing activities, taking into account the priorities related to different subject areas and target groups. The activity-plan for 2002 consists of projects that continue the undertakings of previous years and focus on the specifics of preparation for public referendum. Several projects will be implemented over a two-year period (see Annex 1).

Projects are prepared and implemented in close cooperation with the Delegation of the European Commission in Estonia and the Ministry of Foreign Affairs of Estonia. Coordinated cooperation will, on the one hand, enable the achievement of significant

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<sup>1</sup> The framework instrument was given administrative and political support in 1997 and its updated version was approved in 1999.



results by concentrating resources, and, on the other hand, help to avoid double activities and fragmentation of public attention through regular exchange of information. The goal of cooperation is also to coordinate the messages aimed at the public and thus to diminish the amount of inconsistent information.

## **2. Dissemination of information about the European Union and European integration within the country during 2002–2003 in accordance with priorities**

### **2.1. Development of media partnership**

The task of ELIS during the period 2002–2003 is to continuously advise and inform journalists about the problem issues of European integration relevant to the state of Estonia. To this end, ELIS continues to convene monthly round table meetings for journalists and to mediate senior civil servants and politicians as direct sources of information to these events. The briefings will provide an overview of the currently topical issues relating to the European Union and involve foreign experts in the subjects to be discussed. Information exchange regularly covers 20–25 journalists.

In 2002, ELIS will continue advanced complementary training of journalists in cooperation with foreign embassies and ministries of foreign affairs of EU Member States. At least three training modules will be carried out with support from the Ministries of Foreign Affairs of Denmark and Finland, which will also be targeted at representatives of the Russian-language press. Cooperation will begin in 2002 with the Ministry of Foreign Affairs of Norway, so as to increase public awareness of the realities of non-accession and to provide comparative analyses of accession and non-accession. The goal of ELIS is to render, through training and networking, cooperation with journalists into a mutually beneficial partnership, the common goal of which is to provide to the public all-round information about the specific impacts of accession on the Estonian society and to prepare public opinion for the referendum.

### **2.2. Implementation of sustainable all-Estonian media projects**

While the basis for regular and purposeful cooperation with subject specific and local media was laid in 2001, the goal for 2002 is to enlarge the existing cooperation network with regional journalists and to develop constructive relationships with national quality magazines. The goal of ELIS is to ensure a regular reflection of truthful, quality information about the subject specific effects of European integration on the Estonian society both in electronic and printed media. Cooperation with journalists during the period is targeted at increasing interest, awareness and objectiveness, so as to reach a level where European integration subjects are discussed in a form that educates the public. This will be done through a series of topical programmes in the electronic media. The programmes will focus on all-round introduction of the negotiations and of accession effects in a form understandable and in a format attractive to the public. In 2002–2003, ELIS will cooperate on a project basis with all national television and radio stations, with at least one commercial television station and one commercial radio station with countywide spread.

More extensive cooperation will be launched with Estonia's major women's magazines and a selected number of subject specific magazines for entrepreneurs, farmers, and librarians. Through portrait and feature articles, topics related to the

European Union will reach from the level of major interest groups to the level of individuals. Cooperation with publications helps to reach up to 100,000 readers through women's magazines and another 100,000 through other priority magazines. Cooperation with at least six major regional radio stations will be taken to a regular basis by launching a series of European Union radio quizzes. The goal of ELIS is to attract wide-based interest in European Union issues through the radio quizzes while disseminating information.

ELIS will also make use of the possibilities of national and local media as the most efficient information channel in order to get extensive feedback, and additional direct mailing projects will be carried out in counties.

### **2.3. Extensive involvement of opinion leaders and makers in the dissemination of EU information and networking**

Module seminars specifically targeted at local opinion leaders will be organised in all counties in 2002. The circle of topics of the seminars focuses on four specific areas. The objective of the first module is to introduce the European Union aid programmes and the facilities established under them in each county. The second module aims at analysing the current status of local enterprise and the future market prospects in the European Union context. The third module focuses on the different future scenarios of Estonia after the accession referendum following the conclusion of the accession agreement. The last module focuses on the issues of European requirements in order to eliminate incorrect interpretation, myths and fears, and offer adequate information about specific European Union directives.

The second major project for involving the opinion leaders of the counties is targeted at vocational school teachers. The goal of the training cycle which consists of module seminars and events is to facilitate in Estonia an analysis of the potential effects of EU accession in specific areas of activity, by mediating the Finnish experience to teachers of Estonian vocational schools in all regions of the country. The secondary objective of the project is to diffuse knowledge through the teachers who attend training to as many vocational school teachers of the respective area as possible and through them in turn to the students. ELIS will carry out the projects in cooperation with the foundation Estonian Vocational Education and Training Reform in Estonia. As sectors to be analysed from the aspect of accession to the European Union, the project covers five major areas: information technology, tourism and services, industrial automation, transportation and logistics, and wood and furniture industry.

The involvement of opinion leaders and makers as a priority approved by CSCS is also implemented through the involvement of the City Governments of Tartu and Pärnu in the regional awareness projects. The goal of cooperation with the city governments is to achieve a higher level of awareness among the population of the two important regional centres, Tartu and Pärnu, of the European Union and Estonia's planned accession. If the cooperation proves to be a success, it is possible that other city governments as major local opinion makers will also be involved in the awareness projects.

The main target groups of the all-Estonian awareness projects to be carried out in the counties in 2002 are village societies, native place organisations, people's learning organisations and other non-governmental organisations (NGOs) that play an

important role in local life. A part of the informing activities continues to be targeted at secondary school pupils and teachers and senior citizens. Regular project-based cooperation with local opinion makers and leaders is essential to reaching these important target groups. To extend the scope of small-scale projects, the information coordinators of counties will inform the journalists of local newspapers and radio stations of the forthcoming and current projects.

### **3. Priority-based activities directly coordinated by ELIS**

#### **3.1. Training**

##### For Counties

Competence training for the information coordinators of county governments and a wider scope of target groups engaged in mediating European integration information will continue in 2002 with coordination by ELIS. Training cycles will be carried out in eight counties under the FEU programme of the Ministry of Foreign Affairs of Denmark and in cooperation with the Tallinn Pedagogical University. As follow-up to the basic training in EU issues that was carried out in the counties in 2000–2001, advanced competence training will take place in 2002 based on the needs of specific target groups. Subject specific training is aimed at members of rural municipality governments and councils, county government officials, representatives of NGOs, local teachers, school principals and librarians. The training will directly cover up to a few hundred persons and extend further to the local inhabitants, as all these target groups are essentially mediators of information.

As a separate project in 2002, ELIS will coordinate follow-up training for the Director Generals of County Governments, who form a supplementary support group to county information coordinators from the aspect of disseminating information. The training in 2002 will mainly cover mediation of the Danish experience in EU regional development, the possibilities for obtaining and using financial resources in the EU context, and aspects of social policy as seen from the viewpoint of a Member State and of the local level.

Cooperation will continue in the year 2002 with the EU Information Centre of the Delegation of the European Commission in Estonia (EKD ELIK) for carrying out information conferences and events. The goal of the information conferences is to inform and bring together different institutions and persons engaged in the dissemination of EU information, to enable further mutual contacts and an exchange of information with colleagues from Member States and other candidate states, and to map information activities and the relevant structures for the wider public. The information conference will bring together approximately 150 mediators and mediators directly involved in informing the public about the EU issues.

##### For information centres and information telephone

The Euro Info Telephone and EU Information Centres will continue to play a crucial role in informing the public in the year 2002. These are the central parts of the information network both before and after the referendum. ELIS will launch advanced competence training for the staff of information centres and the information telephone in 2002 in cooperation with embassies of European countries and ministries of foreign affairs of EU Member States. The training will particularly focus on the potential additional requirements for the staff of information centres and information telephone that may arise from preparation and carrying out of the referendum. A cooperation project will be launched in collaboration with the Ministry of Foreign Affairs of

Norway and the Trondheim Library, aimed at learning about the European integration problems of Norway and acquiring the newest experience of Norway as a Nordic country not belonging to the European Union but engaged in close cooperation with it. Professional complementary training is planned to be carried out in cooperation with the relevant Danish experts under the FEU aid programme and with the support of foreign lecturers from France and the United Kingdom. In total, ELIS will coordinate two three-module training projects for information staff and will hold seminars/information hours four times a year. The objective of the complementary training is to improve the professional competence of information staff and to improve their efficiency in serving the public.

### **3.2. Publications**

In 2002–2003, ELIS will continue to coordinate the publication of information material about the subject specific issues of European integration. The new layout of the info-sheet “Estonia and the European Union” and information folders about European integration will be supplemented in 2002 by a new structure. The information materials will contain assessments and comments by local experts in the respective areas. Further to the existing publications, ELIS will issue 5–6 summarised versions of the European integration survey in 2002 which are important in introducing the subject specific effects of the EU to the wider public and are essentially simplified summaries of in-depth research.

During 2002–2003, ELIS will extend the dissemination scheme, which was developed for publications in 2001 and covers nearly 200 recipients, to city governments and further non-governmental organisations.

### **3.3. Electronic information**

The web site of ELIS will be renewed and its administration system will be updated in 2002–2003 in order to make the information offered to the public, cooperation partners, information dissemination networks (information centres and libraries) and support organisations about informational events and European integration more convenient, taking into account the priority interests of information consumers. Resources are sought to develop, if possible, a new interactive web environment concerning the EU in cooperation with an appropriate partner. The objective is to extend the scope of public discussion regarding European integration, to introduce the EU Member States and to mediate facts, comments and news that attract interest in the subject, to offer topical quizzes and entertaining messages to an as large number of Internet users as possible.

### **3.4. Partnership projects**

#### Cooperation with Open Estonia Foundation

The activities of the Government in disseminating information about the European Union have been consistently aimed at a greater involvement of the non-governmental sector in both the acquisition and spreading of knowledge about European integration and participating in the relevant discussions at an adequate level of competence. The respective project-based activities of NGOs, occupational associations and interest groups receive substantive and financial support directly from the government sector and through foreign aid. The objective for 2002–2003 is to extend the cooperation possibilities aimed at the third sector. The goal of ELIS is to increase the number of information and training projects provided by NGOs themselves to their members and

the wider public, so as to involve a larger number of organisations in the informing activities and to bring EU information, disseminated in an active form, to a greater number of people.

Cooperation with the Open Estonia Foundation (OEF) will continue in 2002 under the cooperation agreement of 15 January 2001 in the form of mutual joint call for project competitions. Taking into account the experience of 2001 when almost fifty NGOs were involved in the competition and nearly 500,000 contacts were made through the projects, ELIS will continue to implement the EU information policy under the same general principles. Unlike the previous year's competition, the project competition of 2002 will be held in two stages – in January and September. This enables the quality of projects and hence the efficiency of all informing activities through the third sector to be improved. Support is given to projects whose content is popular education in the relevant subject, events of common interest, and extension of public discussion. The priority target groups are rural inhabitants, pupils, teachers, movements, social partners, and local opinion makers.

#### Cooperation with the enterprise sector

In accordance with the cooperation agreement of 2001 between the State Chancellery, Hansabank and the Chamber of Commerce and Industry, the conference series "Entrepreneur's European Forum" will continue. The objective of the conference series is to offer entrepreneurs an opportunity to discuss the effects of EU accession in specific areas of enterprise and also to mediate the assessments of entrepreneurs about the effects of accession or non-accession to the public through the press. The conference series will continue from January through April 2002 and eventually, the cooperation partners intend to consider the possibility to continue organising the "Entrepreneur's European Forum" in autumn 2002.

### **3.5. Networking**

Cooperation between ELIS and the EU Information Centres, Euro Info Telephone and county information coordinators will continue in 2002–2003 and extend to the target groups who have been less involved so far.

**3.5.1.** The main activities of the **EU Information Centre of the National Library (RR ELIK)** in 2002 will be the extension of the list of recipients of new EU publications records and those of quoted foreign language articles/books; organising EU training in the form of two major information days to librarians of those libraries whose customers are Russian-speaking, and holding further regular EU information seminars for the staff of central and county libraries. A new area of activities is cooperation with the journal "*Raamatukogu*", which is the main special journal for librarians as important opinion makers on the local level. In trilateral cooperation (ELIS, RR ELIK, Librarians Association) 4–6 supplements to the journal will be published on the EU topic, focusing on European integration subjects that are of specific interest to the target group.

**3.5.2. Euro Info Telephone**, which started offering regular information services to the Estonian public in May 2000, will continue to answer to inquiries in 2002–2003 and organise the info-days on specific topics, which started in 2001. At least six such days will be held in 2002, in which questions can be asked of politicians and experts besides the telephone staff. The new activities of the EU info-phone include making

the questions and answers database available to all users through the web site and the inclusion of users, at their request, in the client list ELITAR to receive regularly electronic and printed information materials.

**3.5.3. The Euro documentation Centre of the University of Tartu (TÜ EDK)** offers nation-wide electronic European information services to a few hundred thousand Internet users who are particularly interested in document services. As an important EU information centre in South Estonia, EDK will hold seminars and offer follow-up training to the major target groups in 2002 – entrepreneurs, pensioners, pupils, students, local officials and librarians of branch libraries. Main attention will be paid to co-organising or conducting regular training cycles.

**3.5.4. County information coordinators** plan and perform their activities in 2002 based on the needs of the priority target groups – local opinion leaders and makers, local media, NGOs, entrepreneurs, pensioners. Module training of four seminars on topical subjects relevant to the local context will be organised in 15 counties in cooperation with ELIS. The goal is to bring competent discussion of the topics to local opinion leaders and makers in the first place so as to promote the interest and competence of local people.

A supplementary goal in 2002 is to improve networking with the county branch libraries and NGO support centres. This cooperation began in 2001. Information coordinators have, on the one hand, relied on these networks in planning their activities, and on the other hand, involved them in their activities in organising training and disseminating information and training the network itself. Jointly, in cooperation with local libraries and NGOs, county information coordinators will organise an average of five EU information or training events per county in different formats in 2002. The focus of the work in 2002–2003 is on regular coverage of the events by the local media.

All information centres and local information networks continue to mediate EU printed material and regularly communicate to ELIS information about county information and training events, of which nation-wide summaries will be compiled. ELIS will send weekly summaries to nation-wide media and electronic mail groups to offer a larger number of interested persons opportunities to participate in the events and in training.

### **3.6. Public opinion polls and analysis**

In 2001, ELIS prepared and carried out an open tender of a public opinion poll, as a result of which a contract was concluded with *ES Turu-uuringute AS* with the term 1.06.2002. Social scientists were involved in the work in order to apply the results of the analysis of the public opinion poll in planning the activities of disseminating EU information and in the choice of information measures and channels. The respective agreement was concluded with the Institute of International and Social Studies on 19 June 2001 and this cooperation will continue in 2002 in accordance with the research cycle. ELIS will apply the survey results and the recommendations following from the analysis to flexibly plan its informing activities and adjust them to public expectations.

#### **4. Financing the informing activities in 2002–2003**

The public awareness and information activities coordinated by ELIS will be financed in 2002–2003 from the state budget and also through foreign assistance in accordance with the established procedures. From the 2002 state budget, EEK 4.5 million will be allocated to the dissemination of European integration information, coordinated by ELIS, through the budget of the State Chancellery. These funds are used to co-finance the training and information projects organised by ELIS, to support the awareness projects implemented by NGOs and movements in cooperation with the Open Estonia Foundation, and to carry out the necessary surveys and analyses. The activities of the EU Information Centre of the National Library and the Euro Info Telephone will be allocated EEK 1,358,000 from the budget of the State Chancellery to perform the agreement between the State Chancellery and the National Library (agreement No. 148, 1.07.1998) and exercise the activity-plan for 2002.

Further to state budget funds, ELIS will organise several information projects in cooperation with the European Union Member States, using expert assistance and direct co-financing by the latter. Informing activities will continue in 2002 under the agreement between the State Chancellery of Estonia and the Ministry of Foreign Affairs of Finland of 17.04.2001 in order to particularly further develop the regional informing activities in Estonian counties, to improve cooperation between the central and local administrative level, to organise sector specific awareness campaigns, and to mediate quality EU information to the Estonian public. The estimated scope of co-financing by the Ministry of Foreign Affairs of Finland for the year 2002 is EEK 1.5 million, which is also used to finance the advisory services and project management work of the Finnish expert Tuomo Haavisto in Estonia. The priority area of co-financing is small-scale European information projects on the county level, which will be organised in accordance with the decisions of the relevant Steering Committee.

In 2002 further expert assistance and support will be provided by the Ministry of Foreign Affairs of Denmark and the embassies of Norway, France and the United Kingdom in Estonia under special bilateral aid programmes or bilateral co-operation, which enable the involvement of foreign experts in information and training events and provide state officials the opportunity to practice in the state agencies of these countries.

The PHARE 2001 technical aid project for ELIS will be launched in 2002. The sub-projects to be carried out in its framework will be implemented during 2002–2003. The total budget of the PHARE aid programme is EUR 300,000, which will be used in accordance with the approved areas and following the procedures.

#### **5. Main issues of coordinating public awareness and EU information activities in 2002–2003**

The main aim of public awareness and EU information activities in 2002–2003 is to ensure the preparation of information centres and local partners for organising the pre-accession public referendum and to advocate the large-scale participation of the non-governmental sector in organising the dissemination of information about European integration, and hence in the European integration process itself. The particular function of ELIS is a more purposeful involvement of opinion leaders into

communication with the press and the public; the creation of quality and convincing argumentation in relations with the press and public; and a systematic and purposeful continuation of the activities in three main areas – media, training, and publishing. ELIS will also begin to analyse the potential models of informing activities and the respective organising system for the period following public referendum, and to prepare recommendations for government policy making.

The years 2002–2003 are crucial in respect of public awareness and disseminating information about the EU, because this is the period when the political decision will be made concerning the date of the pre-accession public referendum, and hence the time of launching the respective information campaign.



**ACTIVITY-PLAN OF EU AWARENESS AND INFORMATION PROJECTS CO-ORDINATED BY EUROPEAN UNION  
INFORMATION SECRETARIAT, STATE CHANCELLERY, 2002–2003**

**ANNEX 1**

<b>Activity</b>	<b>Objective</b>	<b>Target audience</b>	<b>Time/Frequency</b>	<b>Performers</b>	<b>Budget</b>
<b>TRAINING PROJECTS</b>					
Professional competence training for information mediators	1. To improve the professional competence of EU information service providers; 2. To introduce the specifics of the impact of accession/non-accession on Estonia	- RR ELIK and information telephone (10 people) - County library information staff (15) - WGP AI (17) - County information staff (17)	Training session of 3 modules (January–June 2002)	ELIS and Trondheim library (under Norwegian bilateral aid)	State budget funds and NORWEGIAN bilateral co-financing
Professional competence training and international cooperation	1. To improve the professional capacity of the main coordination structure of informing activities; 2. To improve the efficiency of international communication and exchange of experience	- ELIS (6–7) - Representatives of media and science (50) - Information staff of ministries and counties (30)	Informational events and seminars of 4 modules (January–October 2002)	ELIS and Ministry of Foreign Affairs of Norway	State budget funds and NORWEGIAN bilateral co-financing
Partnership and cooperation ( <i>networking</i> )	To improve the competence of local opinion makers for participation in public discussion about Estonia's integration into the European Union	opinion leaders from the local business sector, public agencies and cultural elite of counties (estimated 180 persons)	During 2002 regularly after every two months	ELIS and county information coordinators	State budget funds and PHARE co-financing
Partnership and cooperation ( <i>networking</i> )	To develop on-spot public discussion about the issues of Estonia's accession to the EU, to improve the quality of discussion	Local level decision makers of 15 (or 6) counties (village elders, representatives of rural societies, (cultural and educational workers) estimated: 475 persons	A series of 3-day seminars as a follow-up project to the Danish CPT cooperation programme for training NGOs	ELIS, Ministry of Foreign Affairs of Denmark, TPU and county information coordinators	State budget funds and DANISH bilateral co-financing
Training and information seminars	To improve the professional capacity of information staff and the quality of their services (to update knowledge, develop presentation and media skills and the skills of using EU information sources).	County information coordinators (17)	During 2002 once in a calendar quarter	ELIS, County Governments, Ministries	State budget funds and Finnish bilateral co-financing

EU training for library staff	To improve the knowledge of county central library staff as local opinion makers about the EU and EU information sources.	<ul style="list-style-type: none"> <li>- County library information staff (15)</li> <li>- Local opinion makers (15)</li> <li>- County support centres of NGOs (10)</li> </ul>	During 2002 once per half-year	EKD IK, RR ELIK, County information coordinators	State budget funds
Module seminars	To bring competent discussion of topics (EU aid, "YES" and "NO" scenarios, economic relations with EU) to local opinion leaders. To improve the competence of opinion makers for participating in EU discussion.	<ul style="list-style-type: none"> <li>- Local opinion makers (15)</li> <li>- County information coordinators (17)</li> <li>- Euro Info Telephone staff (10)</li> <li>- NGO support centres of the counties (10)</li> </ul>	During 2002 in 15 Counties	ELIS, County information coordinators, universities and/or research institutes, ministries	State budget funds and Finnish bilateral co-financing
Complementary training for vocational school teachers	<ol style="list-style-type: none"> <li>1. To facilitate an analysis of the potential effects of EU accession in specific areas by mediating the Finnish experience;</li> <li>2. To diffuse knowledge through trained teachers to as many vocational teachers of the respective area as possible and from them to students.</li> </ol>	At least 20 vocational school teachers from (9) regional vocational educational centres	Second half of 2002	ELIS, Ministry of Foreign Affairs of Finland, the foundation Vocational Education and Training Reform in Estonia	State budget funds and FINNISH bilateral co-financing
Training for secondary school and vocational school principals	<ol style="list-style-type: none"> <li>1. To introduce to Estonian school principals the educational activities concerning EU issues in Finnish schools;</li> <li>2. To improve the level of teaching of EU-related issues in Estonian schools.</li> </ol>	At least 50 school principals from all (15) counties	During the 2 <sup>nd</sup> half of 2002.	ELIS, Ministry of Foreign Affairs of Finland	State budget funds and FINNISH bilateral co-financing
<b>MEDIA PARTNERSHIP</b>					
Media partnership	To develop professional discussion capacity in the media	2-3 EU-specialised analytical journalists	Study strip to Norway (1 <sup>st</sup> calendar quarter of 2002)	ELIS and Ministry of Foreign Affairs of Norway	State budget funds, NORWEGIAN bilateral co-financing and own financing

Media partnership	To ensure regular and competent discussion of European integration subjects in 6–10 local radio stations during 2002.	7–8 radio journalists and 2 ELIS employees	Training session of 3 modules: 1) 2 one-day training seminars in Estonia; 2) Study–trip to Denmark	ELIS and Ministry of Foreign Affairs of DENMARK	State budget funds and DANISH bilateral co-financing
Media partnership	Competent and regular reflection of European integration topics in local and national newspapers during 2002.	20–25 regular participants	Regular (monthly) ELIS information hours during 2002 (12)	ELIS and Ministry of Foreign Affairs of Finland	State budget funds and FINNISH bilateral co-financing
EU supplements to the journal “ <i>Raamatukogu</i> ”	To inform librarians and other information mediators as well as local opinion makers of the main issues and specific problems of the EU and European integration.	County and branch libraries	4–6 supplements of the journal on different topics during 2002.	ELIK ELIS EKD IK	State budget funds
<b>MEDIA PROJECTS</b>					
TV programmes 1. Talk show “Negotiation Minutes” (tentative title); 2. Introduction show “EU Newsreel” (tentative title)	1. To promote public awareness of the issues relating to the negotiations of Estonia and the EU; 2. To promote awareness of the effect of the EU policies in today’s international economic and socio-political environment; 3. To shape opinions and prepare for public referendum	General adult public	During 2002 – 10 shows  During 2002 – 5 shows	ELIS; a PHARE expert and a TV channel (according to negotiation results)	State budget funds and co-financing by PHARE (PHARE budget for awareness projects totalling EUR 300,000; State budget co-financing totalling EUR 75,000)
Series of articles	1. To introduce EU aid (cooperation); 2. To increase interest (to bring subjects closer to people by personalising abstract subjects); 3. To shape opinions for public referendum	General adult public	A series discussing 17 topics	ELIS; a PHARE expert and a national daily newspaper	State budget funds, co-financing by PHARE

<p>3–4 special issues of and/or supplements to different magazines:</p> <ul style="list-style-type: none"> <li>- business magazine</li> <li>- pensioners' magazine</li> <li>- women's magazine;</li> <li>- farmers'/rural newspaper</li> </ul>	<p>1. To introduce the effects of EU accession based on the readers' sphere of interests; 2. To shape opinions in preparation for public referendum</p>	<ul style="list-style-type: none"> <li>◆ Entrepreneurs;</li> <li>◆ Women;</li> <li>◆ Pensioners;</li> <li>◆ Rural inhabitants</li> </ul>	<p>A series of special publications on European integration (3–4)</p>	<p>ELIS, a PHARE expert and selected magazines</p>	<p>State budget funds, co-financing by PHARE</p>
<p>A series of radio shows (in one national and six local radio stations)</p>	<p>1. To involve people in the accession process; 2. To shape opinions in preparation for public referendum</p>	<p>General public in regions</p>	<p>Preparatory stage: Jan–March 2002. On air: during 2002–2003</p> <ol style="list-style-type: none"> <li>1. Journalists' round tables twice a month, including an interactive component;</li> <li>2. Broadcasts for the local level twice a month</li> </ol>	<p>ELIS, a PHARE expert, one "talk" radio station, 6 most popular local radio stations</p>	<p>State budget funds, co-financed by PHARE</p>
<p>Euro-column (in county newspapers and one national daily newspaper)</p>	<p>1. To involve people in the accession process; 2. Preparation for public referendum</p>	<p>The public</p>	<p>Printed during mid-2002–2003 once a week. Contains preliminary information on EU events and expert - answers to readers' questions about the EU.</p>	<p>ELIS</p>	<p>State budget funds</p>
<p>Cooperation with women's magazines</p>	<p>1. To ensure regular reporting on the different aspects of the relations of the EU and Estonia in women's magazines with the greatest number of readers; 2. To reach the level of major interest groups of EU information and hence individuals through portrait and feature stories.</p>	<p>Women</p>	<p>February–December 2002</p>	<p>ELIS, Ministry of Foreign Affairs of Finland, editorial offices of women's magazines</p>	<p>State budget funds and FINNISH bilateral co-financing</p>

Radio quizzes on regional radios	1. Using the principle of positive involvement to attract wide-scale interest in EU issues and disseminate basic information about EU; 2. To introduce the effect of EU integration on the local level	General public (various age-groups)	First quarter of 2002	ELIS, Ministry of Foreign Affairs of Finland, an expert who prepares the questions and format, radio stations	State budget funds and FINNISH bilateral co-financing
<b>PUBLICATIONS/RELATED PROJECTS</b>					
Preparation and dissemination of information materials about the EU (info-sheet "Estonia and the European Union")	1. To improve the comprehensibility and quality of information so as to reach a larger number of Estonian inhabitants through mediators; 2. To supply the information network with updated information materials	The public - Information networks (NGOs, libraries, county information coordinators); - The media; - Lecturers on EU topics	Over the course of 2002, treatment of 11 new topics and/or re-edited info-sheets in 8000 copies disseminated to 300 recipients	ELIS	State budget funds
Preparation and dissemination of folders on European integration	To elaborate information and provide answers to the most important questions of special interest about European integration.	The public - Information networks (NGOs, libraries, county information coordinators); - The media; - Pensioners; - Teachers; - Entrepreneurs	During 2002, treatment of 11 new topics and/or updated publications, in 5000 copies disseminated to 300 recipients	ELIS	State budget funds
Information booklets on EU	To analyse and introduce to the public aspects of accession impacts and European integration on Estonia.	- lecturers on EU topics; - media; - local opinion leaders and makers; - EU information networks	2-3 topics published during the first half of 2002	ELIS	State budget funds
Summary publications of European integration surveys	To communicate information on the effects of European integration through analysis and discussion based on the survey of the focal issues of Estonia and the EU	- EU information networks - Local opinion leaders and makers; - NGOs and library staff	5 different topics published during 2002	ELIS, EIB	State budget funds

Direct mailing	To bring information about the pros and cons of Estonia's accession to the inhabitants of Estonia as close as possible, to encourage the related public discussion based on facts.	General public by large	During 2002	ELIS, <i>Eesti Post</i> (Estonian Post)	Combined funding
<b>ELECTRONIC INFORMATION PROJECTS</b>					
Electronic calendar of preliminary information	1. To ensure that persons involved in disseminating EU information (the staff of information centres and County Governments, WGPAL, representatives of NGOs) are aware of the informing activities; 2. To value and motivate the informing activities aimed at limited target groups and the performers of these activities.	EU information networks	During 2002–2003 once a week	ELIS	State budget funds
Launching the Internet channel "Europlane" ("The European")	To broaden EU debate in Estonia, by offering information, entertainment and a possibility to participate in an interactive environment allowing for a large number of visitors.	Internet users	During 2002	ELIS,	Combined funding
Regular updating of the ELIS web-page	1. To disseminate information on EU awareness events and about European integration; 2. To increase the rate of visitors to the ELIS web site; 3. Update the English-language version of ELIS web-site	- The public; - Cooperation partners, information dissemination networks (information centres and information points)	Regularly during 2002-2003	ELIS, Contractual partners from a respective company	State budget funds
<b>EVENTS (with movements and opinion makers)</b>					
Interactive exhibition on Europe	To attract wide-scale interest in the Member States and enlargement of the European Union in the framework of an interactive exhibition	Pupils, families, general public	2 <sup>nd</sup> –4 <sup>th</sup> calendar quarter of 2002	Tartu University Science Centre AHHA, ELIS, Ministry of Foreign Affairs of Finland	State budget combined with bi-lateral assistance

EU information conference	To bring together the different bodies acting in the EU information sphere and exchange experience; to enhance networking	Everyone involved in the dissemination of EU information	2 <sup>nd</sup> calendar quarter of 2002	EKD IK ELIS	EKD IK
<b>SURVEYS</b>					
Public opinion polls and analysis	To apply information policy in accordance with public needs	Government, ELIS, EU information officers and network partners	The first half of 2002	ELIS <i>ES Turu-uuringute AS</i> Institute of International and Social Studies	State budget funds
<b>NETWORKING:</b>					
1. Cooperation with EU Information Centres					
Dissemination of EU information in the form of: ➤ mediation of printed and electronic EU information ➤ information days, seminars, lectures ➤ publications	To advocate the means of obtaining EU information ;  To increase the efficiency of the mediators	- Visitors of RR ELIK Information Centre; - County EU Information coordinators - Librarians - Parliament members	Regularly during 2002 in accordance with the informing activities plan	EU Information Centre of the National Library (RR ELIK)	State budget funds (RR ELIK Budget)
Dissemination of EU information in the form of: ➤ Providing question-answer information about the EU and European integration in the electronic environment ➤ Updating of the EU questions and answers database	1. To disseminate EU information in the electronic environment; 2. To easy access to EU information all over Estonia	- Internet users - County information coordinators	Regularly during 2002 in accordance with the informing activities plan	Eurodocumentation Centre of the Library of the Tartu University	State budget funds

2. Cooperation with EU Information Telephone					
Information mediation service of Euro Info Telephone for the Estonian public	1. To ensure a better availability of competent EU information; 2. To improve the reliability of the service through the involvement of experts; 3. To expand the possibilities of the service through the questions and answers database "Telephone" and to introduce it more intensively	<ul style="list-style-type: none"> <li>- Pupils, students</li> <li>- Entrepreneurs</li> <li>- Farmers</li> <li>- Information networks engaged in the dissemination of EU information</li> <li>- Officials</li> </ul>	Regularly during 2002 in accordance with the informing activities plan	The staff of Euro Info Telephone	State budget funds (on contract-bases from the funds of the State Chancellery)
3. Cooperation with NGOs					
Joint project call with an NGOs' umbrella organisation and/or fund	1. To support civil initiative in the dissemination of EU information; 2. To involve <i>ca</i> 40 NGOs in an active dissemination of EU information; 3. To bring discussion of the pros and cons of accession through NGOs to their members and supporters.	<ul style="list-style-type: none"> <li>- Members of movements, political parties, NGOs</li> <li>- Pupils, students, teachers</li> <li>- Politicians</li> <li>- Entrepreneurs</li> <li>- Farmers</li> <li>- Rural inhabitants</li> <li>- Non-Estonians</li> </ul>	January and September 2002	<ul style="list-style-type: none"> <li>➤ Open Estonia Foundation</li> <li>➤ ELIS</li> <li>➤ EIB (Office of European Integration)</li> <li>➤ <i>Ca</i> 40 NGOs as project implementers</li> </ul>	State budget combined with means of the OEF
Information seminars for NGOs and NGO Support Centres	1. To inform NGOs and their advisors of the project competition conditions; 2. To improve the quality of project applications and enhance implementation capacity of NGOs; 3. To improve the EU competence of project leaders and implementers	<ul style="list-style-type: none"> <li>- Members of movements, political parties, NGOs</li> <li>- Pupils, students, teachers</li> <li>- Politicians</li> <li>- Entrepreneurs</li> <li>- Farmers</li> <li>- Rural inhabitants</li> <li>- Non-Estonians</li> </ul>	End of January / first half of February 2002; May 2002	<ul style="list-style-type: none"> <li>➤ ELIS</li> <li>➤ OEF</li> <li>➤ Network of Estonian Non-profit Organisations (NENO)</li> <li>➤ County information and support centres</li> </ul>	State budget combined with means from OEF



4. Cooperation with county information coordinators					
<p>Awareness projects in the form of:</p> <ul style="list-style-type: none"> <li>➤ Seminars and information days for priority target groups</li> <li>➤ Local media projects</li> <li>➤ Local events of common interest</li> <li>➤ Electronic dissemination of information</li> <li>➤ Publications</li> <li>➤ Work with the local sub-network</li> </ul>	<p>1. To improve knowledge of the priority target groups on the county level (NGOs, local opinion leaders and makers, local media) about EU integration and involve them in local-level open discussion;</p> <p>2. To contribute to the implementation of national awareness projects on the county level</p>	<p>The local population of 15 counties</p>	<p>Regularly during 2002 in accordance with the county informing activities plan</p>	<p>EU information coordinators of 15 counties, coordinated by ELIS</p>	<p>State budget funds combined with bi-lateral assistance</p>
<p>Regional small projects</p>	<p>Different local awareness projects targeted at attracting interest in the European Union and European integration and developing balanced public discussion of these topics</p>	<ul style="list-style-type: none"> <li>- Village societies, native place organisations, people's learning organisations and other NGOs that play an important role in local life</li> <li>- Pupils and teachers</li> <li>- Pensioners</li> </ul>	<p>First half of 2002</p>	<p>ELIS, county EU information coordinators, Ministry of Foreign Affairs of Finland</p>	<p>State budget funds and FINNISH bilateral co-financing</p>
<p>Regional partnership projects</p>	<p>1. To create and support the partnership of specialists engaged in the dissemination of EU information on the regional level in Estonia and Finland;</p> <p>2. To analyse models and different forms of dissemination of EU information using the Finnish example</p>	<ul style="list-style-type: none"> <li>- County information coordinators</li> <li>- Other civil servants engaged in the dissemination of EU information</li> </ul>	<p>First half of 2002</p>	<p>ELIS, county EU information coordinators, Ministry of Foreign Affairs of Finland</p>	<p>State budget funds and FINNISH bilateral co-financing</p>

5. Cooperation with ministries					
Regular working meetings of the Working Group on Public Awareness Issues of the Council of Senior Civil Servants	To coordinate the dissemination of EU information on the state level	<ul style="list-style-type: none"> <li>- central and local level administration</li> <li>- media;</li> <li>- general Public</li> </ul>	During 2002, once a month (12 meetings in total)	ELIS	State budget funds

## **PART II ECONOMIC CRITERIA**

### **1. ECONOMIC POLICY**

#### **1.1. Economic developments**

Estonia's small and open economy is sensitive to the changes in external conditions and therefore there are several external risk factors affecting the economic development. The macroeconomic projection for the Estonian economy is based on the following preconditions and development trends:

- Estonia as a small open economy is greatly influenced by the developments of the external environment. Due to this, the slowdown of the global economy, which has been relatively fast in the first half of 2001, has to be taken in account when projecting economic growth. Negative trends reach Estonia through its main trading partners (Finland and Sweden), who have notably lowered their expectations for growth in industrial sales, foreign trade as well as GDP. Presumably, the negative impact of the foreign economic environment will also be partially carried over to 2002. Thus, the growth of GDP for the years 2001 and 2002 will be somewhat slower compared to previous forecasts.
- Considering the trends in the foreign economic environment, the economic growth will be based on domestic demand – on the increase of consumer spending and investments. This is supported by the relatively sharp increase of real salaries, low real interest rates and favourable loan and leasing conditions.
- The high demand for investments is also supported by the necessity to modernise production and make it compatible with the EU requirements. Likewise, the recently privatised major infrastructure companies, or those undergoing privatisation, are in need of investments. Therefore, the rapid growth of investments will resume being supported by the tax exemption for investments.
- Due to the development trends of the external environment, the growth of exports and imports will remain moderate. The high investment demand and the growth of domestic demand will prompt more rapid real growth for imports than for exports.
- In the medium-term, the current account will remain at a sustainable level, being above all supported by a continuously conservative budgeting policy and an increase of the private sector's savings. The current account deficit will be largely financed by non-debt creating capital flows.
- The stable Estonian economic environment will continue to attract foreign investors. The share of privatisation in the inflow of foreign direct investments has not been too great in Estonia, and therefore the end of privatisation will probably not result in halting the inflow of foreign capital.
- Economic growth will bring a minor increase of employment, which will in the long run pick up momentum thanks to employment programs and vocational

education reform. Inactivity shows a growing tendency, therefore the unemployment rate will be lower than the small increase of employment that would be expected. In upcoming years, however, the reduction of inactivity is anticipated due to the higher efficiency of active labour market measures.

- Along with the economic slowdown, the growth rate of output of the employed will diminish and a faster growth rate of salaries than output is expected for the current as well as, to a smaller extent, for the upcoming year. This, however, will not impact Estonian companies' competitiveness since salary growth will presumably be faster in areas less open to foreign competition.
- In coming years, Estonian consumer prices will be influenced by convergence with euro zone prices, consequently, inflation will be higher than in the euro zone. With the stabilisation of the US dollar, the price indexes will approach from the current year's high level to their longer period convergence path (approximately a 3 to 4% price increase). In a couple of years, consumer prices will be most affected by the closed sector – administratively regulated prices will rise and a reduction of VAT discrepancies will take place.
- In order to secure sustainable economic growth, the government will continue with conservative fiscal and borrowing policy. In the medium-term period, investments financed by the pre-structural funds and accompanying externalities will also foster the growth. Other government expenditures will be reduced by improving the efficiency of the public sector in order to finance the structural reforms (e.g. pension reform).

#### Comparison of 2001 forecasts on macroeconomic indicators

	Forecast in August 2001		Forecast in October 2001		Difference	
	2001	2002	2001	2002	2001	2002
GDP, billion kroons	93.9	101.9	94.3	101.4	0.7	-0.5
GDP real growth, %	4.8	5.0	4.5	5.0	-0.3	-0.1
Real growth of investments, %	5.9	9.6	7.0	7.7	1.1	-1.9
Real growth of consumer spending, %	6.1	7.5	5.0	6.0	-1.1	-1.5
Real growth of goods and services exports, %	-1.0	4.0	-0.75	4.1	0.25	0.1
Real growth of goods and services imports, %	11.6	5.4	2.95	4.3	-8.65	1.1
Current account balance, % of GDP	-7.2	-6.9	-6.9	-7.1	0.3	-0.3
Growth of consumer prices, %	5.8	3.8	5.8	3.8	0.0	0.0
Employed, in thousands	608.9	610.8	608.9	607.5	0.0	-3.3
Unemployment rate, % (by ILO methodology)	13.4	13.4	13.4	13.5	0.0	0.1
Real growth of salaries, %	5.4	4.8	5.5	4.1	0.1	-0.7
Real growth of output by employed, %	4.8	4.7	4.7	4.2	-0.1	-0.5
Domestic savings, % of GDP	18.1	18.5	19.9	18.6	1.8	0.1

Source: Ministry of Finance.

### Comparison of other institutions' economic projections for 2001–2002

	Economic growth, %		Consumer price index, %		Current account balance, % of GDP	
	2001	2002	2001	2002	2001	2002
IMF	4.5	4.1	5.7	3.0	-6.8	-6.8
European Commission	5.9	4.7	5.9	4.2	-6.2	-6.8
Bank of Estonia	4.7	3.5	5.7	3.7	-6.5	-6.7
Hansapank	4.5... 4.8	5.1	5.4	4.0	-5.3	-6.3
Institute of Economic Research	6.0	6.0	5.0	4.0	-6.0	–
Ministry of Finance	4.5	4.0	5.8	3.8	-6.9	-7.1

Sources:

*IMF staff estimates and projections. Estonia: Selected Macroeconomic Indicators 1997–2002 (projection from July 2001).*

*European Commission. Economic Reform Monitor. Issue 2001/4 November 2001.*

*Bank of Estonia, Monetary Policy Overview December 2001.*

*Hansapank Markets. Weekly Macro Overview. 22 October 2001.*

*Institute of Economic Research. Konjunktuur No 4, December 2001.*

*Ministry of Finance.*

## 1.2. Fiscal Policy

Due to the currency board arrangement, the budgetary policy is the main instrument for the government to influence economy, therefore the government pays special attention to the balanced budgetary policy. In coming years the Government will continue implementing the structural reforms (pension reform, health care reform, education reform), it will also continue investing in infrastructure and in environmental development. Though, the principle of balanced budget will be continuously followed, which would also mean that the conservative borrowing policy would be maintained.

In medium term perspective the Government's expenditure policy is characterised by the pressure to increase the expenditures. By pursuing cost efficiency and defining clear priorities the Government is aiming to neutralise this pressure. The efficiency will be achieved by thorough analysis of costs and linking expenditure with a specific objective. An important source for savings is to decrease the administrative costs. Of course the administrative capacity development for the EU accession sets its limits to the possible savings.

In coming years, the co-financing of the EU structural funds will put pressure on increasing the expenditures, specifically the capital expenditure. In the case of increased investment need the share of private sector in financing the projects has to increase. The co-operation the private sector would prevent massive increase in government debt levels. Until now the Government has used loan financing only for investments and a significant part of the capital investments have been implemented with foreign financing.

In coming years, the main priorities of the Government are the EU accession and increasing the defence capacity of the state.

The aim of the fiscal reform is to increase the transparency of the budget and transform the budget to a modern tool for managing the state's finances. To achieve this changes in the current budget system are foreseen. The amended *Budget Act* will

establish a new classification for budget revenues and expenditures and will also define the financing transaction in order to reflect in annual budget all public financial transactions.

In the interests of result-oriented management and budgeting, apart from medium-term fiscal framework also action plans will be used, defining public sector objectives and describing the outcome reached using the resources. This step gives the public an opportunity to check the fulfilment of objectives and use of allocated resources. Moving from “process to objective” in the public financial management, conditions are established to increase cost efficiency.

The forecast of budget revenues for 2002 has been based on conservative growth expectations. It has been also assumed that no major setbacks in the economies of the EU states will occur. The Government is able to react and make necessary alignments at the moment negative indications appear.

The volume of the state budget in comparison with 2001 budget has increased 12.3%. Health care (+EEK 524 million), pensions (+EEK 495.1 million) are the areas with the highest increase. Significant raise of expenditures is also foreseen for defence and education.

The increase in defence expenditures consists mainly of procurement of specialised equipment and investments. In education teachers' salaries, higher education financing and research financing are the main items behind the increase of expenditures. In 2002, the pensions will increase (as of 1 April 2002 due to the indexation of pensions), also the allocations for disabled persons pensions and child support will increase. The allocations for support schemes for enterprise development, rural development and agriculture have been increased as well. The budget foresees increasing salaries for the police, rescue workers, judges, prison, customs, and tax officials.

**Forecasts of the state budget revenues (million kroons)**

	2001			2002		
	budget	actual	difference	Budget bill	fall forecast	difference
<b>Taxes</b>	<b>27 094.9</b>	<b>27 690.5</b>	<b>595.6</b>	<b>29 900.6</b>	<b>29 462.5</b>	<b>-438.1</b>
<b>Direct taxes</b>	<b>15 045.9</b>	<b>15 435.2</b>	<b>389.3</b>	<b>16 677.0</b>	<b>16 424.9</b>	<b>-252.1</b>
Income tax	3 771.9	3 905.3	133.4	4 119.9	4 011.9	-108.0
<i>Personal income tax</i>	3 201.9	3 157.0	-44.9	3 479.9	3 391.9	-88.0
<i>Corporate income tax</i>	570.0	748.3	178.3	640.0	620.0	-20.0
Social tax	11 274.0	11 529.9	255.9	12 557.1	12 413.0	-144.1
<b>Indirect taxes</b>	<b>12 049.0</b>	<b>12 255.3</b>	<b>206.3</b>	<b>13 223.6</b>	<b>13 037.6</b>	<b>-186.0</b>
VAT	8 450.0	8 671.9	2221.9	9 460.0	9 350.0	-110.0
Excises	3 431.0	3 434.1	3.1	3 605.6	3 532.6	-73.0
<i>Alcohol excise</i>	1 145.0	1003.0	-142.0	1 020.0	1 020.0	0.0
<i>Tobacco excise</i>	545.0	564.3	19.3	615.0	615.0	0.0
<i>Fuel excise</i>	1 600.0	1 707.4	107.4	1 810.0	1 745.0	-65.0
<i>Motor vehicle excise</i>	140.0	159.0	19.0	160.0	152.0	-8.0
<i>Package excise</i>	1.0	0.4	-0.6	0.6	0.6	0.0
Heavy vehicle tax	-	-	-	-	-	-
Customs tax	63.0	40.0	-23.0	48.0	45.0	-3.0
Gambling tax	105.0	109.3	4.3	110.0	110.0	0.0
<b>Non-tax revenues</b>	<b>2 691.2</b>	<b>2 795.1</b>	<b>103.9</b>	<b>3 574.8</b>	<b>3 447.8</b>	<b>-100.0</b>
State duties	733.8	646.6	-87.2	778.0	678.0	-100.0
Miscellaneous revenues	587.0	558.8	-28.2	424.5	424.5	0.0
Property income	940.8	1 087.5	146.7	1842.0	1842.0	0.0
Financial revenues	85.6	84.8	-0.8	72.8	72.8	0.0
Income from economic activities	344.0	417.3	73.3	430.5	430.5	0.0
<b>Total revenues</b>	<b>29 786.1</b>	<b>30 485.6</b>	<b>699.5</b>	<b>33 448.4</b>	<b>32 910.3</b>	<b>-538.1</b>

Source: Ministry of Finance

## 2. STRUCTURAL REFORMS

### 2.1. Pension reform

The pension reform was initiated in Estonia in 1997, when the Government approved the concept of the reform. The final phase of the reform involves the implementation of the quasi-compulsory privately managed funded pensions scheme. On 12 September 2001, *Riigikogu* adopted the *Funded Pensions Act*, which came into force on 1 October 2001. The Act provides the rules for operations of second and third pillar funds, the procedure of making contributions and payments from the fund and insurance companies.

The priority for 2002 is to implement the second pillar of pension system. The second pillar involves the following population groups:

- a) Mandatory participation for people born in 1983 or later after they have become 18; in case the social tax has been paid for them.
- b) Voluntary participation for other employees and self-employed up to the age of 60 (born in 1942). It is expected that 50,000 – 200,000 persons will decide to participate in the second pillar in 2002.

According to the law, individuals can make the decision regarding the participation and the choice of fund as of 1 March 2002. The collection of contributions to the second pillar pension funds will start on 1 July 2002 for those submitting their application before 1 June 2002. For those who submit the application before 1 November 2002, the collection of contributions will start as of 1 January 2002.

For successful implementation of the funded pensions scheme the involved institutions (the Tax Board, the Estonian Securities Register, banks) have to be prepared for fulfilling the additional tasks. Furthermore, an information campaign for the public is planned in the first half of 2002. The aim of the campaign is to provide all target groups with objective information about the possibilities of funded pensions and create trust towards the pension funds. The campaign aims at maximising the number of people deciding to join the second pillar pension funds.

Implementation of the funded pensions is connected with the *Guarantee Fund Act*. Under the Act a sub-fund for pensions will be established within the Guarantee Fund. The Pensions sub-fund will collect contributions from the fund managers. The contributions will be used to safeguard the compensation for losses of the persons owing shares in the pension funds. The law specifies the conditions and the extent of compensation. The *Guarantee Fund Act* will be adopted in the beginning of 2002. Approximately 10 implementing regulations will be drafted during 2002.

The indexation of pensions will be introduced for the publicly financed pensions in 2002. The indexation will be done once a year based on the consumer price index and the growth in the receipt of social tax. Also, from 2002 a system, which allows to postpone the retirement will be applicable. People are entitled to a 0.9% increase of pension for every month worked beyond the retirement age. In connection with the implementation of the *Accidents at Work and Occupational Diseases Insurance Act* the system of special pensions will be reviewed.



## 2.2. Land reform

As of 31 December 2001, 370,855 cadastral units with the total area of 2,861,979.6 ha were registered in the State Land Cadastre. To date, 92% of the land to be restituted has been restituted, and 90% of the land attached to buildings has been privatised with pre-emption. Proceeding of the above, restitution and privatisation of land on pre-emption based on legal framework should in the main part be finalised by the end of 2002.

If in 2000, there were 1,303 units with the total area of 14,840.9 ha of agricultural and forestlands free from the claim of restitution or privatisation with pre-emption registered, the relevant numbers for 2001 were 6,621 and 68,793 ha, respectively. Compared to other fields of land reform the privatisation of agricultural and forestland is going to speed up still.

In order to avoid possible non-productive interest in agricultural and forestland and to ensure real use of agricultural land in the future, it is planned to shift from the present form of privatisation to granting long-term usufruct of agricultural land to agricultural producers. The usufructuaries bear the obligation to use the land for the designated purpose and prudently. It is intended to later grant the producers who have fulfilled the conditions set for usufruct a right to redeem the land in their use. The above principles will be provided in the draft *Land Reform Act* by June 2002 at the latest. The draft has been approved by the ministries and county governments.

The currently valid *Land Reform Act* provides the right of both legal and private persons dealing with agricultural and forestland to privatise a maximum of 10-15 ha of forestland. Such a parcelling of forestland does not comply with one of the declared objectives of the *Land Reform Act* – establishing of prerequisites for more efficient land use. Modern efficient forest management requires the establishment of much bigger land units and replotting, if necessary. Deriving from the abovementioned and simultaneously with changing the principles of agricultural land ownership, it is planned to change also the principles of further use and transfer into ownership of forestland free from claims on restitution and privatisation with pre-emption. The relevant amendments to the act have been incorporated in the draft *Land Reform Act* mentioned in the previous paragraph.

According to the financing possibilities the state continues to identify land units suitable for privatisation in the municipalities where land reform has developed slowly up to now.

It is planned to establish terms for several privatisation and restitution procedures in the *Land reform Act* by June 2002. In case these terms are exceeded without a justified reason, the privatisation or restitution procedures will be terminated. Such an amendment would show the state's orientation on finalising the land reform and motivate those subjects of land restitution or privatisation who until now and for different reasons have delayed the procedures on their behalf, to be more active.

### 2.3. Privatisation

The privatisation programme for 2001 provided that the Estonian Privatisation Agency had to complete the privatisation of commercial undertakings and enterprises enrolled in the privatisation lists. The major operations in 2001 were the privatisation of 100% of *Edelaraudtee AS* and 66% of *AS Eesti Raudtee*. By now most of the other commercial undertakings and enterprises in the list have also been privatised.

The privatisation process of 100% of *AS Edelaraudtee* was completed on 31 July 2001 when the ownership of the shares was transferred to *GB Railways Eesti AS*. A tender with two-stage preliminary negotiations had been invited on 21 December 1998. In June 1999 the Privatisation Agency selected *GB Railways Eesti AS* as the best option, provided that during the negotiations on the contract of purchase and sale an agreement satisfying the Privatisation Agency is reached as regards the propositions and conditions proposed by the tenderer in their final bid.

The privatisation contract was awarded on 29 November 2000. The monetary value of the transaction reached EEK 10 million and it was established in the contract of purchase and sale that *GB Railways Eesti AS* was obligated to furnish a consideration of EEK 100 million to the share capital of *AS Edelaraudtee* by no later than 28 February 2001 which was a precondition for the transfer of ownership. As a result of the request of *GB Railways Eesti AS*, the Privatisation Agency extended the deadline for making the payment to the share capital until 1 August 2001, related to the need to solve problems in connection with the pre-privatisation obligations of *Edelaraudtee AS* (a loan from the *World Bank* between *Edelaraudtee AS* and the Estonian Ministry of Finance and the payment of infrastructure fees to *AS Eesti Raudtee* for 2000).

In 2001, the privatisation process of *AS Eesti Raudtee* (in the privatisation list since October 1999) continued. The Privatisation Agency had to complete the privatisation of the majority ownership of *AS Eesti Raudtee* to a strategic investor, ensuring through additional provisions investments to the railway infrastructure to increase its capacity and competitiveness. The privatisation of 66% of the shares of *AS Eesti Raudtee* was invited on 17 April 2000. As the Privatisation Agency was not able to enter during the established time period into a privatisation contract with *Rail Estonia AS*, the enterprise that had originally been declared as the best tenderer, the privatisation contract was awarded to the second best bidder – *Baltic Rail Services OÜ*. The monetary value of the transition was EEK 1 billion and the right of ownership was transferred on 31 August 2001.

On 2 May 2001 the *Riigikogu* (Estonian Parliament) adopted the *Privatisation Act and Other Acts Related to the Privatisation Act Amendment Act* according to which the activities of the Estonian Privatisation Agency were wound up as of 1 November 2001. The Ministry of Finance was appointed as the legal successor of the Privatisation Agency concerning unfinished privatisation procedures, the control of the performance of contracts of purchase and sale of state property privatised in the name of the state, representing the state in disputes raising from the abovementioned contracts and organisation of the use of the revenue gained from privatisation, etc. The county governments were appointed as the legal successors of the Privatisation Agency concerning the privatisation of land.

## 2.4. Restructuring of the oil-shale sector

The *Restructuring Plan of the Estonian Oil-shale Sector 2001-2006*, approved by the Government in March 2001, provides the restructuring measures, which are directed to:

- Creating a common value-chain between oil-shale and power production and increasing the efficiency of oil-shale based electricity and oil production;
- Decreasing the harmful impact of the oil-shale sector on the environment;
- Easing the social problems accompanying the reduced number of employees.

In the framework of these measures an agreement with a Finnish enterprise Foster Wheeler Energia OY was signed on 25 May 2001 for the renovation of the two 200 MW energy blocks of the Eesti and Balti power plants. The purpose of this renovation is to make the production of electricity from oil shale more efficient and environment friendly. Because of the growth of the efficiency factor of the energy blocks the fuel cost per one block shall decrease almost 20% a year. The waste products entering the atmosphere shall also decrease substantially. The preparations for the renovation of the energy block of the Eesti power plant started after the agreement was signed. The construction of one energy block shall last for 28 months.

According to the investment programme, an agreement between *Narva Elektriijaamad Ltd* and a Swedish enterprise Alstom Power was concluded on 5 October 2001, which covers the exchange of the second and the seventh electric filters of the energy blocks of the Eesti power plant in the year 2002. As a result all operating energy blocks of the Eesti power plant will be equipped with modern electric filters by the end of 2002. These electric filters make it possible to reduce the emission of flying ash. The delivery costs are EUR 7M.

*Eesti Põlevkivi Ltd* closed the mine of Ahtme in 2001. Work has been suspended at Sompä, Tammiku and Kohtla mines that will finally be closed during 2002. Some of the employees who have lost their jobs due to the closing of the mines will be transferred within the concern and the rest will be granted occupational and social orientation training. The board of *Eesti Põlevkivi Ltd* has allocated EEK 1M for re-training of dismissed workers.

## 2.5. Liberalization of prices

According to *Government Regulation No 206 of 29 June 1999 on the establishment of the definition of large user of electrical power and heat*, the users of electrical power consuming annually more than 40 GWh may choose a supplier of electrical power. Those consumers, entitled for the free market, have the right to the free formation of the selling price. If they have an import license the users may buy the electrical power outside Estonia as well. Until now this right has been used only by one consumer importing electricity power from Lithuania.

The prices of electricity concerning the closed market share and the services of power network are regulated by the Energy Market Inspectorate in compliance with the *Energy Act*. The price liberalization can be carried out only on the basis of the amendments to the *Energy Act* enhancing the establishment of undertakings engaged separately in the production, transmission, distribution and sale of electricity.

According to the *Energy Act* a fuel or energy undertaking dominating the market shall sell fuel, energy and related services at prices and rates approved by the Energy Market Inspectorate. At the request of the Energy Market Inspectorate, a fuel or energy undertaking dominating the market shall justify the principles applied in setting prices and rates. The prices for the products and rates for the services of a fuel or energy undertaking dominating the market shall be established in a manner, which ensures:

- 1) production costs necessary for activities;
- 2) investments for performance of activity and development obligations;
- 3) compliance with environmental protection requirements;
- 4) compliance with quality and safety requirements;
- 5) justified profitability.

A fuel and energy undertaking dominating the market shall keep separate accounts for the production, transport or transmission, distribution or sale of fuel or energy, and provision of related services. Additionally, analytical report on economic activities of the undertaking is required creating a base for general price formation.

## **PART III**

# **ABILITY TO ASSUME THE OBLIGATIONS OF MEMBERSHIP**

### **1. FREE MOVEMENT OF GOODS**

#### **1.1. Public Procurement**

##### ***Introduction***

The *Public Procurement Act* was adopted by the *Riigikogu* on 19 October 2000 (entered into force on 1 April 2001), harmonising Council Directives 93/36/EEC, 93/37/EEC, 92/50/EEC, 93/38/EEC, 92/13/EEC and 89/665/EEC; and Directives 98/4/EEC and 97/52/EEC of the European Parliament and of the Council. The act provides the procedures of public procurement, the rights and obligations of the subjects connected with public procurement, the responsibilities for violation of the act and the application of state supervision over public procurement procedures. The act broadens the scope of the previous *Public Procurement Act* and stipulates rules for the purchase of things, and contract of services and construction work for companies with special or exclusive rights or a natural monopoly, so far regulated by the *Competition Act*.

##### ***Approximation of legislation***

In 2002 the complete harmonisation of directives concerning public procurement with the *Public Procurement Act Amendment Act* and its secondary legislation will take place.

##### ***Implementation of legislation and administrative capacity***

A seminar for civil servants of the Public Procurement Office and municipal officials will be organised for the implementation of the new *Public Procurement Act* and its secondary legislation using both finances from the State Budget and foreign assistance.

In 2002 following activities shall continue:

- participation in EU and WTO public procurement seminars and training;
- co-operation with the European Commission (DG Internal Market) and public procurement institutions of the EU member states (Great Britain, Finland, Portugal, and others);
- upgrading IT hardware and software, co-operating with and connecting to the EU and WTO databases.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
<p>Council Directive 93/36/EEC of 14 June 1993 coordinating procedures for the award of public supply contracts</p> <p>Council Directive 93/37/EEC of 14 June 1993 concerning the coordination of procedures for the award of public works contracts</p> <p>Council Directive 92/50/EEC of 18 June 1992 relating to the coordination of procedures for the award of public service contracts</p> <p>Council Directive 93/38/EEC of 14 June 1993 coordinating the procurement procedures of entities operating in the water, energy, transport and telecommunications sectors</p> <p>Directive 98/4/EC of the European Parliament and of the Council the Council February 1998 amending Directive 93/38/EEC coordinating the procurement procedures of entities operating in the water, energy, transport and telecommunications sectors</p> <p>Council Directive 92/13/EEC of 25 February 1992 coordinating the laws, regulations and administrative provisions relating to the application of Community rules on the procurement procedures of entities operating in the water, energy, transport and telecommunications sectors</p> <p>Council Directive 89/665/EEC of 21 December 1989 on the coordination of the laws, regulations and administrative provisions relating to the application of review procedures to the award of public supply and public works contracts</p> <p>European Parliament and Council Directive 97/52/EC of 13 October 1997 amending Directives 92/50/EEC, 93/36/EEC and 93/37/EEC concerning the coordination of procedures for the award of public service contracts, public supply contracts and public works contracts respectively</p>	<p><i>Public Procurement Act Amendment Act</i></p> <p>Secondary legislation based on the <i>Public Procurement Act Amendment Act</i></p>	<p>May 2002 January 2003</p> <p>September 2002 January 2003</p>	<p>Harmonisation is needed for the clarification of the terminology and regulation and for ensuring the accordance of the exceptions to the EU legislation.</p>

**Implementation of legislation and administrative capacity**

1. Institution, planned measures (incl training), deadline	2. Legal basis, implemented legal act	3. Financing (State budget line, other sources)	4. Technical assistance needs	5. Remarks
<b>Public Procurement Office:</b>				
Detailed analysis of the EU-compliance of the present Estonian public procurement system and procedures, mapping of the necessary revisions of the Estonian public procurement legislation (in the form of draft law), institutional public procurement arrangements, drafting of a public procurement manual	<i>Public Procurement Act</i>	State Budget	Proposal has been submitted in the framework of Phare 2002	
2 two-days training sessions for at least 10 officials of the Public Procurement Office (PPO) and 3 two-days training sessions for at least 60 officials of the regional and local government on the EU public procurement procedures and system	<i>Public Procurement Act</i>	State Budget	Proposal has been submitted in the framework of Phare 2002	
Identification of the best solution for the remedies system (in the form of recommendations) in line with the EU requirements and the local legal base	<i>Public Procurement Act</i>	State Budget	Proposal has been submitted in the framework of Phare 2002	
A 5-day study-visit to a member state for at least 5 officials of PPO to familiarise with everyday public procurement activities in the utilities sector and provide experience in the different variations of remedies procedure	<i>Public Procurement Act</i>	State Budget	Proposal has been submitted in the framework of Phare 2002	
Training on the EU public procurement for the officials of the PPO who will in the future conduct the training of the responsible Estonian officials of the regional and local government focusing on the changes brought about by the new Public Procurement law in Estonia	<i>Public Procurement Act</i>	State Budget	Proposal has been submitted in the framework of Phare 2002	

## 1.2. Horizontal Aspects

Estonian legislation concerning the horizontal aspects is fully compatible with *acquis*. Relevant horizontal acts are *Technical Regulations and Standards Act*, *Product Conformity Attestation Act* and *Metrology Act*.

### Standardisation

#### *Implementation of legislation and administrative capacity*

National standardisation organisation of Estonia is Estonian Centre for Standardisation (EVS) established in 2000. The priority of EVS is to achieve membership of the European standardisation organisations CEN<sup>1</sup> and CENELEC<sup>2</sup> in 2003.

In order to reach that goal 9 conditions have to be fulfilled. The following conditions have been met by the end of 2001:

1. Ratification of the Europe Agreement;
2. Legislative framework necessary for voluntary standardisation activities;
3. Standardisation organisation in accordance to voluntary standardisation model approved by the state;
4. Guaranteed payment of the CEN/CENELEC membership fee (pursuant to the *Technical Regulations and Standards Act* a responsibility of the state);
5. Guaranteed copyright protection of CEN/CENELEC publications.
6. Telecommunication and IT resources of a certain level.

Two conditions have been partially met:

7. Adopting 80% of European standards as national standards;  
The 80% requirement has been met at the moment regarding the CEN standards but in order to retain this the EVS has to keep up with the pace of monthly standard production of CEN. The 80% requirement has not been met concerning the CENELEC standards. 0,55% of CENELEC standards had been transposed by 1 January 2001, 13,5% by 30 June 2001 and by 30 November 2001, 22,5% of applicable standards and 20,3% of all standards had been transposed. EVS continues the transposition of CEN and CENELEC standards to maintain (CEN) and achieve (CENELEC) the 80% requirement.
8. Participating in notification and standstill procedures.  
This requirement will be fulfilled in the course of 2002. 2 new employees have been hired to handle information selection and notification.

One important condition is still unfulfilled:

9. Presenting the national opinion for comments and voting of European standard proposals.  
In order to achieve this requirement the establishing of EVS technical committees (TC) is continued in 2002. 12 EVS/TC-s have been registered by EVS at the moment. Additional 3 ECS/TC-s are planned to be established by the end of 2001. Further plans include establishing 5-10 technical committees per year to cover all the areas significant for Estonia and involving them in the

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<sup>1</sup> European Committee for Standardization

<sup>2</sup> European Electrotechnical Commission for Standardization



activities of European standardisation organisations. The existing 12 EVS/TC-s have been registered for participation in 44 technical committees (CEN/TC) constituting 16% of all CEN/TC-s. There is no Electrotechnical EVS/TC. The magnitude of interest in participating in Electrotechnical technical committees should become apparent in the course of international co-operation project Phare Access.

To fulfill the conditions for incorporation into CEN/CENELEC that are still partially met or unfulfilled, the following goals have been set for 2002:

- Continuous publication of CEN/CENELEC standards;
- Revising projects received by the EVS technical committees for comments and if necessary, preparing and submitting national opinion on their technical content;
- Continuous updating of the database of the EVS;
- Participating in the notification process of comment and voting time-limits of Estonian and EC standards and standards' projects, distributing information on standardisation and sale of standards;
- Improving the IT base of ECS, upgrading hardware and software;
- Hiring supplementary employees, improving staff qualifications;
- Adopting EC standards as national standards according to the working program and national standardisation programme;
- Establishing 5-10 EVS technical committees (TC);
- More active participation of industry and consumers in standardisation in order to develop standardisation as well as involve and support undertakings, the technical committees shall be managed project-wise from 2002, establishing national mirror committees for CEN technical committees by the Estonian Center for Standardisation, which shall have a single secretariat to cut fixed costs;
- Establishing training by EVS to enhance participation of interested parties in standardisation with the aim to ensure more active involvement in European and international standardisation;
- Preparations for submitting national opinion and public opinion to CEN/CENELEC and participating in voting when the full membership has been achieved, participating in CEN/CENELEC technical committees' meetings, notification of national standards projects;
- Active participation in international standardisation: representing Estonia in annual meetings of international (ISO, IEC) and European (CEN, CENELEC) standards organisations, participating in the meetings of co-operation unions (UN/ECE, WTO/TBT, Nordic Standards Forum, EASC, IFAN, START project, etc) and in the work of the Baltic Standards Forum;
- Transition to the electronic approval and distribution of standards, since from 2001 the international and European level started the use of electronic voting;
- Monthly forwarding of prEN (standard projects) to technical committees in order to gather the national opinion, upgrading the EVS standards database accordingly;
- Achieving preparedness for submitting national opinion on CEN standards' projects by technical committees by the end of 2002.

Standards Commission was established pursuant to *Technical Regulations and Standards Act* by the Ministry of Economic Affairs in 2001. The main task of this commission is to submit proposals to the minister of economic affairs for validating national standardisation programme and uniformed standards. The standardisation programme expresses Estonian standards composed by order of government offices. Estonian standards that are validated as uniformed standards shall take into account the requirements of technical regulations and propose ways of solutions to fulfill the established requirements. Such validation by the minister of economic affairs connects corresponding Estonian legislation and standards.

### Indicators

	2000	2001	2002
Number of Estonian standards	4700	7173	9000
Number of Estonian technical committees	10	12	20
Participation in ISO and CEN TC-s (no of TC-s)	55	83	100
Sale of standards (EEK)	548000	1045173	840000
Subscribers to the EVS newsletter	220	194	180
Readers/visitors to EVS library	1600/6500	1685/6117	1400/4600
Fund increase	182000	131512	110000

**Implementation and administrative capacity**

1.	2.	3.	4.	5.
Institution, planned measures (incl training), deadline	Legal basis, implemented legal act	Financing (State budget line, other sources)	Technical assistance needs	Remarks
Transposing of EVS <sup>3</sup> Electrotechnical standards, standardisation development, assuring consistent capability of Electrotechnical project and its integration to the EVS structure, involving entrepreneurs, hiring 2 new employees; II quarter 2002	Fulfilling CENELEC conditions 1-9, <i>Technical Regulations and Standards Act</i> , agreement between EVS and the Government; European Agreement Ch. III art. 68, 69, 75 and 84	543 540 EEK applied from state budget 2002; Phare 35 000 EUR.		AENOR <sup>4</sup> consultations in the frames of Phare Access programme; Project duration 9 months
Hiring 1 new employee to EVS for promoting participation of interested parties in standardisation and ensuring the co-ordination of European standards' positions; I quarter 2002	Fulfilling CENELEC conditions 1-9, <i>Technical Regulations and Standards Act</i> , agreement between EVS and the Government; European Agreement Ch. III art. 68, 69, 75 and 84	420 000 EEK applied from state budget 2002		
Composing and concerting EVS strategy document final draft; II quarter 2002	Fulfilling CENELEC conditions 1-9, <i>Technical Regulations and Standards Act</i> , agreement between EVS and the Government; European Agreement Ch. III art. 68, 69, 75 and 84	EVS own equity		

<sup>3</sup> Estonian Centre for Standardization

<sup>4</sup> Spanish Organization for Standardization, Swedish Agency of Developmental Assistance

Training arrangements by EVS, continuous	Fulfilling CENELEC conditions 1-9, <i>Technical Regulations and Standards Act</i> , agreement between EVS and the Government; European Agreement Ch. III art. 68, 69, 75 and 84	EVS own equity		
Incorporating EVS technical committees into the work of CEN/CENELEC; continual	Fulfilling CENELEC conditions 1-9, <i>Technical Regulations and Standards Act</i> , agreement between EVS and the Government, European Agreement Ch. III art. 68, 69, 75 and 84	EVS own equity Norwegian bilateral assistance project	Norwegian organisation for standardization consulting in the frames of bilateral assistance project	
Notifying entrepreneurs of standardisation and the benefits it provides in the EU internal market; continual	<i>Technical Regulations and Standards Act</i> , agreement between EVS and the Government, European Agreement Ch. III art. 68, 69, 75 and 84	EVS own equity Swedish bilateral assistance project UK bilateral assistance project	Consultations – SIDA project in co-operation with Swedish organisation for standardization UK project in co-operation with British organisation for standardization	SIDA project has not received final acceptance or agreement
Upgrading of EVS telecommunication and IT facilities; December 2002	Fulfilling the CENELEC condition 6, <i>Technical Regulations and Standards Act</i> , agreement between EVS and the Government, European Agreement Ch. III art. 68, 69, 75 and 84	172 000 EEK applied from state budget 2002		
Composing national standardisation programme twice a year, March and September	<i>Technical Regulations and Standards Act</i>	State budget; amounts designated for purpose of standardisation in the budgets of other government offices		It is composed by Standards Commission and validated by the regulation of the minister of economic affairs
Validation of harmonized standards; by request	<i>Technical Regulations and Standards Act</i>			Validation is carried through by Standards Commission by request of government offices.

## Conformity assessment

### *Implementation of legislation and administrative capacity*

The committee set to work on the basis of *Product Conformity Attestation Act* in 2001 for issuing and canceling the right to persons to act as designated bodies shall continue its work also in 2002. By 15 November 2001, the right to act has been issued to six designated bodies. Five persons have obtained the right to perform liquid fuel certification and one person performs certification of persons dealing with design, installation and maintenance of fire alarms and automatic fire extinguishing systems and inspection and maintenance of primary fire-extinguishing equipment. The number of designated bodies is expected to rise in 2002 as several acts establishing conformity assessment by designated bodies are planned to enter into force and there are conformity assessment bodies meeting the criteria established in these acts. Such designation mechanism is a domestic system for ensuring that Estonian conformity assessment bodies are incorporated into the uniform notified bodies system after accessing the EU.

The projects concerned with conformity assessment field are Phare 99 project for accreditation and metrology and Phare 2001 project for conformity assessment and metrology. Direct beneficiaries from accreditation and metrology project are AS Metrosert (technical assistance and investments), Estonian Center for Accreditation (technical assistance) and Technical Inspectorate (technical assistance in the field of legal metrology). Beneficiaries of conformity assessment project in metrology are AS Metrosert, laboratories of Tallinn Technical University Testing Center and laboratories of Tartu University Testing Center. Both projects are aimed at increasing institutional and administrative capacity in the fields of conformity assessment and metrology.

**Implementation and administrative capacity**

1.	2.	3.	4.	5.
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
<u>Ministry of Economic Affairs:</u> Issuing the right to act as designated body (according to the review of received applications)	<i>Product Conformity Attestation Act</i> in concurrence with other legislation incorporating the requirement for designated body		Bilateral assistance from EU member state in the field regulating surveillance over notified bodies.	
<u>Ministry of Economic Affairs:</u> Analysis and proposal submission concerning conformity assessment legislation (according to need and expert references)	<i>Product Conformity Attestation Act</i> in concurrence with other legislation incorporating the requirement for designated body	State budget, PHARE 99**		**Accreditation's share of the budget of Phare 99 technical assistance project for accreditation and metrology is 194 900 EUR, Estonian co-financing is 27 300 EUR. This amount is intended to cover several measures indicated by**
<u>Ministry of Economic Affairs, Estonian Centre for Accreditation:</u> Developing a system for evaluating conformity assessment bodies (in accordance to the expert reference in the course of the project start-up)	<i>Product Conformity Attestation Act</i> in concurrence with other legislation incorporating the requirement for designated body	State budget PHARE 99**		

## Accreditation

### *Implementation of legislation and administrative capacity*

Estonian Centre for Accreditation (EAK) acts as Estonian national accreditation body the statutory function of which is accreditation of testing and calibration laboratories and inspection and certification bodies. The principles of the activities of EAK are in compliance with the EN 45000 series. As of 1 November 2001, EAK had accredited 62 testing laboratories, 7 calibration laboratories, 6 inspection bodies and 14 certification bodies.

EAK has full membership in the European co-operation for Accreditation (EA) since June 2000.

EAK applied for submission to the Multilateral Agreement of European Cooperation for Accreditation (EA MLA) in March 2001. A decision on EAK suitability for accessing EA MLA will be made by EA no later than on December 31, 2002. Prior to that EA shall conduct 2 assessment visitations to EAK in the period from January to October 2002. In order to meet the requirements of EA the main tasks of EAK are assuring conformity and maintenance of its quality system, more active inclusion of technical committees in accreditation, adherence to EA regulations and recommendations by EAK as well as designated laboratories and bodies and regular training of clients and assessors.

In relation to the amendment of *Product Conformity Attestation Act* in 2001 and acceptance and entry into force of several acts establishing mandatory conformity assessment in 2002, there will be a significant rise in the proportion of conformity assessment bodies accreditation in the activities of EAK, which necessitates organizing training and practicing at an EA MLA member organisation.

EAK administrative capacity is supported in the frames of Phare project ES9903.01 *Institution Building of Regulatory bodies Under Supervision of the Ministry of Economic Affairs- Metrology and Accreditation Centre* (January to October 2002). The aim of the project is to bring EAK into full conformity with the criteria established by EA MLA. The project also supports EAK preparedness for assessing and accrediting the competency of designated bodies dealing with mandatory conformity assessment. The mentioned project failed as a twinning project and was redesigned into a technical assistance project of the same name by European Commission in spring 2001. The project is being realized in the course of 2002.

**Implementation and administrative capacity**

1.	2.	3.	4.	5.
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
Assuring functioning of the Estonian Centre for Accreditation (EAK) and its conformity to the EA requirements; continual	<i>Metrology Act, Product Conformity Attestation Act</i>	600 000 EEK (state budget part 137, art. 54) 1 800 000* EEK of own profits	-	* Estimated prognosis for 2002, 5% raise of own profits is anticipated for 2003.
Organizing EA inspection visits for accessing EA MLA; I and III quart. 2002	-	150 000 EEK (state budget part 137, art. 54)	-	EA rules prescribe 2 visits: preliminary assessment and final assessment
Employee training and practicing for assuring competency and capacity in the field of mandatory conformity assessment; II-III quart. 2002	<i>Product Conformity Attestation Act</i>	State budget **Phare 99		**Accreditation's share of the budget of Phare 99 technical assistance project for accreditation and metrology is 194 900 EUR, Estonian co-financing is 27 300 EUR.. This amount is intended to cover several measures indicated by** Training and practicing of assessors and EAK employees at an EA MLA member organization (Phare contracting partner)



## Notification

Legal frames for technical regulation and standard notification has been created by *Technical Norms and Standards Act* (RT I 1999, 29, 398; 2000, 29, 169; 78, 495) that entered into force on 1 April 1999. The Government regulation no. 201 *Procedure for Notification of Draft Legislation and International Agreements Containing Technical Norms* (RT I 1999, 57, 600), adopted on 25 June 1999, was developed on the basis of this act.

On March 13, 2002 the *Technical Regulations and Standards Act Amendment Act* was adopted by the *Riigikogu*. The aim of this act is harmonizing the Council directive 98/48/EC and the terms “information society service” and “service requirement” provided in this document as well as establishing legal basis for service notification in an information society. The Government regulation amendment will presumably be passed in June 2002. Amendments to both the act and the regulation will enter into force when Estonia accedes to the European Union.

Notification institutions have been established – Notification Authority is located at the Trade Department of the Ministry of Economic Affairs and Enquiry Point at the Estonian Centre for Standardisation.

It is necessary to train the employees of notification and enquiry centers for additional experience at a corresponding institution of a EU member state and to create a database of notifications to the enquiry point.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
Council Directive 98/48/EC on amendments to European Parliament and Council Directive 98/34/EC that specifies the order for notification of technical standards and regulations	Amendment of Government regulation no. 201 from June 25, 1999, Procedure for Notification of Draft Legislation and International Agreements Containing Technical Regulations – approving requirements for information society service, the procedure for notification of draft legislation and international agreements, designating the office coordinating information exchange*	June 2002; Enters into force when Estonia accesses the EU	The draft will presumably be passed in June, 2002 but the obligation of notification on information society services will enter into force when Estonia accesses the EU

**Implementation and administrative capacity**

1.	2.	3.	4.	5.
Institution, planned measures (incl training), deadline	Legal basis, implemented legal act	Financing (State budget line, other sources)	Technical assistance needs	Remarks
Notification Authority at the Ministry of Economic Affairs, Enquiry Point at Estonian Centre for Standardisation			Creating notifications database in the enquiry point – foreign expert, consultations, training at a EU member state with relevant information center and database.	
Notification on information society services	<i>Technical Regulations and Standards Act Amendment Act</i>	State budget		
Participating in the work of European Commission's committee for standards and technical norms (98/34) as an observer	<i>Technical Regulations and Standards Act Amendment Act</i>	State budget		
Training at European Commission or relevant institution of a member state for employees of Notification Authority and Enquiry Point (continual)	<i>Technical Regulations and Standards Act Amendment Act</i>	State budget		

## **Metrology**

### ***Implementation of legislation and administrative capacity***

Based on the *Metrology Act* an administrative agreement has been concluded in 2000 with AS Metrosert to act as a national measurement standard laboratory. AS Metrosert is currently maintaining standards of length and mass appointed as national standards on 7 March 2001 by the regulation No. 12 "List of National Standards" of the Minister of economic affairs. The objective for 2002 is to develop a standard of temperature as a new national measurement standard.

In 2002 AS Metrosert starts its activities as central office for metrology on the basis of *Metrology Act*. Its main tasks will include periodic calibration of national measurement standards, participation in comparison measurements and in activities of international metrology organisations.

Administrative capacity of AS Metrosert is supported in the frames of Phare project ES9903.01 *Institution Building of Regulatory bodies Under Supervision of the Ministry of Economic Affairs – Metrology and Accreditation Centre*. Support is given in terms of technical assistance for metrology (January to October 2002) to start executing the functions of central office for metrology in 2002 for bringing Estonian measuring system into institutional conformity with European Union practice. The aim of realization of the project investment component is maintenance and dissemination of measurement traceability and ensuring technical basis for demonstration of international equivalence in certain measurement areas. Ministry of Economic Affairs has applied for a continuance project *Development of Conformity Assessment infrastructure in the field of metrology* in the frames of Phare 2001 in the field of metrology. It has been accepted by the European Commission and the financial memorandum was signed 30.11.2001. The Phare 2001 project is concentrated on investments. The aim of the project is to bring the national metrology system into conformity with EU requirements and to make Estonian measuring system internationally acceptable. In the course of the project it is planned to purchase and install measuring and testing equipment, develop fields of measurement, substantiate the metrological and other characteristics of measurement standards by participation in comparison measurements.

**Implementation and administrative capacity**

1.	2.	3.	4.	5.
Institution, planned measures (incl training), deadline	Legal basis, implemented legal act	Financing (State budget line, other sources)	Technical assistance needs	Remarks
Fulfilling the functions of central office for metrology by AS Metrosert in 2002 depending upon the means allocated to it in state budget 2003 (in accordance with the agreement between Ministry of Economic Affairs and AS Metrosert)	<i>Metrology Act</i>	State budget		
<u>AS Metrosert:</u> Development of temperature standard in 2002 depending upon the means allocated to AS Metrosert in state budget 2003	<i>Metrology Act</i>	State budget		
<u>Ministry of Economic Affairs, AS Metrosert:</u> Working out a 3 to 5 years strategic development programme for metrology infrastructure in 2002	<i>Metrology Act</i>	State budget Phare 99***		**Metrology's share of the budget of Phare 99 technical assistance project for accreditation and metrology is 263 250 EUR, Estonian co-financing is 31 860 EUR. This amount is intended to cover several measures indicated by*** Certain amount of the financing of the technical assistance project for metrology shall be set apart for Technical Inspectorate for legal metrology activities concerning this project – the figure is not specified at the moment. Expert assistance for working out metrology infrastructure development program.
<u>AS Metrosert:</u> Situation analysis of standards used for assuring measurement traceability and proposing modifications in 2002-2003.	<i>Metrology Act</i>	State budget; Phare 99***		Short-term expert assistance for standards situation analysis and modification proposals.

<u>AS Metrosert:</u> Staff training in 2002-2003 according to the training program being framed	<i>Metrology Act</i>	State budget; Phare 99****		Short-term expert assistance for analyzing training needs and framing a training program
<u>AS Metrosert:</u> Participating in international comparison measurements (continual)	<i>Metrology Act</i>	State budget; Phare 99****		Short-term expert assistance for establishing necessary international contacts and carrying through comparative measurements.
<u>AS Metrosert:</u> 5-day visit for the purpose of studying for 2 persons (management) to familiarize with national metrology institution development strategy of a EU member state	<i>Metrology Act</i>	State budget; Phare 99****		
<u>AS Metrosert:</u> Procuring measurement equipment and facilities for securing and extending standard base in the fields of length, temperature and electrical quantities, improving environmental conditions at standard laboratories and automatization of measurements	<i>Metrology Act</i>	State budget; Phare 99****		Investment project for metrology 382 185 EUR. 48 items of measurement and auxiliary equipment shall be procured.
<u>AS Metrosert:</u> Staff trainings for using the measurement equipment	<i>Metrology Act</i>	State budget; Phare 99****		Short-term expert assistance for carrying through a course in the field of measuring equipment use.
<u>AS Metrosert, Tallinn Technical University (TTU) Testing Centre, Tartu University (TU) Testing Centre:</u> Updating measurement standards to gain international traceability: procuring measurement and test equipment, expanding measurement fields, participating in comparison measurements, framing and executing a training programs for engineers and technicians	<i>Metrology Act</i>	State budget; Own assets of TTU Testing Centre and TU Testing Centre; Phare 2001****		****Full cost of project Conformity Assessment in the field of Metrology is 3,3444 MEUR, incl. Phare investments of 2,053 MEUR, Phare technical assistance of 0,447 MEUR, Estonian co-financing of 0,8433 MEUR. Investments, technical assistance and co-financing are distributed among three beneficiaries: AS Metrosert, TTU Testing Centre and TU Testing Centre.
Specifying Phare project's investment procurements and preparing procurement documents		Phare 2001		Expert assistance for preparing procurement documentation.

Conducting training for AS Metrosert, TTU Testing Centre and TU Testing Centre employees	<i>Metrology Act</i>	State budget 0,1822 MEUR; Phare 2001 0,1 MEUR		Expert assistance for conducting training. Experts are working in all three beneficiary organisations but mainly in AS Metrosert.
<u>AS Metrosert:</u> Participating in comparison measurements	<i>Metrology Act</i>	State budget 0,1657 MEUR		Phare 2001 – expert assistance (activity is financed of Estonian co-financing);
AS Metrosert, TTU Testing Centre and TU Testing Centre employees (20 persons) getting acquainted with the work of standards laboratories at a EU member state, 2 week internship for each person	<i>Metrology Act</i>	State budget 0,027 MEUR; Phare 2001 0,0027 MEUR		
Technical equipment procurement for AS Metrosert, TTU Testing Centre and TU Testing Centre	<i>Metrology Act</i>	State project 0,4954 MEUR Phare 2001 2,053 MEUR		Procurements are distributed among the laboratories of AS Metrosert, TTU Testing Centre and TU Testing Centre.

## **Market surveillance and product safety**

### **Phare market surveillance project**

In order to establish a market surveillance system that functions efficiently and conforms to the European Union practice the Ministry of Economic Affairs (MoEA) has devised a Phare 2000 market surveillance programme starting in December 2001/January 2002.

Direct beneficiaries of the project are the Ministry of Economic Affairs Industry Department, Technical Inspectorate, Energy Market Inspectorate and Communications Board. Indirect beneficiaries are Ministry of Economic Affairs Trade Department, Energy Department, Consumer Protection Board, Labour Inspection, Ministry of Social Affairs, Ministry of Transport and Communication.

### Activities in 2002-2003

The result of the project will be elaboration of horizontal market surveillance strategy that consists of implementation programme, financing programme and human resource development programme. Completion term of the strategy document during 2003. Tasks such as procedures for strengthening market surveillance bodies, job descriptions, work programmes, quality and efficiency measurement criteria, advising market surveillance institutions of management and training staff arising from the strategy will be implemented in 9 months, 2003.

The result of the project will be elaboration of necessary legislation with which the market surveillance acts will be harmonized. In the frames of the project various solutions for implementation of Council regulation 339/93 concerning conformity assessment of products imported from third countries in respect to product safety regulations shall be investigated. Experts have been included in the following fields: electrical safety, machinery safety, lifts, gas equipment, pressure vessels, construction products, legal metrology, chemical products, medical devices, means of personal safety, telecommunications equipment. The task of relevant experts is to propose amendments to relevant legislation when it is necessary for achieving conformity with EU requirements (project time-table provides that the references have been presented by the beginning of III quarter, 2002). The experts shall draft work and training programmes for the Technical Inspectorate, Labour Inspection and Communications Board at the second phase of the project. The third phase consists of experts training beneficiaries and advising of work planning. The third phase ends in II quarter, 2003.

Market surveillance bodies' daily communication and work efficiency will be enhanced by implementing a common market surveillance institutions information system. An analysis of market surveillance bodies was carried through in the III quarter of 2002 in the framework of Estonian co-financing and the preliminary version of market surveillance information system model intended for these bodies was formed based upon this analysis. The analysis was carried out by AS Aprot. The task of the IT expert entered in the frames of Phare project is commenting and refining the given model by III quarter 2002 and composing an implementation programme by October 2003. It is possible to use Estonian co-financing resources for information system programming.



The project is financed by Phare assets in the amount of 1,7 MEUR and Estonian state budget in the amount of 0,43 MEUR. The project's duration shall be a year and a half.

Ministry of Economic Affairs is preparing an application for continuance project to invest in the market surveillance area (test basis) in the frames of Phare 2003 with the aim to assure effective functioning of market surveillance by creating a test basis necessary for product testing. The application will be completed in October 2002 and if the financing decision from the European Commission is positive, the project will start no earlier than in first half of year 2003.

*Twinning light* project has been planned for strengthening Energy Market Inspectorate in the areas of tariff policy, legal and quality matters under Phare 2002.

#### Consumer Protection Board

According to its statute the Consumer Protection Board executes surveillance over fulfillment of the requirements arising from legislation regulating consumer protection field.

#### Consumer market surveillance on the basis of *Product Safety Act*

"The order for notifying foreign state on dangerous products ascertained in the course of market surveillance" based on *Product Safety Act* was approved by regulation no 39 of 8 February 2000. According to the regulation the notifying of foreign states of dangerous products ascertained in the course of market surveillance shall be carried out by the Consumer Protection Board. Other market surveillance bodies are obligated to exchange information on dangerous products they have ascertained in the course of market surveillance on regular basis and also submit this information to the Consumer Protection Board.

#### TRAPEX

Similarly to RAPEX (Rapid Exchange System for information on danger arising from the use of consumer product) operating in the Member States, a system for rapid exchange of information on dangerous consumer products TRAPEX has been started in 1999 in Central and Eastern European states in the framework of Phare programme. TRAPEX co-ordination center is situated at the Hungarian Consumer Protection Inspectorate in Budapest. TRAPEX Estonian contact center is the Consumer Protection Board that forwards information received from Budapest to other national surveillance bodies: Veterinary and Food Board, Technical Inspectorate, Health Protection Inspection and others. Feedback information from these surveillance bodies will be submitted to Budapest. Estonian Customer Protection Board will also submit information on dangerous products exposed at Estonian market to Budapest.

Co-operation of Central and Eastern European states in the framework of TRAPEX will continue in 2002.

#### Co-operation of market surveillance bodies in 2002

At the Consumer Protection Board initiative co-operation agreements have been concluded with the following surveillance bodies: Health Protection Inspection, Technical Inspectorate, Veterinary and Food Board, Plant Production Inspectorate. With the aim to save resources the surveillance bodies' managers meetings are planned to co-ordinate coming year's working plans and needs for joint raids in the

common interest fields as well as to conclude co-operation agreements between the bodies.

#### PHARE TWINNING

Two-year EU PHARE TWINNING project (ES99/IB/OT-029) was started in June 2000 with the participation of Swedish and Greek relevant institutions. The project will last until 30 June 2002 and the objective of the project is to develop the activities of the Consumer Protection Board, make it more efficient as a market surveillance institution and improve the activities aimed at consumer training and notification. [For further details see Ch. 23, Consumer and Health Protection]

#### Technical Inspectorate

Technical Inspectorate is a government office that is concerned with market surveillance in the field of pressure vessels, gas equipment, machinery, lifts, electrical devices, explosives in civil use, measuring devices and pre-packages. Activities of the inspectorate in these different fields are based upon applicable legislation. Several acts amending legislation of these fields will enter into force in 2002 and the inspectorate will introduce corresponding changes to its activities. [See Ch. 1.3 New Approach Directives] Pursuant to the draft *Building Act* currently in the proceedings of the *Riigikogu* the Technical Inspectorate will perform national surveillance in addition to market surveillance focusing on surveillance of undertakings active in the construction field.

**Implementation and administrative capacity**

1.	2.	3.	4.	5.
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
Ministry of Economic Affairs (market surveillance institutions strategy, human resources development programme, information system); End of 2003	Phare 2000 Financial memorandum (incl. Market surveillance project fiche)	6 728 000 EEK applied from state budget for years 2002-2003		Expert assistance days cannot be distributed among the beneficiaries for the horizontal nature of activities.
Technical Inspectorate, expert assistance for harmonizing legislation and framing work programmes; II quarter 2003	Phare 2000 Financial memorandum (incl. Market surveillance project fiche)	-		
Ministry of Social Affairs (Labour Inspectorate); expert assistance for harmonizing legislation and framing work programmes; II quarter 2003	Phare 2000 Financial memorandum (incl. Market surveillance project fiche)			
Communication Boards; expert assistance for harmonizing legislation and framing work programmes; I quarter 2003	Phare 2000 Financial memorandum (incl. Market surveillance project fiche)			
Energy Market Inspectorate; expert assistance for elaborating tariff policy, legislation and quality criteria; I quarter 2003	<i>Energy Act</i>	Estimated: State budget 312 000 EEK	Amount applied for: Phare 2 334 696 EEK	Application submitted in the framework of Phare 2002

<p>Technical Inspectorate (Centre for Technical Control, Centre for Electrical Control, AS Metroser); Health Protection Inspectorate; test basis investments; I-II quarter 2004</p>	<p>Directives 89/398/EEC, 91/321/EEC, 96/5/EC, 99/21/EC, 89/109/EEC, 90/128/EEC, 99/1/EC, 200/62/EC, 2001/61/EC, 98/83/EC 80/777/EEC, 96/70/EC, Directives 80/1335/EEC, 82/434/EEC, 83/514/EEC, 85/490/EEC, 87/143/EEC, 90/207/EEC, 93/73/EC, 95/32/EC, 96/45/EC, 76/769/EEC, 98/8/EC, 88/378/EEC, 89/106/EEC, 92/59/EEC, 90/385/EEC, 93/42/EEC, 98/79/EC, 2000/70/EC,</p>			<p>Application will be submitted in the framework of Phare 2003, project beneficiaries, fields and investing figures may change.</p>
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### **Avoiding technical barriers to trade**

The *Antidumping Act* whose elaboration was initiated in 1999 is in the legislative proceeding of the *Riigikogu*. The Act is based on the Agreement on Implementation of Article VI of the General Agreement on Trade and Tariffs (GATT) 1994 under the World Trade Organisation (WTO) package of agreements and the Council Regulations 384/96/EC, 2331/96/EC, 905/98/EC and 2238/2000/EC. After accession to the EU Estonia will take over the Union's commercial policy and the *Antidumping Act* will be abolished.

A seminar on commercial defence measures will be organised for the Estonian industry to enhance the awareness of the business sector of the possibilities in the field of foreign trade policy in Estonia and in the EU. The Ministry of Economic Affairs will analyse the effects of applying the Common Commercial Policy of the European Union on Estonian economy and will prepare in co-operation with other ministries and institutions for the implementation of the Common Commercial Policy instruments (customs duties, quotas, licences, double-checking system).

### **Quantitative restrictions (Art. 28-30)**

The Foreign Trade Policy Division (FTPD) of the Ministry of Economic Affairs will continue to screen the Estonian legislation in order to reveal possible quantitative restrictions on trade and measures having equivalent effect.

The FTPD will monitor, mainly on *ad hoc* basis, the conformity of draft legislation, including secondary legislation, to the requirements of articles 28-30 of the EU Treaty and establish a contact point on trade barriers.

In 2002 a study visit of two experts on commercial defence measures of the FTPD to the DG Trade of the European Commission is planned and a training session on mutual recognition for the specialists of all relevant ministries will be organised. Training is also needed for the officials of the contact point on mutual recognition to be established at the FTPD of the Ministry of Economic Affairs.

**Approximation of legislation**

1.	2.	3.	4.		
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks		
Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community	<i>Antidumping Act</i>	Currently in the legislative proceeding of the Riigikogu; enters into force in July 2002			
Council Regulation (EC) No 2331/96 of 2 December 1996 amending Regulation (EC) No 384/96 on protection against dumped imports from countries not members of the European Community					
Council Regulation (EC) No 905/98 of 27 April 1998 amending Regulation (EC) No 384/96 on protection against dumped imports from countries not members of the European Community				Secondary legislation based on the <i>Antidumping Act</i>	May 2002 Entry into force in July 2002
Council Regulation (EC) No 2238/2000 of 9 October 2000 amending Regulation (EC) No 384/96 on protection against dumped imports from countries not members of the European Community					

**Implementation and administrative capacity**

1. Institution, planned measures (incl training), deadline	2. Legal basis, implemented legal act	3. Financing (State budget line, other sources)	4. Technical assistance needs	5. Remarks
<u>The Ministry of Economic Affairs:</u>				
Training on art. 28-30 of the Treaty of Amsterdam and the relevant secondary legislation (I half-year of 2002)		State Budget		
A study visit to the DG Trade of the European Commission for the analysis of commercial defence measures in the framework of the Common Commercial Policy (2002)		TAIEX programme		
A study visit to an EU Member State to gain experience in implementing the mutual recognition principle (2002)			Bilateral aid	
A study visit to the DG Internal Market of the European Commission on quantitative restrictions to trade and measures having equivalent effect and the establishment of a notification system.. (2002-2003)			Bilateral aid	

## Cultural heritage

Current legislation in Estonian does not regulate the return of cultural objects unlawfully removed from the territory of the state.

On the basis of the *Customs Act* Regulation No 10 issued by the Minister of Culture on 24 July 2000 “Nomenclature and regulations of export and import of cultural objects” has been adopted. The regulation establishes arrangements for applying and issuing permit for cultural objects and collections of such items, manufactured both in Estonia and abroad, subject to export from the customs territory and provides nomenclature of cultural objects corresponding tariff positions in the Estonian Goods Nomenclature.

*Council Directive 93/7/EEC of 15 March 1993 on the return of cultural objects unlawfully removed from the territory of a Member State* regulates the basis of the return of cultural objects unlawfully removed and the procedure between the Member States.

In order to harmonise Estonian legislation with European Union law in the particular case, a new legal act – a law has to be drafted, as requirements stated in the directive cannot be imposed on any current Estonian legal act and neither can they be regulated by the respective regulation on the basis of the *Customs Act*.

The law shall regulate the conditions and proceeding of the return of cultural objects unlawfully removed from the territory, it shall *inter alia* also appoint a competent authority that shall submit request to the other Member State on the return of cultural objects unlawfully removed and co-ordinate the procedure of applications received from other Member States. The act shall define co-operation between the competent national authorities in identifying the origin of cultural objects and obligation to exchange information both between the Member States and on local level. The act also provides the obligation to pay compensation to the bona fide possessor in case of ordering the return of cultural objects unlawfully removed from the territory. The act shall apply only to cultural objects unlawfully removed from the territory of a Member State on or after 1 January 1993.

In order to elaborate the draft act an interministerial committee has been formed to the Ministry of Culture, the expenses of which shall be covered from the budget of the Ministry of Culture.



**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
Council Directive 93/7/EEC of 15 March 1993 on the return of cultural objects unlawfully removed from the territory of a Member State	The name of the new Estonian legal act has not yet been announced	Submission 1 July 2002 entry into force 1 January 2003	In order to elaborate the draft act an interministerial committee comprising of the representatives of the National Heritage Board, the Ministry of Internal Affairs and the Ministry of Finances has been formed to the Ministry of Culture. Head of Expertise Department of the National Heritage Board and the committee will also engage the Estonian National Customs Board, Estonian History Museum, Estonian History Archive and other competent institutions as experts.

**Financing:** EEK 22,000 budget of the Ministry of Culture chapter 01, article 30.

**Implementation and administrative capacity**

1.	2.	3.	4.	5.
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
<p>The new legal act appoints a competent authority that shall submit request to the other Member State on the return of cultural objects unlawfully removed and co-ordinate the procedure of applications received from other Member States. The act shall also define co-operation between competent national authorities in identifying the origin of cultural objects and obligation to exchange information both between Member States and on local level.</p>	<p>Council Directive 93/7/EEC of 15 March 1993 on the return of cultural objects unlawfully removed from the territory of a Member State</p>			

### 1.3. New Approach Directives

In 2002 the focus shall be on achieving full compliance with the New Approach Directives. The Pre-accession Agreement on Conformity Assessment and Acceptance of Industrial Products (i.e. PECA - Protocols on European Conformity Assessment) is scheduled to be concluded between the European Union and Estonia in 2002. As a precondition to concluding the agreement the sector must fully comply with the EU requirements. Estonia has proposed to the European Commission as sectors to be covered by PECA, lifts, but also low voltage electrical appliances and such electrical appliances and installations, which may cause electromagnetic disturbances.

Amendment of the *Metrology Act* included in the 2001 NPAA is not a priority in 2002, since the current version of the Act meets the EU requirements. As a new metrology directive is being drafted in the EU, amendment of the *Metrology Act* before adoption thereof is not feasible. In addition, the need to amend or repeal the *Technical Supervision Act* will be clear on the basis of the acts to be drafted in the sector during 2002.

#### Pressure Equipment, Gas Appliances and Aerosol Dispensers

Approximation in this area shall be completed during 2002. Council Directive 87/404/EEC on the harmonization of the laws of the Member States relating to simple pressure vessels, Council Directive 99/36/EC on the harmonization of the laws of the Member States relating to transportable pressure equipment, Council Directive 75/324/EEC on the approximation of the laws of the Member States relating to aerosol dispensers and Directive 97/23/EC on the approximation of the laws of the Member States concerning pressure equipment shall be fully harmonized in the draft *Pressure Equipment Safety Act*, prepared in 2001 and the secondary legislation to be adopted on the basis thereof, scheduled to be completed by June 2002. Entry into force of this legislation is planned for July 2002. Directives 84/525/EEC, 84/526/EEC and 84/527/EEC, relating to gas appliances and only partly effective in the European Union, shall be harmonized by the same legislation.

#### Appliances Burning Gaseous Fuels

Approximation in this area shall be completed during 2002. Council Directive 90/396/EEC on the approximation of the laws of the Member States relating to appliances burning gaseous fuels shall be fully harmonized in the draft *Heating Gases Safety Act*, prepared in 2001 and the secondary legislation to be adopted on the basis thereof, scheduled to be completed by June 2002. Entry into force of all the relevant legislation is planned for July 2002.

#### Lifts

Estonia has proposed lifts as one sector to be covered by the Pre-accession Agreement on Conformity Assessment and Acceptance of Industrial Products (i.e. PECA - Protocols on European Conformity Assessment), which is scheduled to be concluded between the European Union and Estonia in 2002. As a precondition to concluding the agreement the sector must fully comply with the EU requirements.

The following requirements have already been met:

- horizontal legislation, meeting the requirements as well as operational standardisation, accrediting, metrological, conformity assessment and market supervision infrastructures are in place;
- the *Product Conformity Attestation Act* prescribes general requirements for designated bodies and the system of authorization thereof;
- conformity assessment bodies, which meet the requirements established for designated bodies are in place.

Approximation in this area shall be completed during 2002. Directive 95/16/EC on the approximation of the laws of the Member States relating to lifts and Directive 2000/9/EC relating to cableway installations designed to carry persons shall be fully harmonized in the draft *Lift Safety Act*, prepared in 2001 and the secondary legislation to be adopted on the basis thereof, scheduled to be completed by February 2002. Entry into force of all the relevant legislation is planned for July 2002.

### **Machinery**

Directive 98/37/EC on the approximation of the laws of the Member States relating to machinery has been partly harmonized in the *Machinery Safety Act* that entered into force on 1 January 2001. In order to achieve full compliance with the Directive the *Machinery Act Amendment Act* and secondary legislation for the implementation thereof shall be drafted by November 2002. The comments of the European Commission and the Proposal for amending Directive 95/16/EC (COM(2002) 899 final) shall be taken into account in drafting the legislation. Entry into force of all the relevant legislation is planned for March 2003, by which time harmonization of the entire area shall be completed.

### **Explosives for Civil Uses**

The *Explosives Act*, which entered into force on 1 January 1998 and the secondary legislation established on the basis thereof, are not in full conformity with the requirements of the European Union. Therefore the *Explosives Act Amendment Act* is scheduled to be drafted by November 2002, to bring the Estonian legislation into compliance with Council Directive 93/15/EEC on the harmonization of the provisions relating to explosives for civil uses. Entry into force of the said legislation is planned for March 2003, by which time harmonization of the entire area shall be completed.

### **Electrical Safety and Electrical Appliances**

*The Electrical Safety Act*, which entered into force on 1 May 1999, is not in full conformity with the requirements of the European Union. Therefore a revised *Electrical Safety Act* was drafted in 2001, which is scheduled to enter into force in July 2002 and shall harmonize the following directives:

- Council Directive 73/23/EEC on the harmonization of the laws of Member States relating to electrical equipment designed for use within certain voltage limits;
- Council Directive 89/336/EEC on the approximation of the laws of the Member States relating to electromagnetic compatibility.

Low voltage electrical appliances, as well as electrical appliances and installations which may cause electromagnetic disturbances have also been proposed by Estonia to the European Commission as a possible sector for the Pre-accession Agreement on Conformity Assessment and Acceptance of Industrial Products (i.e. PECA - Protocols on European Conformity Assessment), scheduled to be concluded between the European Union and Estonia in 2002. Legislation harmonising the relevant directives shall be completed in February 2002 and shall enter into force together with the revised *Electrical Safety Act* in July 2002.

### **Legal Metrology and Prepackages**

Estonian legislation concerning legal metrology and prepackages is in compliance with the current EU *acquis*.

In the event the Measuring Instruments Directive [COM (2000) 566], the intended amendments to Council Directive 71/316/EEC on the approximation of the laws of the Member States relating to metrological control and amendments to Council Directives 75/106/EEC, 75/107/EEC, 76/211/EEC and 80/232/EEC on prepackages, which are currently undergoing the co-decision procedure in the European Parliament and the Council, are adopted, the *Metrology Act* and legislation for implementing thereof shall be amended according to these directives in 2003.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
Directive 98/37/EC of the European Parliament and of the Council of 22 June 1998 on the approximation of the laws of the Member States relating to machinery	<p>- <i>Machinery Safety Act Amendment Act</i> (revised)</p> <p>- secondary legislation for implementing the <i>Machinery Safety Act</i>*</p>	<p>November 2002; March 2003</p> <p>January 2003; March 2003</p>	
<p>Council Directive 87/404/EEC on the harmonization of the laws of the Member States relating to simple pressure vessels</p> <p>Council Directive 93/68/EEC, amending Directives 87/404/EEC, 88/378/EEC, 89/106/EEC, 89/336/EEC, 89/392/EEC, 89/686/EEC, 90/384/EEC, 90/385/EEC, 90/396/EEC, 91/263/EEC, 92/42/EEC and 73/23/EEC</p>	<p>- <i>Pressure Equipment Safety Act</i>*</p> <p>- Regulation of the Minister of Economic Affairs on the rules for conformity assessment and attestation of different types of pressure equipment and the conformity assessment procedures necessary for assessment and attestation*</p> <p>- Regulation of the Minister of Economic Affairs on requirements for pressure equipment and pressure installations, conformity marking of pressure equipment and furnishing information therefor*</p>	<p>In the legislative proceeding of the Riigikogu</p> <p>Entry into force: July 2002</p> <p>Regulations: June 2002; July 2002</p>	

Directive 97/23/EC of the European Parliament and of the Council on the approximation of the laws of the Member States concerning pressure equipment	<p><i>Pressure Equipment Safety Act*</i></p> <ul style="list-style-type: none"> <li>- Regulation of the Minister of Economic Affairs on the rules for conformity assessment and attestation of different types of pressure equipment and the conformity assessment procedures necessary for assessment and attestation*</li> <li>- Regulation of the Minister of Economic Affairs on requirements for pressure equipment and pressure installations, conformity marking of pressure equipment and furnishing information therefor*</li> </ul>	<p>In the legislative proceeding of the Riigikogu Entry into force: July 2002</p> <p>Regulations: June 2002; July 2002</p>	
Council Directive 76/767/EEC on the approximation of the laws of the Member States relating to common provisions for pressure vessels and methods for inspecting them	<p><i>Pressure Equipment Safety Act*</i></p>	<p>In the legislative proceeding of the Riigikogu Entry into force: July 2002</p>	
Council Directive 99/36/EC on the harmonization of the laws of the Member States relating to transportable pressure equipment	<p><i>Pressure Equipment Safety Act*</i></p> <ul style="list-style-type: none"> <li>- Regulation of the Minister of Economic Affairs on the rules for conformity assessment and attestation of different types of pressure equipment and the conformity assessment procedures necessary for assessment and attestation*</li> <li>- Regulation of the Minister of Economic Affairs on requirements for pressure equipment and pressure installations, conformity marking of pressure equipment and furnishing information therefor*</li> <li>- Regulation of the Minister of Transport and Communications listing pressure equipment belonging to type 3</li> </ul>	<p>In the legislative proceeding of the Riigikogu Entry into force: July 2002</p> <p>Regulations: June 2002; July 2002</p>	

Council Directive 75/324/EEC on the approximation of the laws of the Member States relating to aerosol dispensers	<p><i>Pressure Equipment Safety Act*</i></p> <p>- Regulation of the Minister of Economic Affairs on requirements for pressure equipment and pressure installations, conformity marking of pressure equipment and furnishing information therefor*</p>	<p>In the legislative proceeding of the Riigikogu Entry into force: July 2002</p> <p>Regulations: June 2002; July 2002</p>	
Council Directives 84/525/EEC, 84/526/EEC, 84/527/EEC relating to gas appliances	<p><i>Pressure Equipment Safety Act*</i></p> <p>- Regulation of the Minister of Economic Affairs on the rules for conformity assessment and attestation of different types of pressure equipment and the conformity assessment procedures necessary for assessment and attestation*</p> <p>- Regulation of the Minister of Economic Affairs on requirements for pressure equipment and pressure installations, conformity marking of pressure equipment and furnishing information therefor*</p>	<p>In the legislative proceeding of the Riigikogu Entry into force: July 2002</p> <p>Regulations: June 2002; July 2002</p>	
<p>European Parliament and Council Directive 95/16/EC on the approximation of the laws of the Member States relating to lifts</p> <p>Directive 2000/9/EC of the European Parliament and of the Council relating to cableway installations designed to carry persons</p>	<p><i>Lifts Safety Act</i></p> <p>- Regulation of the Minister of Economic Affairs on Requirements for A Lift, Its Subsystems and Safety Components Belonging to Groups I and II, Their Supply with Information and Affixation with the Mark of Conformity.</p> <p>- Regulation of the Minister of Economic Affairs on Conformity Assessment and Attestation Procedure for Lifts Belonging to Group I, Subsystem and Safety Component and Conformity Assessment Procedures Necessary for the Assessment of Conformity</p>	<p>In the legislative proceeding of the Riigikogu Entry into force: July 2002</p> <p>Regulations: April 2002; July 2002</p>	



Council Directive 73/361/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to the certification and marking of wire-ropes, chains and hooks	<i>Machinery Safety Act Amendment Act (revised)</i>  - Secondary legislation implementing the <i>Machinery Safety Act</i> *	November 2002; March 2003  January 2003; March 2003	
Council Directive 90/396/EEC on the approximation of the laws of the Member States relating to appliances burning gaseous fuels	- <i>Heating Gases Safety Act</i> *	In the legislative proceeding of the Riigikogu Entry into force: July 2002	
Council Directive 93/68/EEC amending Directives 87/404/EEC, 88/378/EEC, 89/106/EEC, 89/336/EEC, 89/392/EEC, 89/686/EEC, 90/384/EEC, 90/385/EEC, 90/396/EEC, 91/263/EEC, 92/42/EEC and 73/23/EEC	- Regulation of the Minister of Economic Affairs on requirements for gas appliances or auxiliary equipment * - Regulation of the Minister of Economic Affairs on rules for conformity assessment and attestation of gas appliances or auxiliary equipment*	Regulations: July 2002; July 2002	
Council Directive 73/23/EEC on the harmonization of the laws of Member States relating to electrical equipment designed for use within certain voltage limits	- <i>Electrical Safety Act</i> *	In the legislative proceeding of the Riigikogu Entry into force: July 2002	
Council Directive 93/68/EEC amending Directives 87/404/EEC, 88/378/EEC, 89/106/EEC, 89/336/EEC, 89/392/EEC, 89/686/EEC, 90/384/EEC, 90/385/EEC, 90/396/EEC, 91/263/EEC, 92/42/EEC and 73/23/EEC	- Regulation of the Minister of Economic Affairs on Requirements for Low-Voltage Electrical Equipment, for its Affixation with the Mark of Conformity or Other Marking and Information and the Conformity Assessment Procedures for Low-Voltage Electrical Equipment	Regulations: April 2002; July 2002	
Council Directive 89/336/EEC of 3 May 1989 on the approximation of the laws of the Member States relating to electromagnetic compatibility	- <i>Electrical Safety Act</i> *	In the legislative proceeding of the Riigikogu Entry into force: July 2002	
Council Directive 93/68/EEC amending Directives 87/404/EEC, 88/378/EEC, 89/106/EEC, 89/336/EEC, 89/392/EEC, 89/686/EEC, 90/384/EEC, 90/385/EEC, 90/396/EEC, 91/263/EEC, 92/42/EEC and 73/23/EEC	- Regulation of the Minister of Economic Affairs on Requirements for Electromagnetic Compatibility of Electrical Apparatus and Supply with the Mark of Conformity and Information and Procedure for Conformity Assessment	Regulations: April 2002; July 2002	
Council Directive 76/117/EEC on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres	Shall not be harmonized, see remark		Shall not be harmonized, since Directive 76/117/EEC shall be repealed as of 1 July 2003 and replaced with Directive 94/9/EC, whose harmonization is scheduled for 2002

Council Directive 79/196/EEC on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres employing certain types of protection	Shall not be harmonized, see remark		Shall not be harmonized, since Directive 79/196/EEC shall be repealed as of 1 July 2003 and replaced with Directive 94/9/EC, whose harmonization is scheduled for 2002
Council Directive 82/130/EEC on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres in mines susceptible to firedamp	Shall not be harmonized, see remark		Shall not be harmonized, since Directive 82/130/EEC shall be repealed as of 1 July 2003 and replaced with Directive 94/9/EC, whose harmonization is scheduled for 2002
Directive 94/9/EC on the approximation of the laws of the Member States concerning equipment and protective systems intended for use in potentially explosive atmospheres	<p>- <i>Electrical Safety Act*</i></p> <p>- Regulation of the Minister of Economic Affairs on requirements to equipment, protective systems and devices, affixing conformity marks or other markings and information thereon*</p> <p>- Regulation of the Minister of Economic Affairs establishing potentially explosive zones;</p> <p>- Regulation of the Minister of Economic Affairs on rules for conformity assessment and attestation of equipment, protective systems, devices or components and the conformity assessment procedures necessary for conformity attestation*</p> <p>- Regulation of the Minister of Economic Affairs on sub-categories of types of equipment</p>	<p>In the legislative proceeding of the Riigikogu Entry into force: July 2002</p> <p>Regulations: June 2002; July 2002</p>	

Council Directive 92/104/EEC on the minimum requirements for improving the safety and health protection of workers in surface and underground mineral-extracting industries	- <i>Mining Act</i> *	In the legislative proceeding of the Riigikogu	The old name of the act was <i>Mining Safety Act</i> . <i>The Occupational Health and Safety Act</i> also harmonizes the said directives.
Council Directive 92/91/EEC concerning the minimum requirements for improving the safety and health protection of workers in the mineral-extracting industries through drilling	- Regulation of the Minister of Economic Affairs on requirements for mandatory documents for undertakings engaged in mining and prospecting works and secondary use of stopes* - Regulation of the Minister of Economic Affairs on safety requirements for mining and prospecting works and secondary use of stopes*	Entry into force: January 2003  Regulations: November 2002; January 2003	
Council Directive 93/15/EEC on the harmonization of the provisions relating to explosives for civil uses	- <i>Explosives Act Amendment Act</i> *	November 2002; March 2003	
Council Directive 90/384/EEC on the harmonization of the laws of the Member States relating to non-automatic weighing instruments	- Regulation of the Minister of Economic Affairs on amending the rules for type approval of measuring instruments*	January 2002; February 2002	
Council Directive 93/68/EEC amending Directives 87/404/EEC, 88/378/EEC, 89/106/EEC, 89/336/EEC, 89/392/EEC, 89/686/EEC, 90/384/EEC, 90/385/EEC, 90/396/EEC, 91/263/EEC, 92/42/EEC and 73/23/EEC			
Council Directive 96/82/EC of 9 December 1996 on the control of major-accident hazards involving dangerous substances	- Regulation of the Minister of Economic Affairs on requirements for devices of handling chemicals based on the hazardousness of the chemical and the manner of handling thereof* - Regulation of the Minister of Economic Affairs on instructions for establishing the limit rates and thresholds of hazardousness for dangerous chemicals, establishing the category of hazardousness of enterprises which are deemed major-accident hazards and determining hazardous enterprises*	See remark	The said Regulations of the Minister of Economic Affairs constitute secondary legislation to be established on the basis of the Chemicals Act, which is being prepared by the Ministry of Social Affairs. The adoption and entry into force thereof is connected with the adoption and entry into force of the Chemicals Act.

**Implementation and administrative capacity**

<b>1.</b> <b>Institution, planned measures (incl training), deadline</b>	<b>2.</b> <b>Legal basis, implemented legal act</b>	<b>3.</b> <b>Financing (State budget line, other sources)</b>	<b>4.</b> <b>Technical assistance needs</b>	<b>5.</b> <b>Remarks</b>
Technical Inspectorate; Establishment and implementing the Register of Devices; 1 July 2002	<i>Lifts Safety Act, Pressure Equipment Safety Act, Heating Gases Safety Act and Electrical Safety Act</i>	2001 and 2002 State Budget, the budget line for information technology		
<u>Ministry of Economic Affairs:</u> Preparing and implementing additions to the State Register of Undertakings operating in Areas of Activities Subject to Special Requirements	<i>Pressure Equipment Safety Act, Heating Gases Safety Act, Electrical Safety Act and Mining Act</i>	2002 State Budget, the budget line for information technology		
<u>Ministry of Economic Affairs, Technical Inspectorate:</u> training for two specialists in the first half of 2002	<i>Metrology Act;</i> Regulation of the Minister of Economic Affairs on tolerable errors in the actual contents of Prepackages d and checkingof prepackages; Regulation of the Minister of Economic Affairs on permissible predetermined nominal capacities of prepackages and requirements for marking thereof; Regulation of the Minister of Economic Affairs on permissible errors of nominal capacities of measuring containers, procedure for marking and verifying measuring containers	State Budget, Phare***		*** Metrology part of the Phare 99 Accrediting and Metrology Technical Assistance Project; the Phare budget amounts to EUR 297 000, Estonia's co-financing budget – to EUR 25 000. This amount is for several measures, designated with ***

<p><u>Ministry of Economic Affairs, Technical Inspectorate, Estonian Accrediting Centre: potential designated bodies for verifying prepackages and for conformity assessment of measuring instruments:</u> Training in the first half of 2002</p>	<p><i>Metrology Act;</i> Regulation of the Minister of Economic Affairs on tolerable errors in actual contents of Prepackages and checking of prepackages Regulation of the Minister of Economic Affairs on permissible predetermined nominal capacities of prepackages and requirements for marking thereof; Regulation of the Minister of Economic Affairs on permissible errors of nominal capacities of measuring containers, procedure for marking and verifying measuring containers; Regulation of the Minister of Economic Affairs on approval of the Type Approval Procedure for measuring instruments Regulation of the Minister of Economic Affairs on verification of measuring instruments and terms of validity of verification; Regulation of the Minister of Economic Affairs on conditions of assessing and control of the competence of laboratories engaged in measuring and metrological verification of measuring instruments</p>	<p>State Budget; Phare 1999</p>		
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<p><u>Ministry of Economic Affairs, Technical Inspectorate:</u> Enhancing supervision over mining safety</p>	<p><i>Mining Act</i>*; Regulation of the Minister of Economic Affairs on requirements for mandatory documents for undertakings engaged in mining and prospecting works and secondary use of stopes* Regulation of the Minister of Economic Affairs on safety requirements for mining and prospecting works and secondary use of stopes*</p>		<p>The SIDA Project (seminars and training) for the implementation of the Act.</p>	
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## Construction Products

### *Approximation of legislation*

Directive 89/106/EEC will be harmonized with the draft *Building Act* submitted to *Riigikogu* proceedings by the Government on 13 June 2001.

If the European Council adopts the new directive on external noise (*Proposal for a European Parliament and Council directive on the Assessment and management of Environmental Noise* (COM (2000) 468/-C5-0411/2000-2000/0194(COD))), corresponding amendments shall be made in the Estonian legislation via *Building Act Amendment Act* and secondary legislation in 2002.

### *Implementation of legislation and administrative capacity*

In relation to the enforcement of the *Building Act* the priorities for 2002 are:

- Standardisation of the construction field;
- Conformity assessment of construction products;
- Ensuring performance of construction market and improving construction quality.

There are three sub-priorities in standardisation of construction field:

- Adopting CEN/TC 250 construction and design standards Eurocodes as Estonian standards. The problem of transposing Eurocodes lies in composing and translating national attachments (NAD), as this process requires considerable amount of recourses and knowledge.
- Composing original Estonian standards based on existing construction and design regulations (CDR) in areas where CEN activity is deficient or absent.
- Adopting CEN harmonized European standards resultant from directive 89/106/EEC as Estonian standards.

Co-operation with Denmark shall continue concerning conformity assessment of construction products. It is planned to continue the consultation and training project in the framework of the Danish FEU program for conformity assessment bodies that include the center "EhitusTEST" and Tallinn Technical University Testing Center. The aim of the project is to create the necessary preconditions for establishing technical approval bodies.

Estonian Association of Construction Entrepreneurs plans to initiate a co-operation project concerning performance of construction market and improvement of construction quality. The aim of this project is establishing a quality registry of construction companies that would be attached to the Estonian Association of Construction Entrepreneurs. As the basis of its evaluation the quality registry uses the principles of European Standard prEN 13833 currently being developed by CEN technical committee no. 330.

Implementing directive 89/106/EEC necessitates the improvement of the administrative capacity of the center "EhitusTEST" and Tallinn Technical University Testing Center as designated bodies. Designated bodies must ensure conformity of services rendered to quality requirements of both Estonian and European Union legislation.

When harmonizing directive 89/106/EEC there will be a need for selecting a market surveillance strategy (active or passive market surveillance of construction products) in the field of market surveillance. Legal basis for the Technical Inspectorate to conduct market surveillance of construction products shall be introduced with the *Building Act*. Division of responsibilities of institutions active in market surveillance must also be specified and their co-operation enhanced. Planning of the activities related to market surveillance was initiated in the framework of Phare 2000 market surveillance project in 2001. [See Ch. 1.2. Horizontal aspects, market surveillance and product safety]



**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
Council Directive 89/106/EEC for harmonizing member states acts, regulations and administrative regulations concerning construction products Council Directive 93/68/EEC for amending the directives 87/404/EEC, 88/ 378/ EEC, 89/ 106/ EEC, 89/ 336/ EEC, 89/ 392/ EEC, 89/ 686/ EEC, 90/ 384/ EEC, 90/ 385/ EEC, 90/ 396/ EEC, 91/ 263/ EEC, 92/ 42/ EEC and 73/ 23/ EEC.	<i>Building Act</i>	In proceedings of <i>Riigikogu</i> , entry into force January 2003	
	Regulation of the Minister of Economic Affairs "Order for verifying construction products' conformity to the requirements and conformity assessment procedures necessary for verification of different classes of construction products"	March 2002 July 2002	Regulation of the minister establishes the order for verifying the construction products' conformity to the requirements.
	Regulation of the Minister of Economic Affairs "List of construction products of which the conformity assessment procedures necessary for verification of conformity to the requirements are partially or to full extent carried out by authorized body"	March 2002 July 2002	

**Implementation and administrative capacity**

1.	2.	3.	4.	5.
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
<u>Ministry of Economic Affairs:</u> Supplementing and implementing the register of entrepreneurs acting in the fields of specific requirements	<i>Building Act</i>	State budget 2002		
<u>Estonian Association of Construction Entrepreneurs:</u> Establishing Quality registry of construction companies	<i>Building Act</i>	Estonian Association of Construction Entrepreneurs' equity	Expert assistance	The aim of the quality registry is promoting construction market development and improving construction quality.
<u>Estonian Center for Standardisation:</u> Adoption of Eurocodes as Estonian standards	<i>Building Act</i>	State budget, Phare 2001	Application for receiving expert assistance is submitted in the frames of Phare 2001 EIB project "Support for accelerating Estonian accession to EU".	

## Medical Devices

In 2002 the *Medical Devices Act* will be drawn up to fully harmonise the legislation concerning medical devices with the legal acts of the European Union. The act will be in compliance with the directives 90/385/EEC, 93/42/EEC, 98/79/EEC and 2000/70/EC providing the requirements for medical devices, active implantable medical devices, *in vitro* diagnostic medical devices and devices incorporating stable derivatives of human blood or human plasma. Implementing acts of the Medical Devices Act will be drafted or current legal act amended pursuant to the EU requirements, if such necessity might arise.

In 2002 trainings in the field of medical devices will be organised to enhance the administrative capacity of the State Agency of Medicines and implement market surveillance.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
<b>90/385/EEC</b> Council Directive 90/385/EEC of 20 June 1990 on the approximation of the laws of the Member States relating to active implantable medical devices	<i>Medical Devices Act</i>	November 2002 December 2003	
<b>93/42/EEC</b> Council Directive 93/42/EEC of 14 June 1993 concerning medical devices	<i>Medical Devices Act</i>	November 2002 December 2003	
	<i>Blood Act</i> implementation act: Regulation of the Minister of Social Affairs on requirements of construction and design of the rooms, equipment and apparatus necessary for handling blood	Draft Blood Act is in the Parliament September 2002	
<b>98/79/EEC</b> Directive 98/79/EC of the European Parliament and of the Council of 27 October 1998 on in vitro diagnostic medical devices	<i>Medical Devices Act</i>	November 2002 December 2003	
<b>2000/70/EC</b> Directive 2000/70/EC of the European Parliament and of the Council of 16 November 2000 amending Council Directive 93/42/EEC as regards medical devices incorporating stable derivatives of human blood or human plasma	<i>Medical Devices Act</i>	November 2002 December 2003	

**Implementation and administrative capacity**

1.	2.	3.	4.	5.
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
<b>State Agency of Medicines</b> 2 workplaces in the field of national inspection I half-year of 2002	<i>Medical Devices Act</i>	Sub-component A2 "Medical Technology" of the Estonian Health Care Project  State budget Part 141 chapter 0175 article 59	TAIEX expert for providing advice on the drafting and implementation of legislation	In 2002 EEK 1 million will be allocated for the development of medical technology within the framework of the Estonian Health Care Project
<b>Health Care Board</b> 2 workplaces in the field of national inspection I half-year of 2002	<i>Medical Devices Act</i>	Sub-component A2 "Medical Technology" of the Estonian Health Care Project  State budget Part 141 chapter 0175 article 59	TAIEX expert for providing advice on the drafting and implementation of legislation	In 2002 EEK 1 million will be allocated for the development of medical technology within the framework of the Estonian Health Care Project
<b>Ministry of Social Affairs</b> Training in the activities of the competent authority 2002	<i>Medical Devices Act</i>	Sub-component A2 "Medical Technology" of the Estonian Health Care Project  State budget Part 141 chapter 0175 article 59	Training in an analogous EU institution	In 2002 EEK 1 million will be allocated for the development of medical technology within the framework of the Estonian Health Care Project
<b>State Agency of Medicines</b> Training in national inspection and conformity assessment 2002	<i>Medical Devices Act</i>	Sub-component A2 "Medical Technology" of the Estonian Health Care Project  State budget Part 141 chapter 0175 article 59	Training in an analogous EU institution	In 2002 EEK 1 million will be allocated for the development of medical technology within the framework of the Estonian Health Care Project

## 1.4.Sectoral Approach Directives

### Motor vehicles, tractors, forestry tractors

#### Approximation of legislation

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
Council Directive 74/151/EEC on the approximation of the laws of the Member States relating to certain parts and characteristics of wheeled agricultural or forestry tractors (amendment directives 88/410/EEC and 98/38/EC).	Amendment of the Regulation of the Minister of the Transport and Communications No 27 of March 27, 2001 on "Rules for roadworthiness tests of wheel tractors, non-road vehicles and their trailers and the requirements for their roadworthiness and equipment"	November 2002, January 2003	-
Council Directive 74/152/EEC on the approximation of the laws of the Member States relating to the maximum design speed of and load platforms for wheeled agricultural or forestry tractors (amendment directives 88/412/EEC and 98/89/EC).			-
Council Directive 74/346/EEC on the approximation of the laws of the Member States relating to rear-view mirrors for wheeled agricultural or forestry tractors (amendment directives 98/40/EC).			-
Council Directive 74/347/EEC on the approximation of the laws of the Member States relating to the field of vision and windscreen wipers for wheeled agricultural or forestry tractors (amendment directive 79/1073/EEC).			-
Council Directive 75/321/EEC on the approximation of the laws of the Member States relating to the steering equipment of wheeled agricultural or forestry tractors (amendment directives 88/411/EEC and 98/39/EC).			-
Council Directive 75/322/EEC on the approximation of the laws of the Member States relating to the suppression of radio interference produced by spark-ignition engines fitted to wheeled agricultural or forestry tractors (amendment directives 2000/2/EC and 2001/3/EC).			-

Council Directive 76/432/EEC on the approximation of the laws of the Member States relating to the braking devices of wheeled agricultural or forestry tractors (amendment directive 96/63/EC).			-
Council Directive 76/763/EEC on the approximation of the laws of the Member States relating to passenger seats for wheeled agricultural or forestry tractors (amendment directives 89/680/EEC and 99/55/EC).			-
Council Directive 77/536/EEC on the approximation of the laws of the Member States relating to the roll-over protection structures of wheeled agricultural or forestry tractors (amendment directives 89/680/EEC and 99/55/EC).			-
Council Directive 78/764/EEC on the approximation of the laws of the Member States relating to the driver's seat on wheeled agricultural or forestry tractors (amendment directives 83/190/EEC, 88/465/EEC and 99/57/EC).			-
Council Directive 78/933/EEC on the approximation of the laws of the Member States relating to the installation of lighting and light-signalling devices on wheeled agricultural and forestry tractors (amendment directive 99/56/EC).			-
Council Directive 79/532/EEC on the approximation of the laws of the Member States relating to the component type-approval of lighting and light- signalling devices on wheeled agricultural or forestry tractors.			-
Council Directive 79/533/EEC on the approximation of the laws of the Member States relating to the coupling device and the reverse of wheeled agricultural or forestry tractors (amendment directive 99/58/EC).			-
Council Directive 79/622/EEC on the approximation of the laws of the Member States relating to the roll-over protection structures of wheeled agricultural or forestry tractors (static testing) (amendment directives 82/953/EEC, 88/413/EEC and 99/40/EC).			-
Council Directive 80/720/EEC on the approximation of the laws of the Member States relating to the operating space, access to the driving position and the doors and windows of wheeled agricultural or forestry tractors (amendment directive 88/414/EEC).			-

Council Directive 86/297/EEC on the approximation of the laws of the Member States relating to the power take-offs of wheeled agricultural and forestry tractors and their protection.			-
Council Directive 86/298/EEC on rear- mounted roll-over protection structures of narrow-track wheeled agricultural and forestry tractors (amendment directives 89/682/EEC and 2000/19/EC).			-
Council Directive 86/415/EEC on the installation, location, operation and identification of the controls of wheeled agricultural or forestry tractors			-
Council Directive 87/402/EEC on roll- over protection structures mounted in front of the driver's seat on narrow-track wheeled agricultural and forestry tractors (amendment directives 89/681/EEC and 2000/22/EC).			-
Council Directive 89/173/EEC on the approximation of the laws of the Member States relating to certain components and characteristics of wheeled agricultural or forestry tractors (amendment directive 2000/1/EC).			-
Commission Directive 2001/11/EC adapting to technical progress Council Directive 96/96/EC on the approximation of the laws of the Member States relating to roadworthiness tests for motor vehicles and their trailers – functional testing of commercial vehicles' speed limitation device.	MOTC Regulation No 26 of March 27, 2001 on "Rules for roadworthiness tests of motor vehicles and their trailers";	December 2002, December 2002	-
Directive 2000/7/EC of the European Parliament and of the Council on speedometers for two- or three-wheel motor vehicles and amending Council Directive 92/61/EEC on the type-approval of two- or three-wheel motor vehicles.	Amendment of the MOTC Regulation No 50 of May 18, 2001 on the requirements for roadworthiness and equipment of motor vehicles and their trailers	May 2002 May 2002	-
Commission Directive 2000/73/EC adapting to technical progress Council Directive 93/92/EEC on the installation of lighting and light-signalling devices on two- or three-wheel motor vehicles.			-
Commission Directive 2000/74/EC adapting to technical progress Council Directive 93/29/EEC on the identification of controls, tell-tales and indicators for two- or three-wheel motor vehicles.			-



<p>Commission Directive 2001/31/EC adapting to technical progress Council Directive 70/387/EEC relating to the doors of motor vehicles and their trailers.</p>			-
<p>Commission Directive 2001/92/EC adapting to technical progress Council Directive 92/22/EEC on safety glazing and glazing materials on motor vehicles and their trailers and Council Directive 70/156/EEC relating to the type-approval of motor vehicles and their trailers</p>			-

## Foodstuffs

### *Introduction*

Foodstuffs sector is regulated with *Food Act* (enforced 1 January 2000) and its implementing acts. By the end of 2001 all the necessary implementing acts of the *Food Act* are enforced and consequently the majority of the legislation of the sector will be harmonised with the European Union legislation. On 14 November 2001 the Parliament passed the amendment act to the *Food Act, Veterinary Activities Organisation Act, Infectious Animal Disease Control Act* and *Animal Protection Act*, the aim of which is to solve the issues, which arose during the implementation of the amended acts. The supplements and modifications made in the acts allow bringing Estonian legislation into accordance with the new or amended European Union directives. The amendment act entered into force on 1.01.2002.

It is planned to transpose into Estonian legislation requirements of those vertical directives that are not transposed yet, and to harmonise Estonian legal acts with new directives (passed mainly in 2000 and 2001) in 2002.

Among the horizontal directives, the following directives have not been harmonised. In the sector of food for particular nutritional uses, it is planned to transpose to the Estonian acts the requirements of the directive 2001/15/EC on substances that may be added for specific nutritional purposes in foods for particular nutritional uses.

In order to harmonise the sector of materials intended to come in contact with food, the requirements of the directive 2001/61/EC regulating the use of epoxy derivatives in such materials has to be transposed.

Directive 2001/5/EC on food additives, which amends the directive 95/2/EC regulating the limits of certain additives in food has not been transposed. In the sector of food additives the following directives need to be transposed in 2002. Directive 2001/5/EC on food additives, which amends the directive 95/2/EC regulating the limits of certain additives in food, and the directives 2000/63/EC, 2001/30/EC, 2001/50/EC and 2001/52/EC on the purity criteria of food additives, amending directives with which Estonian legislation has already been harmonised.

As regards the directive 67/427/EEC regulating the use of certain preservatives for the surface treatment of citrus fruit and methods of analysis, the limits of the mentioned substances has been transposed, the analysis methods has not yet been transposed.

In order to regulate the sector of food treatment with ionising radiation directives 1999/2/EC and 1999/3/EC have to be transposed in 2002. Regarding limits of plant protection product residues, the Estonian legislation harmonising the directives has regularly been supplemented. Estonia has supplemented legal acts once a year.

Transposition of requirements on food of animal origin of directives 2000/42/EC, 2000/58/EC and 2000/81/EC (the requirements on food of plant origin have been harmonised with earlier legal acts) and directives 2001/39/EC, 2001/57/EC 2001/35/EC and 2001/48/EC will be done in 2002.

Of the vertical directives (directives on a specific food group) the directives on casein and caseinate (83/417/EEC, 85/503/EEC, 86/424/EEC), maximum level of erucic acids in oils and fats (76/621/EEC, 80/891/EEC), sugars (73/437/EEC, 79/796/EEC) and partly or wholly dehydrated preserved milk (76/118/EMÜ, 79/1067/EMÜ, 87/524/EMÜ) have to be transposed.

An *Amendment act to the Food Act* will be prepared in 2002, with which Estonian legislation will be fully harmonised with the requirements of the directives on food for particular nutritional uses. Namely, the *Food Act* prescribes that it is needed to apply for a permit from the Health Protection Inspectorate to handle food for particular nutritional uses. The corresponding EU directive, however, foresees the notification of the marketing of this kind of products.

Secondly, it is necessary to modify the section on novel food in the *Food Act*. In the European Union the novel food sector has been regulated with an appropriate regulation, which is directly applicable in the member states. However, to guarantee that Estonia would be principally ready to join the system of allowing novel foods to the market upon accession to the European Union, it was necessary to develop national legislation and implement it based on the rules of the European Union.

Upon accession to the European Union, Estonia will have the obligation to implement the EU procedure of allowing novel food to the market and therefore necessary modifications have to be entered into the *Food Act*. The mentioned *Amendment Act to the Food Act* will be submitted to the Riigikogu in the first half of 2003 and will enter into force as of the date of accession.

#### ***Approximation of legislation***

The action plan for approximation of legislation is presented in the enclosed table.

#### ***Legislative implementation and administrative capacity***

In the food sector the Veterinary and Food Board, Health Protection Inspectorate and Consumer Protection Board are responsible for the implementation of the legislation and supervision. The division of duties between these institutions is laid down in the *Food Act*. The duty of the Health Protection Inspectorate is to carry out control over retail businesses and mass caterers. Over all other food handlers, the control will be carried out by the Veterinary and Food Board. It is also the duty of the Border Service of the Veterinary and Food Board to carry out the control of any kind of raw material for food and food on the border. The duty of the Consumer Protection Board is to conduct control over the labelling, storage conditions and composition of food in the retail and wholesale stage.

According to the *Food Act*, since 1 July 2002 the analysis of the samples taken during the inspection can be carried out only by the authorised laboratories for the corresponding analyses. By the end of 2001, 20 laboratories have been authorised to analyse the samples taken during the inspection. Since 1 January 2002 all the authorised laboratories have to be also accredited. At the same time the technical level of the laboratories still needs improvement.

All the important implementing acts of the *Food Act* will have been laid down by the end of 2002. Next main objective will be ensuring the effective implementation of the

requirements. For that purpose it is necessary to continuously train the staff of Veterinary and Food Board as well as the Health Protection Inspectorate and Consumer Protection Board, also to improve the technical equipment. In addition, it is necessary to improve the information exchange between the inspection institutions and develop the information network of inspection institutions carrying out national veterinary and food inspection.

In order to improve the administrative capacity and strengthen the food inspection system, also to guarantee the effective implementation of the food sector legislation a Phare 2001 project “Strengthening of the food inspection system” will be launched in the first half of 2002. Within the framework of the project, it is planned to carry out training of the inspection officials, development of the inspection manuals, supplying the officials with the additional equipment necessary for carrying out inspection, procurement of the necessary equipment for the laboratories and development of information network connecting the institutions carrying out veterinary and food inspection.

Since 1 January 2002, the paragraph on self-checking requirement of the *Food Act* entered into force. Hence, it is obligatory for the food handlers to carry out self-check based on the HACCP principles. To guarantee better implementation of the self-check requirement and also the hygiene requirements, it is planned to focus the attention on the development of good hygiene practice guidelines in 2002. The initiative to develop the guidelines has to come from the food business associations, however it is planned to help the development of the guidelines within of the above-mentioned Phare 2001 project.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
Council Directive 67/427/EEC of 27 June 1967 on the use of certain preservatives for the surface treatment of citrus fruit and on the control measures to be used for the qualitative and quantitative analysis of preservatives in and on citrus fruit	Regulation of the Government "Methods for sampling and analysing the preservatives used in surface treatment of citrus fruit",	December 2002 February 2003	The provisions of the directive covering limits of preservatives is harmonised with the Regulation of the Government from 7 March 2000 No. 81 "The list and limits of food additives by food groups, the conditions and methods of the use of food additives and special requirements for the labelling and presentation of information in any other manner"
Directive 2001/5/EC of the European Parliament and of the Council of 12 February 2001 amending Directive 95/2/EC on food additives other than colours and sweeteners	Amendment of the Regulation of the Government from 7 March 2000 No. 81 "The list and limits of food additives by food groups, the conditions and methods of the use of food additives and special requirements for the labelling and presentation of information in any other manner"	February 2002 April 2002	
Commission Directive 2000/63/EC of 5 October 2000 amending Directive 96/77/EC laying down specific purity criteria on food additives other than colours and sweeteners	Amendment of the Regulation of the Government from 10 June 1999 No. 192 "Approval of purity requirements for food additives and methods of analysis for official control"	April 2002 June 2002	Products not in compliance with the requirements of the amendment, can be produced and sold until 4 October 2002 and as of that date it will be allowed to sell them until stocks run out
Commission Directive 2001/30/EC of 2 May 2001 amending Directive 96/77/EC laying down specific purity criteria on food additives other than colours and sweeteners			
Commission Directive 2001/50/EC of 3 July 2001 amending Directive 95/45/EC laying down specific purity criteria concerning colours for use in foodstuffs			
Commission Directive 2001/52/EC of 3 July 2001 amending Directive 95/31/EC laying down specific criteria of purity concerning sweeteners for use in foodstuffs			

Commission Directive 2001/61/EC of 8 August 2001 on the use of certain epoxy derivatives in materials and articles intended to come into contact with foodstuffs	Amendment of the Regulation of the Government from 17 May 1999 No. 156 "The requirements for materials and articles intended to come into contact with foodstuffs, specific requirements for the groups of materials and articles and methods of analysis for official control"	September 2002 November 2002	Production and use of materials not in compliance with the requirements, will be allowed until deadlines provided for in the directive
Commission Directive 91/321/EEC of 14 May 1991 on infant formulae and follow-on formulae	Amendment of the Regulation of the Government from 29 December 1999 No. 436 "Approval of composition and quality requirements for food intended for particular nutritional uses, requirements for substances used in manufacture of such food and requirements for handling of such food, and special requirements and procedure for labelling of and presentation of information in any other manner concerning such food"	January 2002 February 2002	
Commission Directive 96/5/EC, Euratom of 16 February 1996 on processed cereal-based foods and baby foods for infants and young children			
Commission Directive 2001/15/EC of 15 February 2001 on substances that may be added for specific nutritional purposes in foods for particular nutritional uses	Amendment of the Regulation of the Government from 29 December 1999 No. 436 "Approval of composition and quality requirements for food intended for particular nutritional uses, requirements for substances used in manufacture of such food and requirements for handling of such food, and special requirements and procedure for labelling of and presentation of information in any other manner concerning such food"	October 2002 January 2003	Marketing of food for particular nutritional uses, which are not in compliance with the requirements, is allowed to continue until 1 April 2004
Council Directive 73/437/EEC of 11 December 1973 on the approximation of the laws of the Member States concerning certain sugars intended for human consumption	The Regulation of Government "The composition, quality and labelling requirements for sugars and the methods of sampling and analysis"	June 2002 September 2002	Presumably the production and marketing of products not in compliance with the requirements is allowed until 1 June 2003
First Commission Directive 79/796/EEC of 26 July 1979 laying down Community methods of analysis for testing certain sugars intended for human consumption			

<p>Council Directive 76/118/EEC of 18 December 1975 on the approximation of the laws of the Member States relating to certain partly or wholly dehydrated preserved milk for human consumption</p> <p>First Commission Directive 79/1067/EEC of 13 November 1979 laying down Community methods of analysis for testing certain partly or wholly dehydrated preserved milk for human consumption</p> <p>First Commission Directive 87/524/EEC of 6 October 1987 laying down Community methods of sampling for chemical analysis for the monitoring of preserved milk products</p>	<p>The Regulation of Government "The composition, quality and labelling requirements for partly or wholly dehydrated preserved milk and the methods of sampling and analysis"</p>	<p>November 2002 January 2003</p>	<p>Presumably the production and marketing of products not in compliance with the requirements is allowed until 1 June 2003</p>
<p>Council Directive 76/621/EEC of 20 July 1976 relating to the fixing of the maximum level of erucic acid in oils and fats intended as such for human consumption and in foodstuffs containing added oils or fats</p> <p>Commission Directive 80/891/EEC of 25 July 1980 relating to the Community method of analysis for determining the erucic acid content in oils and fats intended to be used as such for human consumption and foodstuffs containing added oils or fats</p>	<p>The Regulation of Government "The maximum levels of erucic acid in oils and fats and in foodstuffs containing added oils or fats and the methods of sampling and analysis"</p>	<p>May 2002 July 2002</p>	
<p>Council Directive 83/417/EEC of 25 July 1983 on the approximation of the laws of the Member States relating to certain lactoproteins (caseins and caseinates) intended for human consumption</p> <p>First Commission Directive 85/503/EEC of 25 October 1985 on methods of analysis for edible caseins and caseinates</p> <p>First Commission Directive 86/424/EEC of 15 July 1986 laying down methods of sampling for chemical analysis of edible caseins and caseinates</p>	<p>The Regulation of Government "The composition, quality and labelling requirements for caseins and caseinates and the methods of sampling and analysis"</p>	<p>January 2002 March 2002</p>	
<p>Directive 1999/2/EC of the European Parliament and of the Council of 22 February 1999 on the approximation of the laws of the Member States concerning foods and food ingredients treated with ionising radiation</p> <p>Directive 1999/3/EC of the European Parliament and of the Council of 22 February 1999 on the establishment of a Community list of foods and food ingredients treated with ionising radiation</p>	<p>The Regulation of Government "The special requirements for treatment of food and raw material for food with ionising radiation and for labelling of food and raw material for food treated with ionising radiation and presentation of information in any other manner."</p>	<p>February 2002 April 2002</p>	

Regulation (EC) No 258/97 of the European Parliament and of the Council of 27 January 1997 concerning novel foods and novel food ingredients	Amendment Act of Food Act	May 2003 accession date	Amendment of Food Act allows to implement the Regulation (EC) No 258/97 of the European Parliament and of the Council from the date of accession to EU
Council Directive 89/398/EEC of 3 May 1989 on the approximation of the laws of the Member States relating to foodstuffs intended for particular nutritional uses			
Commission Directive 2000/42/EC of 22 June 2000 amending the Annexes to Council Directives 86/362/EEC, 86/363/EEC and 90/642/EEC on the fixing of maximum levels for pesticide residues in and on cereals, foodstuffs of animal origin and certain products of plant origin, including fruit and vegetables respectively	The Regulation of Government “Maximum levels of residues of plant protection products in food and methods of sampling and analysing residues in and on products of plant origin”	October 2002 December 2002	
Commission Directive 2000/58/EC of 22 September 2000 amending the Annexes to Council Directives 86/362/EEC, 86/363/EEC and 90/642/EEC on the fixing of maximum levels for pesticide residues in and on cereals, foodstuffs of animal origin and certain products of plant origin, including fruit and vegetables respectively			
Commission Directive 2000/81/EC of 18 December 2000 amending the Annexes to Council Directives 86/362/EEC, 86/363/EEC and 90/642/EEC on the fixing of maximum levels for pesticide residues in and on cereals, foodstuffs of animal origin and certain products of plant origin, including fruit and vegetables, respectively			
Commission Directive 2001/35/EC of 11 May 2001 amending the Annexes to Council Directive 90/642/EEC on the fixing of maximum levels for pesticide residues in and on certain products of plant origin, including fruit and vegetables			
Commission Directive 2001/39/EC of 23 May 2001 amending the Annexes to Council Directives 86/362/EEC, 86/363/EEC and 90/642/EEC on the fixing of maximum levels for pesticide residues in and on cereals, foodstuffs of animal origin and certain products of plant origin, including fruit and vegetables respectively			
Commission Directive 2001/48/EC of 28 June 2001 amending the Annexes to Council Directives 86/362/EEC and 90/642/EEC on the fixing of maximum levels for pesticide residues in and on cereals and certain products of plant origin, including fruit and vegetables respectively			



Commission Directive 2001/57/EC of 25 July 2001 amending the Annexes to Council Directives 86/362/EEC, 86/363/EEC and 90/642/EEC on the fixing of maximum levels for pesticide residues in and on cereals, foodstuffs of animal origin and certain products of plant origin, including fruit and vegetables respectively	The Regulation of Government “Maximum levels of residues of plant protection products in food and methods of sampling and analysing residues in and on products of plant origin”	October 2002 December 2002	
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**Implementation and administrative capacity**

1.	2.	3.	4.	5.
Institution, planned measures (incl training), deadline	Legal basis, implemented legal act	Financing (State budget line, other sources)	Technical assistance needs	Remarks
Training for inspectors of Veterinary and Food Board, Health Protection Inspectorate and Consumer Protection Board and development of inspection manuals during 2002-2003	Food Act and its implementing provisions	PHARE 2001 project "Strengthening of the food inspection system" 2,000,000 EEK		
Purchase of equipment for of Veterinary and Food Board and Health Protection Inspectorate, June 2002	Food Act and its implementing provisions	PHARE 2001 project "Strengthening of the food inspection system" 1,500,000 EEK		
Improvement of exchange of information and development of common network between food control authorities, development of required databases, September 2003	Food Act and its implementing provisions	PHARE 2001 project "Strengthening of the food inspection system" 3,100,000 EEK		
Procurement of laboratory equipment for laboratories of Health Protection Inspectorate	Food Act GoRr 29.12.1999 No 436 GoRr 20.06.2000 No 198 GoRr 25.05.2000 No 166	Application for PHARE 2002 "Strengthening of market surveillance" 27,000,000 EEK (incl. 6,700,000 EEK co-financing)	Laboratory equipment for analyses of food for particular nutritional uses (8,000,000 EEK) Equipment for microbiology to retain accreditation (3,600,000 EEK)	
Recruitment of 8 additional food inspectors in Health Protection Inspectorate	Food Act and its implementing provisions	1,200,000 EEK State budget 141/65	Planned to be financed from state budget in 2003	

## **Fertilisers**

The sector is regulated by the *Fertiliser Act* passed in 1997 and its secondary legislative acts.

In the first half of 2002 the draft *Fertilisers Act* is will be passed in *Riigikogu* and followed by the development of secondary legislative acts complying to the EU directives.

The most important issues to be regulated by the *Fertilisers Act* and its secondary acts will be:

- 1) Quality requirements on fertilisers and production of mixtures of fertilisers;
- 2) Bringing the methods of sampling and testing the fertilisers in accordance with international methods;
- 3) Requirements on packaging, labelling and imports of fertilisers;
- 4) Statutes of the fertilisers register to establish the documents serving as a basis for registration entry and procedures and documents required for preliminary registration of a fertiliser upon first importation;
- 5) Special requirements for transportation, storing and safety insurance of flammable or explosive fertilisers.

The secondary acts of the new *Fertilisers Act* will be enforced during 2002.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
Council Directive 76/116/EEC of 18 December 1975 on the approximation of the laws of the Member States relating to fertilizers	Fertilisers Act	04.2002 10.2002	
Commission Directive 77/535/EEC of 22 June 1977 on the approximation of the laws of the Member States relating to methods of sampling and analysis for fertilizers	Fertilisers Act	04.2002 10.2002	
Council Directive 80/876/EEC of 15 July 1980 on the approximation of the laws of the Member States relating to straight ammonium nitrate fertilizers of high nitrogen content	Fertilisers Act	04.2002 10.2002	
Commission Directive 87/94/EEC of 8 December 1986 on the approximation of the laws of the Member States relating to procedures for the control of characteristics of, limits for and resistance to detonation of straight ammonium nitrate fertilizers of high nitrogen content	Fertilisers Act	04.2002 10.2002	

**Implementation and administrative capacity**

1.	2.	3.	4.	5.
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
PPI, consultations and training in a centre of plant research of an EU member state (Finland)	Fertilisers Act and its secondary acts	State budget of 2002 - 15,000 EEK	Consultations, training (in Finland)	
Improvement of national register of fertilisers of the PPI	Statutes of the National Register of Fertilisers	State budget of 2002 - 10,000 EEK	-	Improvement of national register of fertilisers, ensuring the safety of processing and storing of data

## Detergents

The field of detergents is regulated by the *Chemicals Act* (adopted on May 6, 1998). The field is fully harmonised with the EU requirements.

## Chemicals

In 2002 the field of chemicals will be fully harmonised with the EU requirements.

In 2002 the *Biocides Act* and relevant implementing acts on the registration and procedure of accounting, classification, packaging and labelling and lists of biocides will be drafted, fully harmonising the act with the EU directive 98/8/EC.

In addition, Regulations of the Minister of Social Affairs “*Procedure of Notification of Chemicals*”, “*Procedure of Identification, Classification, Packaging and Labelling of Dangerous Chemicals*” and “*List of Dangerous Substances*” will be amended in 2002 pursuant to the EU directives 2000/21/EC, 2000/32/EC, 2000/33/EC, 2001/58/EC and 2001/60/EC.

EEK 100 000 have been applied from the state budget for the financing of the legislation concerning chemicals.

In the I half-year of 2002 *Estonian Development Plan of Chemicals Safety* will be drawn up with the aim of assessing the current situation regarding chemicals and defining short-term and medium-term objectives for the institutional development of chemicals safety and chemicals policy. Point 7 of section 8 of paragraph 2 of the *Chemicals Act*, guidelines of the EU chemicals policy and the needs of the Estonian chemicals policy will be taken as the basis for the drafting of the development plan.

Increasing of the administrative capacity of the Chemicals Notification Centre will continue within the period of 2002-2003. Estonia will participate in the project Regional Chemicals Control of the Baltic States and in the Swedish – Estonian co-operation project Chemicals Control in the Republic of Estonia 2002-2005. Several seminars in the field of chemicals will be organised within the framework of these projects.

In 2002 Estonia will participate in a training to implement the EU chemicals *acquis*’ organised for the EU accession countries within the framework of the CEFIC/EU Commission ChemLeg project “*Partnership for Building up Future Europe and the Enlarged Internal Market*”.

In I half-year of 2003 poisoning notification unit will be set up at the Chemicals Notification Centre and 3 new specialists will be recruited. For this purpose the *Chemicals Act* will be amended in 2002 and the responsibilities and competence of the Chemicals Notification Centre will be extended pursuant to the directives 1999/45/EC, 98/8/EC and 76/768/EC. Tasks of the poisoning notification unit are, *inter alia*:

- to ensure exchange of information regarding poisoning with the public, health care institutions, civil servants and undertakings;

- to provide by phone quick and relevant advice and information about the symptoms, risks and treatment of acute cases of poisoning;
- in the event of poisoning provide the sufferer as well as physicians with advice on the measures of first aid to avoid more extensive damage before the treatment or reaching a medical institution.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
<b>98/8/EC</b> Directive 98/8/EC of the European Parliament and of the Council of 16 February 1998 concerning the placing of biocidal products on the market	<i>Biocides Act</i>  Regulation of the Minister of Social Affairs "Procedure of Registration of Biocides" Regulation of the Minister of Social Affairs "Procedure of Classification, Packaging and Labelling of Biocides" Regulation of the Minister of Social Affairs "Procedure of Accounting of Biocides" Regulation of the Minister of Social Affairs "List of Biocides" <i>Chemicals Act Amendment Act</i>	December 2002 June 2003  April 2003 June 2003 April 2003 June 2003 April 2003 June 2003 April 2003 June 2003 March 2002 June 2003	              Pursuant to the act the responsibilities of the Chemicals Notification Centre will be extended and poisoning notification unit will be set up (setting up of this unit necessary pursuant to Art 24 of the directive)
<b>1999/45/EC</b> Directive 1999/45/EC of the European Parliament and of the Council of 31 May 1999 concerning the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations	<i>Chemicals Act Amendment Act</i>	March 2002 June 2003	Pursuant to the act the responsibilities of the Chemicals Notification Centre will be extended and poisoning notification unit will be set up (setting up of this unit necessary pursuant to Art 17 of the directive)
<b>1999/72/EC</b> Commission decision on 1999/72/EÜ on home and rest time traumas registration system	Regulation of the Minister of Social Affairs "Procedure for registration of traumas and poisonings and collecting of data"	June 2002 November 2003	



<p><b>2000/21/EC</b> Commission Directive 2000/21/EC of 25 April 2000 concerning the list of Community legislation referred to in the fifth indent of Article 13(1) of Council Directive 67/548/EEC (Text with EEA relevance)</p>	<p>Amendments to the Regulation No 18 of March 22, 1999 of the Minister of Social Affairs "Procedure of Notification of Chemicals"</p>	<p>May 2002 September 2002</p>	
<p><b>2000/32/EC</b> Commission Directive 2000/32/EC of 19 May 2000 adapting to technical progress for the 26th time Council Directive 67/548/EEC on the approximation of the laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances (Text with EEA relevance.)</p>	<p>Amendments to the Regulation No 37 of May 26, 2000 of the Minister of Social Affairs "Procedure of Identification, Classification, Packaging and Labelling of Dangerous Chemicals"</p>	<p>October 2002 January 2003</p>	
	<p>Amendments to the Regulation No 59 of November 30, 1998 of the Minister of Social Affairs "List of Dangerous Substances"</p>	<p>July 2002 October 2002</p>	
<p><b>2000/33/EC</b> Commission Directive 2000/33/EC of 25 April 2000 adapting to technical progress for the 27th time Council Directive 67/548/EEC on the approximation of laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances (Text with EEA relevance.)</p>	<p>Amendments to the Regulation No 37 of May 26, 2000 of the Minister of Social Affairs "Procedure of Identification, Classification, Packaging and Labelling of Dangerous Chemicals"</p>	<p>October 2002 January 2003</p>	
<p><b>2001/58/EC</b> Commission Directive 2001/58/EC of 27 July 2001 amending for the second time Directive 91/155/EEC defining and laying down the detailed arrangements for the system of specific information relating to dangerous preparations in implementation of Article 14 of European Parliament and Council Directive 1999/45/EC and relating to dangerous substances in implementation of Article 27 of Council Directive 67/548/EEC (safety data sheets) (Text with EEA relevance)</p>	<p>Amendments to the Regulation No 37 of May 26, 2000 of the Minister of Social Affairs "Procedure of Identification, Classification, Packaging and Labelling of Dangerous Chemicals"</p>	<p>October 2002 January 2003</p>	
<p><b>2001/60/EC</b> Commission Directive 2001/60/EC of 7 August 2001 adapting to technical progress Directive 1999/45/EC of the European Parliament and of the Council concerning the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations (Text with EEA relevance)</p>	<p><i>Amendments to the Regulation No 37 of May 26, 2000 of the Minister of Social Affairs "Procedure of Identification, Classification, Packaging and Labelling of Dangerous Chemicals"</i></p>	<p>October 2002 January 2003</p>	

	<i>Estonian Development Plan of Chemicals Safety</i>	April 2002 May 2002	
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**Financing** of the legislation concerning chemicals from the state budget: total EEK 100 000

**Implementation and administrative capacity**

1.	2.	3.	4.	5.
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
Setting up a poisonings and traumas register and organising training for administrators of the register November 2003	Regulation of the Minister of Social Affairs "Procedure for registration of traumas and poisonings and collecting of data" 1999/72/EC	State budget 2003	Health Care Project	
<b>Chemicals Notification Centre</b> Setting up the poisoning notification unit 3 new specialists June 2003	<i>Chemicals Act Amendment Act</i> 1999/45/EÜ 98/8/EÜ 76/768/EMÜ	State budget 2003 800 000 EEK	Potential application of foreign support and experts	It is possible to set up the poisoning notification unit as an extension to the Chemicals Notification Centre but everyday work should be interrelated with the health care sector (counselling in the field of toxicology, analysis of data and monitoring). If possible, the experience of Scandinavian countries has to be learned from and physicians of health care institutions have to be engaged (at least some of the workers of the poisoning notification unit).
<b>Chemicals Notification Centre</b> Training for the specialists of the poisoning notification unit II half-year of 2003	<i>Chemicals Act Amendment Act</i> 1999/45/EÜ 98/8/EÜ 76/768/EMÜ	State budget 2003	Potential application of foreign support and experts	
<b>Chemicals Notification Centre</b> Implementation of the Swedish – Estonian co-operation project "Chemicals Control in the Republic of Estonia 2002-2005"	<i>Chemicals Act</i>	SEPA ( <i>Swedish Environment Protection Agency</i> )	Expert assessments, training and counselling	

<b>Chemicals Notification Centre</b> Implementation of the project "Regional Chemicals Control of the Baltic States 2002-2003"	<i>Chemicals Act</i>	Baltic Environmental Forum		Exchange of information within the framework of seminars and meetings
<b>Chemicals Notification Centre</b> Training in the activities of competent authority January 2002	67/548/EMÜ 793/93/EMÜ	Chemicals Notification Centre State budget Part 141 chapter 68		
<b>Chemicals Notification Centre</b> Training of the EU accession countries in implementing the chemicals <i>acquis</i> ' (it takes place twice a year)	92/32/EMÜ 1999/45/EMÜ 76/769/EMÜ	<i>CEFIC/EU Commission</i> ChemLeg project "Partnership for Building up Future Europe and the Enlarged Internal Market"	Expert assessments, training and counselling	

## **Medicinal Products and Veterinary Medicinal Products**

Within the period of 2002 – 2003 the main objective concerning medicinal products is to draw up a new draft Medicinal Products Act and improve the quality of supervision of the implementation of legal acts. In 2002 the legislation regarding medicinal products will be fully harmonised with the requirements of the EU.

New *Medicinal Products Act* will improve the legislation concerning medicinal products and will be harmonised with the requirements of the EU directives and regulations. Implementing acts of the Medicinal Products Act will be drafted or current legal acts amended pursuant to the EU requirements in 2002, if such necessity might arise.

In 2002 the *Narcotic Drugs and Psychotropic Substances Act* will be amended as regards the field of precursors. Amendments will be made to the definitions of the act and the list of precursors as well as to the Regulation of the Minister of Social Affairs “*Procedure of.../ Handling of/ ...Narcotic Drugs and Psychotropic Substances*”.

Enhancing of the administrative capacity of the State Agency of Medicines and increasing of the efficiency of supervision of implementation of the legal acts will be carried on within the period of 2002 –2003. In 2002 two new civil servants will be recruited in the State Agency of Medicines and continuing training in the production and import of medicinal products will be organised.

In I half-year of 2002 Estonia will participate in a forum on medicinal products PERF (*Pan European Regulatory Forum on Pharmaceuticals*). The forum will be organised by the European Commission with the purpose of collecting information about the development of legislation concerning medicinal products and progress of implementation of relevant legal acts by supervisory agencies of the EU applicant countries of the Central and Eastern Europe and, if necessary, provide the accession countries with support prior to the accession to the EU.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
<b>65/65/EEC</b> Council Directive of 26 January 1965 on the approximation of provisions laid down by law, regulation or administrative action relating to proprietary medicinal products (65/65/EEC)	<i>Medicinal Products Act</i>	June 2002 January 2003	
	<i>Blood Act</i>	In the procedure of Riigikogu March 2002	
<b>75/318/EEC</b> Council Directive of 20 May 1975 on the approximation of the laws of Member States relating to analytical, pharmaco-toxicological and clinical standards and protocols in respect of the testing of proprietary medicinal products (75/318/EEC)	<i>Medicinal Products Act</i>	June 2002 January 2003	
<b>75/319/EEC</b> Council Directive of 20 May 1975 on the approximation of provisions laid down by law, regulation or administrative action relating to proprietary medicinal products (75/319/EEC)	<i>Medicinal Products Act</i>	June 2002 January 2003	
	<i>Blood Act</i>	In the procedure of Riigikogu March 2002	
<b>81/851/EEC</b> Council Directive of 28 September 1981 on the approximation of the laws of the Member States relating to veterinary medicinal products (81/851/EEC)	<i>Medicinal Products Act</i>	June 2002 January 2003	
<b>81/852/EEC</b> Council Directive of 28 September 1981 on the approximation of the laws of the Member States relating to analytical, pharmaco-toxicological and clinical standards and protocols in respect of the testing of veterinary medicinal products (81/852/EEC)	<i>Medicinal Products Act</i>	June 2002 January 2003	

<b>89/105/EEC</b> COUNCIL DIRECTIVE of 21 December 1988 relating to the transparency of measures regulating the pricing of medicinal products for human use and their inclusion in the scope of national health insurance systems (89/105/EEC)	<i>*Health Insurance Act</i>	In the procedure of Riigikogu April 2002	
<b>89/381/EEC</b> COUNCIL DIRECTIVE of 14 June 1989 extending the scope of Directives 65/65/EEC and 75/319/EEC on the approximation of provisions laid down by law, regulation or administrative action relating to proprietary medicinal products and laying down special provisions for medicinal products derived from human blood or human plasma (89/381/EEC)	<i>*Blood Act</i>	In the procedure of Riigikogu March 2002	
	<i>*Blood Act implementation acts</i> Regulations of the Minister of Social Affairs: <ul style="list-style-type: none"> <li>• Guide of Selection of Donors</li> <li>• Requirements of Production and Conservation of Human Blood and Blood Products</li> <li>• Quality Requirements of Blood Products</li> <li>• Procedure of Immunohematological Research of Blood Products</li> <li>• Procedure of Application of Blood Products</li> <li>• Requirements of the Construction and Design of the Rooms, Equipment and Apparatus Necessary for Handling Blood</li> </ul>	Act is in the procedure of Riigikogu September 2002	
<b>91/356/EEC</b> COMMISSION DIRECTIVE of 13 June 1991 laying down the principles and guidelines of good manufacturing practice for medicinal products for human use (91/356/EEC)	<i>Medicinal Products Act</i>	June 2002 January 2003	
	Regulation of the MoSA "Approval of the Rules for Manufacturing of Medicinal Products" amendment*	January 2002 February 2002	

	<i>*Blood Act implementation act: Regulation of the MoSA "Requirements of Production and Conservation of Human Blood and Blood Products"</i>	<i>Blood Act is in the Riigikogu September 2002</i>	
<b>91/412/EEC</b> COMMISSION DIRECTIVE of 23 July 1991 laying down the principles and guidelines of good manufacturing practice for veterinary medicinal products (91/412/EEC)	<i>Medicinal Products Act</i>	June 2002 January 2003	
<b>92/25/EEC</b> COUNCIL DIRECTIVE 92/25/EEC of 31 March 1992 on the wholesale distribution of medicinal products for human use	<i>Medicinal Products Act</i>	June 2002 January 2003	
<b>92/26/EEC</b> COUNCIL DIRECTIVE 92/26/EEC of 31 March 1992 concerning the classification for the supply of medicinal products for human use	<i>Medicinal Products Act</i>	June 2002 January 2003	
<b>92/27/EEC</b> COUNCIL DIRECTIVE 92/27/EEC of 31 March 1992 on the labelling of medicinal products for human use and on package leaflets	<i>Medicinal Products Act</i>	June 2002 January 2003	
<b>92/28/EEC</b> COUNCIL DIRECTIVE 92/28/EEC of 31 March 1992 on the advertising of medicinal products for human use	<i>Medicinal Products Act</i>	June 2002 January 2003	
<b>92/73/EEC</b> COUNCIL DIRECTIVE 92/73/EEC of 22 September 1992 widening the scope of Directives 65/65/EEC and 75/319/EEC on the approximation of provisions laid down by law, regulation or administrative action relating to medicinal products and laying down additional provisions on homeopathic medicinal products	<i>Medicinal Products Act</i>	June 2002 January 2003	
<b>92/74/EEC</b> COUNCIL DIRECTIVE 92/74/EEC of 22 September 1992 widening the scope of Directive 81/851/EEC on the approximation of provisions laid down by law, regulation or administrative action relating to veterinary medicinal products and laying down additional provisions on homeopathic veterinary medicinal products.	<i>Medicinal Products Act</i>	June 2002 January 2003	



<p><b>2000/37/EC</b> Commission Directive 2000/37/EC of 5 June 2000 amending Chapter VIa "Pharmacovigilance" of Council Directive 81/851/EEC on the approximation of the laws of the Member States relating to veterinary medicinal products</p>	<i>Medicinal Products Act</i>	June 2002 January 2003	
<p><b>2000/38/EC</b> Commission Directive 2000/38/EC of 5 June 2000 amending Chapter Va (Pharmacovigilance) of Council Directive 75/319/EEC on the approximation of provisions laid down by law, regulation or administrative action relating to medicinal products</p>	<i>Medicinal Products Act</i>	June 2002 January 2003	
<p><b>2001/82/EC</b> European Parliament and Council Regulation 2001/82/EC of 6 November 2001 on veterinary medicinal products</p>	<i>Medicinal Products Act</i>	June 2002 January 2003	
<p><b>2001/83/EC</b> European Parliament and Council Regulation 2001/83/EC of 6 November 2001 on medicinal products</p>	<i>Medicinal Products Act</i>	June 2002 January 2003	
<p><b>2377/90/EEC</b> Council Regulation (EEC) No 2377/90 of 26 June 1990 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin</p>	<i>Medicinal Products Act</i>	June 2002 January 2003	
<p><b>2309/93/EEC</b> Council Regulation (EEC) No 2309/93 of 22 July 1993 laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Agency for the Evaluation of Medicinal Products</p>	<i>Medicinal Products Act</i>	June 2002 January 2003	
<p><b>540/95/EC</b> Commission Regulation (EC) No 540/95 of 10 March 1995 laying down the arrangements for reporting suspected unexpected adverse reactions which are not serious, whether arising in the Community or in a third country, to medicinal products for human or veterinary use authorised in accordance with the provisions of Council Regulation (EEC) No 2309/93</p>	<i>Medicinal Products Act</i>	June 2002 January 2003	

<b>541/95/EC</b> Commission Regulation (EC) No 541/95 of 10 March 1995 concerning the examination of variations to the terms of a marketing authorisation granted by a competent authority of a Member State	<i>Medicinal Products Act</i>	June 2002 January 2003	
<b>542/95/EC</b> Commission Regulation (EC) No 542/95 of 10 March 1995 concerning the examination of variations to the terms of a marketing authorisation falling within the scope of Council Regulation (EEC) No 2309/93	<i>Medicinal Products Act</i>	June 2002 January 2003	
<b>1485/96/EEC</b> Commission Regulation (EC) No 1485/96 of 26 July 1996 laying down detailed rules for the application of Council Directive 92/109/EEC, as regards customer declarations of specific use relating to certain substances used in the illicit manufacture of narcotic drugs and psychotropic substances (Text with EEA relevance)	Amendments to the <i>Narcotic Drugs and Psychotropic Substances Act</i>	October 2002 March 2003	Amendments to the act have to be made with regard to the definitions of precursors (handling, delivery) and provisions regarding classifications of precursors into schedules (precursors have categories in the EU)
<b>1533/2000/EC</b> Commission Regulation (EC) No 1533/2000 of 13 July 2000 amending Regulation (EC) No 1485/96 laying down detailed rules for the application of Council Directive 92/109/EEC, as regards customer declarations of specific use relating to certain substances used in the illicit manufacture of narcotic drugs and psychotropic substances (Text with EEA relevance)	Amendments to the <i>Narcotic Drugs and Psychotropic Substances Act</i>	October 2002 March 2003	Amendments to the act have to be made with regard to the definitions of precursors (handling, delivery) and provisions regarding classifications of precursors into schedules (precursors have categories in the EU)
<b>1999/615/JHA</b> Council Decision of 13 September 1999 defining 4-MTA as a new synthetic drug which is to be made subject to control measures and criminal penalties	Amendments to the Regulation of the Minister of Social Affairs No 39 of 04.11.1997 "Procedure of.../ Handling of/ ...Narcotic Drugs and Psychotropic Substances". *	December 2002 March 2003	*Adding new substances to the schedules annexed to the regulation, corrections to the restrictions of issuing of permits and specification of activities
UN Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988	Amendments to the <i>Narcotic Drugs and Psychotropic Substances Act</i>	October 2002 March 2003	Amendments to the act have to be made with regard to the definitions of precursors (handling, delivery) and provisions regarding classifications of precursors into schedules (precursors have categories in the EU)

European Pharmacopoeia Convention and its amendment protocol	Regulation of the Government "Granting of Authorisation for Establishment of a Legal Act pursuant to the Convention on the Elaboration of a European Pharmacopoeia"	January 2002 January 2002	
	Regulation of the Minister of Social Affairs "Procedure of Implementing the Convention on the Elaboration of a European Pharmacopoeia"	February 2002 February 2002	

**Implementation and administrative capacity**

1.	2.	3.	4.	5.
Institution, planned measures (incl training), deadline	Legal basis, implemented legal act	Financing (State budget line, other sources)	Technical assistance needs	Remarks
<b>State Agency of Medicines</b> Inspection Department 1 new civil servant 2002	Regulation of the MoSA "Approval of the Rules for Manufacturing of Medicinal Products"	State budget Part 141 chapter 61		
<b>State Agency of Medicines</b> Veterinary Medicinal Products Department 1 new civil servant 2002	Regulation of the MoSA "Procedure of Registering of Veterinary Medicinal Products"	State budget Part 141 chapter 61		
<b>State Agency of Medicines</b> Inspection Department Continuing training in the production and import of medicinal products 2002	Regulation of the MoSA "Approval of the Rules for Manufacturing of Medicinal Products" and its annexes	State budget Part 141 chapter 61		
<b>State Agency of Medicines</b> Market Regulations and Inspection Departments <i>Pan European Regulatory Forum on Pharmaceuticals (PERF)</i> April 2002	<i>Medicinal Products Act</i> EU legislation in the field of medicinal products	Costs relating participation will be covered within the framework of PERF		According to initial plans PERF II will continue up to July 2002 and more than 40 working group meetings, expert discussions and committee sessions will take place within that period. PERF II conference will take place in Tallinn in April 2002.

## Cosmetic Products

In 2002 the field of cosmetic products will be fully harmonised with the EU requirements.

*Public Health Act Amendment Act* repealing the requirement of preliminary registration of cosmetic products will be submitted to the Government for approval at the end of 2001 and a provision delegating authority will be granted for establishment of the Regulation of the Government "*Requirements of Cosmetic Products and Handling of Cosmetic Products*" to be drafted in 2002. The act and regulation will be fully harmonised with the directive 76/768/EEC.

Development of the Health Protection Inspectorate will be continued within the period of 2002-2003. Pursuant to the amendments to the *Public Health Act* the requirement of preliminary registration of cosmetic products will be replaced with market surveillance in the stage of retail and wholesale in 2002.

In I half-year of 2003 a poisoning notification unit will be set up at the Chemicals Notification Centre and 3 new specialists will be recruited. For this purpose the *Chemicals Act* will be amended in 2002 and the responsibilities and competence of the Chemicals Notification Centre will be extended pursuant to the directives 1999/45/EC, 98/8/EC and 76/768/EC.

The tasks of the poisoning notification unit are *inter alia*:

- to ensure the exchange of information regarding poisoning with the public, health care institutions, civil servants, and enterprises;
- to provide quick and relevant advice and information about the symptoms, risks and treatment of acute cases of poisoning by phone;
- in the event of poisoning provide the sufferer as well as physicians with advice on the measures of first aid to avoid more extensive damage before the treatment or reaching a medical institution.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
<b>76/768/EEC</b> Council Directive 76/768/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to cosmetic products	<i>Public Health Act Amendment Act</i> *	December 2001 November 2002	The requirement of preliminary registration of cosmetic products is repealed by this act and a provision delegating authority will be granted for establishment of the Government of the Republic Regulation on the requirements of cosmetic products and handling of cosmetic products
	Regulation of the Government "Rules for labelling of Cosmetic Products"*	January 2002 August 2002	
	Regulation of the Government "Requirements for Cosmetic Products and Handling of Cosmetic Products"	June 2002 November 2002	*Current Government of the Republic Regulation No 228 of November 26, 1997 "Approval of the Procedure of Manufacturing, Granting the Health Safety and Importing of Cosmetic Products" (State Gazette I 1997, 94, 1570; 1999, 37, 479; 2000, 83, 529) is repealed by this new regulation. Upon the entry into force of this regulation all current EU requirements will be harmonised
	<i>Chemicals Act Amendment Act</i>	March 2002 June 2003	Pursuant to this act responsibilities of the Chemicals Notification Centre will be extended and a poisoning notification unit will be set up (setting up necessary pursuant to subparagraph 3 of Art 7 of the directive)

<b>96/335/EC</b> Commission Decision of 8 May 1996 establishing an inventory and a common nomenclature of ingredients employed in cosmetic products (Text with EEA relevance)	Regulation of the Government "Rules for labelling of Cosmetic Products"*	January 2002 August 2002	
<b>95/17/EC</b> Commission Directive 95/17/EC of 19 June 1995 laying down detailed rules for the application of Council Directive 76/768/EEC as regards the non- inclusion of one or more ingredients on the list used for the labelling of cosmetic products	Regulation of the Government "Rules for labelling of Cosmetic Products"*	January 2002 August 2002	

**Implementation and administrative capacity**

1.	2.	3.	4.	5.
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
Setting up a poisonings and traumas register and organising training for administrators of the register November 2003	Regulation of the Minister of Social Affairs "Procedure for registration of traumas and poisonings and collecting of data" 1999/72/EC	State budget 2003	Health Care Project	
<b>Chemicals Notification Centre</b> Setting up a poisoning notification unit 3 new specialists June 2003	<i>Chemicals Act Amendment Act</i> 1999/45/EÜ 98/8/EÜ 76/768/EMÜ	State budget 2003 800 000 EEK	Potential application of foreign support and experts	The poisoning notification unit could be set up as an extension to the Chemicals Notification Centre but everyday work should be interrelated with the health care sector (counselling in the field of toxicology, analysis of data and monitoring). If possible, the experience of Scandinavian countries has to be learned from and physicians of health care institutions have to be engaged (at least some of the workers of the poisoning notification unit)
<b>Chemicals Notification Centre</b> Training for the specialists of the poisoning notification unit II half-year of 2003	<i>Chemicals Act Amendment Act</i> 1999/45/EÜ 98/8/EÜ 76/768/EMÜ	State budget 2003	Potential application of foreign support and experts	



<p><b>Health Protection Inspectorate</b>          Replacing the preliminary registration of cosmetic products with market surveillance in the stage of retail and wholesale          November 2002</p>	<p><i>Public Health Act Amendment Act;</i>          Regulations of the Government No 228 of 26.11.1997, No 126 of 06.04.1999, No 349 of 31.10.2000;          Regulation of the MoSA No 91 of 23.12.1999;          76/768/EMÜ, 80/1335/EMÜ, 82/434/EMÜ, 83/514/EMÜ, 85/490/EMÜ, 87/143/EMÜ, 90/207/EMÜ, 3/73/EMÜ,95/32/EÜ, 96/45/EÜ</p>	<p>State Budget          Part 141 chapter 65</p>	<p>Phare 2002 “Strengthening of Market Surveillance 2003/2004”</p> <p>Total cost of the project:          27 million EEK          (incl. 6,7 million EEK as co-financing)</p>	<p>*Additional financing needed for the inspection of places of activity - 462 000 EEK and for the procurement of laboratory equipment 3 million EEK</p>
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### **Personal Protective Equipment**

The field of personal protective equipment will be fully harmonised with the EU requirements in 2002.

In the 2nd half-year of 2002 two Regulations of the Government will be drawn up - "*Basic Requirements of the Safety of Personal Protective Equipment*" and "*Procedure of Providing Proof of Conformity with the Requirements of Personal Protective Equipment*". The regulations are fully harmonised with the EU directives 89/686/EEC, 93/95/EEC and 96/58/EEC. The regulations enter into force on 1 January 2003.

Labour Inspectorate carries out inspection over the implementation of the requirements of the safety of personal protective equipment.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
<b>89/686/EEC</b> Council Directive 89/686/EEC of 21 December 1989 on the approximation of the laws of the Member States relating to personal protective equipment	Regulation of the Government "Basic Requirements of the Safety of Personal Protective Equipment"	November 2002 January 2003	
	Regulation of the Government "Procedure of Providing Proof of Conformity with the Requirements of Personal Protective Equipment"	September 2002 January 2003	
<b>93/95/EEC</b> Council Directive 93/95/EEC of 29 October 1993 amending Directive 89/686/EEC on the approximation of the laws of the Member States relating to personal protective equipment (PPE)	Regulation of the Government "Procedure of Providing Proof of Conformity with the Requirements of Personal Protective Equipment"	September 2002 January 2003	
<b>96/58/EEC</b> Directive 96/58/EC of the European Parliament and the Council of 3 September 1996 amending Directive 89/686/EEC on the approximation of the laws of the Member States relating to personal protective equipment	Regulation of the Government "Procedure of Providing Proof of Conformity with the Requirements of Personal Protective Equipment"	September 2002 January 2003	

**Implementation and administrative capacity**

1.	2.	3.	4.	5.
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
<b>National Labour Inspectorate</b> Implementation of the requirements of the safety of personal protective equipment (training of inspectors) 2nd half-year of 2002	Regulation of the Government "Procedure of Providing Proof of Conformity with the Requirements of Personal Protective Equipment"  Regulation of the Government "Basic Requirements of the Safety of Personal Protective Equipment"	State budget Part 141 chapter 80 75 000 EEK		

## **Alcohol**

On 19 December 2001 new *Alcohol Act* was adopted, which will enter into force together with the Penal Code in 2002.

With the new *Alcohol Act*, the system of licences for the production, import, export, wholesale and retail sale has been renounced. Already now alcohol is produced on the basis of excise warehouse activity licence. In the future, the importers, exporters and wholesalers of alcohol have to, instead of owning a licence, be entered into state register of undertakings operating in areas of activity subject to special requirements. At the same time the retail sellers of alcohol will have the right to trade with alcoholic beverages if they have the note on their trade licence.

With the legislation to be adopted in 2002, the alcohol sector will be brought into accordance with the EU requirements. On the basis of the new *Alcohol Act*, requirements for defining, describing and presenting for sale of alcohol will be laid down, which will be, as compared to the current regulation, more extensive and thorough, containing requirements for quality wine and raw material of wine. With the mentioned regulation the protection of wine marking will also be regulated.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine	Regulation of the Government of the Republic "Approval of the rules for the definition, description and sales presentation of alcohol"	01.06.2002; Will enter into force in 4 months since the entry into force of the Alcohol Act	Entry into force is related to the enforcement of the Penal Code
Council Regulation (EEC) No 1576/89 of 29 May 1989 laying down general rules on the definition, description and presentation of spirit drinks	Regulation of the Government of the Republic "Approval of the rules for the definition, description and sales presentation of alcohol"	01.06.2002; Will enter into force in 4 months since the entry into force of the Alcohol Act	Entry into force is related to the enforcement of the Penal Code
Commission Regulation (EEC) No 1014/90 of 24 April 1990 laying down detailed implementing rules on the definition, description and presentation of spirit drinks	Regulation of the Government of the Republic "Approval of the rules for the definition, description and sales presentation of alcohol"	01.06.2002; Will enter into force in 4 months since the entry into force of the Alcohol Act	Entry into force is related to the enforcement of the Penal Code
Commission Regulation (EEC) No 3201/90 of 16 October 1990 laying down detailed rules for the description and presentation of wines and grape musts	Regulation of the Government of the Republic "Approval of the rules for the definition, description and sales presentation of alcohol"	01.06.2002; Will enter into force in 4 months since the entry into force of the Alcohol Act	Entry into force is related to the enforcement of the Penal Code
Council Regulation (EEC) No 1601/91 of 10 June 1991 laying down general rules on the definition, description and presentation of aromatized wines, aromatized wine- based drinks and aromatized wine-product cocktails	Regulation of the Government of the Republic "Approval of the rules for the definition, description and sales presentation of alcohol"	01.06.2002; Will enter into force in 4 months since the entry into force of the Alcohol Act	Entry into force is related to the enforcement of the Penal Code

Commission Regulation (EEC) No 3901/91 of 18 December 1991 laying down certain detailed rules on the description and presentation of special wines	Regulation of the Government of the Republic “Approval of the rules for the definition, description and sales presentation of alcohol”	01.06.2002; Will enter into force in 4 months since the entry into force of the Alcohol Act	Entry into force is related to the enforcement of the Penal Code
Commission Regulation (EC) No 122/94 of 25 January 1994 laying down certain detailed rules for the application of Council Regulation (EEC) No 1601/91 on the definition, description and presentation of aromatized wines, aromatized wine-based drinks, and aromatized wine-product cocktails	Regulation of the Government of the Republic “Approval of the rules for the definition, description and sales presentation of alcohol”	01.06.2002; Will enter into force in 4 months since the entry into force of the Alcohol Act	Entry into force is related to the enforcement of the Penal Code
Commission Regulation (EC) No 2675/94 of 3 November 1994 amending Regulation (EEC) No 1014/90 laying down detailed implementing rules on the definition, description and presentation of spirit drinks	Regulation of the Government of the Republic “Approval of the rules for the definition, description and sales presentation of alcohol”	01.06.2002; Will enter into force in 4 months since the entry into force of the Alcohol Act	Entry into force is related to the enforcement of the Penal Code
Commission Regulation (EC) No 554/95 of 13 March 1995 laying down detailed rules for the description and presentation of sparkling and aerated sparkling wines	Regulation of the Government of the Republic “Approval of the rules for the definition, description and sales presentation of alcohol”	01.06.2002; Will enter into force in 4 months since the entry into force of the Alcohol Act	Entry into force is related to the enforcement of the Penal Code
Regulation (EC) No 2061/96 of the European Parliament and of the Council of 8 October 1996 amending Regulation (EEC) No 1601/91 laying down general rules on the definition, description and presentation of aromatized wines, aromatized wine-based drinks and aromatized wine- product cocktails	Regulation of the Government of the Republic “Approval of the rules for the definition, description and sales presentation of alcohol”	01.06.2002; Will enter into force in 4 months since the entry into force of the Alcohol Act	Entry into force is related to the enforcement of the Penal Code
Commission Regulation (EC) No 2215/96 of 20 November 1996 providing for derogating measures in respect of 'Glühwein'	Regulation of the Government of the Republic “Approval of the rules for the definition, description and sales presentation of alcohol”	01.06.2002; Will enter into force in 4 months since the entry into force of the Alcohol Act	Entry into force is related to the enforcement of the Penal Code
Commission Regulation (EC) No 881/98 of 24 April 1998 laying down detailed rules for the protection of the additional traditional terms used to designate certain types of quality wine produced in specified regions (quality wine psr)	Regulation of the Government of the Republic “Approval of the rules for the definition, description and sales presentation of alcohol”	01.06.2002; Will enter into force in 4 months since the entry into force of the Alcohol Act	Entry into force is related to the enforcement of the Penal Code

**Textile**

The following legal acts are planned to be harmonized in 2002 to bring the textile sector into conformity with relevant EU requirements:

1. European Parliament Directive 96/74/EC on textile names;
2. Commission Directive 97/37/EC adapting to technical progress Annexes I and II to Directive 96/74/EC on textile names;
3. Council Directive 73/44/EEC on the approximation of the laws of the Member States relating to the quantitative analyses of ternary textile fibre mixtures;
4. European Parliament and Council Directive 96/73/EC on certain methods for the quantitative analysis methods of binary textile fibre mixtures.

Directive 96/74/EC is partially harmonized with “Rules for labelling of clothes and other textile products” approved by Government Regulation no. 269 of 11 July 1995. Directives 96/74/EC and 97/37/EC will be harmonized with Government Regulation “Requirements for labelling of textile products”, the preliminary draft of which (proceeding from the *Consumer Protection Act*) has been elaborated at the Ministry of Economic Affairs Trade Department. Deadline for submitting the draft to the State Chancellery is November 2002 and expected date of entry into force is 1 July 2003.

When harmonizing the directives on textile names, the sampling and analyzing methods unified with directives 73/44/EEC and 96/73/EC shall have be approved at the same time. These methods are necessary for determining fibre composition and performing surveillance over labeling of products that require analyzes if the data on the product and on the label are conforming. By November 2002 two regulations harmonizing the methods of analysis will be drafted, their indicative date of entry into force is 1 July 2003.

**Toys**

Legislation regulating the sector of toys is harmonized with the requirements of Council Directive 88/378/EEC on harmonization of member state legislation regarding safety of toys.

**Footwear**

Regulation of the footwear sector has been harmonized and implemented according to the European Parliament and Council Directive 94/11/EC of 1994 on the approximation of the laws, regulations and administrative provisions of the Member States relating to labelling of the materials used in the main components of footwear for sale to the consumer.



**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
European Parliament Directive 96/74/EC on textile names; European Commission Directive 97/37/EC for adjusting European Parliament and Council Directive 96/74/EC on textile names with technical progress	Government regulation "Requirements for labelling of textile products"	November 2002 July 2003	Directive 96/74/EC is partially harmonized with "Rules for marking of clothes and other textile products" approved by Government Regulation no. 269 of July 11, 1995
Council Directive 73/44/EEC on harmonization of legislation related to quantitative analyses of ternary textile fibre mixtures in member states	Regulation of the Minister of Economic Affairs on quantitative methods of analysis of ternary textile fibre mixtures	November 2002 July 2003	Authorization norm for establishing the regulation is lacking in applicable legislation.
European Parliament and Council Directive 96/73/EC on certain quantitative analysis methods of binary textile fibre mixtures	Regulation of the minister of economic affairs on quantitative methods of analysis of binary textile fibre mixtures	November 2002 July 2003	Authorization norm for establishing the regulation is lacking in applicable legislation

## Wood

A measuring and classification system of wood in the rough has been established within the EU. On accession to the EU, a relevant system has to be implemented in Estonia, too. For this purpose the *Forest Act* needs to be amended according to the Directive 1968/89/EC on harmonizing the member states' legislation on classification of wood in the rough. On the basis of the amended *Forest Act* a Governmental regulation will be drafted establishing the principles for measuring and classification of wood in the rough. The amount of wood will be measured in the metric system either by volume or weight. Classification will be carried out according to the species, widely spread name, dimensions and quality.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
Directive 1968/89/EC of 23 January 1968, on the approximation of the laws of the Member States concerning the classification of wood in the rough.	The <i>Forest Act Amendment Act</i> (RTI 1998, 113/114, 1872; 1999, 54,583; 95, 843; 2000, 51, 319; 102, 670; 2001, 50, 282).  Government Regulation on measuring and classification of wood in rough.	September 2002, 1 <sup>st</sup> half of 2003  November 2002, 1 <sup>st</sup> half of 2003	

## 2. FREE MOVEMENT OF PERSONS

### 2.1. Mutual Recognition of Diplomas and Professional Qualifications

A general system for the mutual recognition of diplomas and professional qualifications (89/48/EEC, 92/51/EEC) has been harmonised with the *Recognition of Foreign Professional Qualifications Act* that entered into force on January 1, 2001. The act has been fully implemented with the adoption of five implementing acts.

The national general system for the mutual recognition of diplomas and professional qualifications is regulated with the *Professions Act* having been in force since January 19, 2001 and it has been fully implemented with the adoption of all implementing acts.

The *Bar Association Act* that entered into force on April 19, 2001 has been harmonised with the Directives 77/249/EEC and 98/5/EC on free movement of lawyers, but § 66-78 of this act on citizens of the EU practising the profession of a lawyer enters into force on a date as specified in a separate Act.

*Draft Legal Services Act* provides a new category of professional providers of legal services – solicitors. The act defines the term legal service and specifies general requirements of providing services by all providers of legal services (lawyer, notary, solicitor). After the entry into force of this act and after the termination of the transition period on January 1, 2004, persons without a relevant qualification and profession must not provide legal services. Government of the Republic approved the Draft Legal Services Act on November 20, 2001 and submitted it to the Riigikogu for legislative proceedings.

*Draft Construction Act* has been harmonised with the Directive 85/384/EEC on free movement of architects. The new draft act does not provide specific rights for the assessment of the competence of foreign architects by the Association of Architects that were earlier provided in the implementation acts of the Planning and Construction Act.

*Health Services Organisation Act* has been harmonised with the Directives 77/452/EEC, 77/453/EEC, 78/686/EEC, 78/687/EEC, 80/154/EEC, 80/155/EEC, 81/1057/EEC, 89/595/EEC, 89/594/EEC, 93/16/EEC on free movement of health care workers (doctors, dentists, nurses, midwives). This act enters into force on January 1, 2002. In 2002 the administrative capacity will be brought into focus provided all implementation acts are adopted in 2001.

*Medicinal Products Act* has indirectly been harmonised with the Directives 85/432/EEC, 85/433/EEC on free movement of dispensing chemists. There are no limitations in the Estonian legislation as regards foreign dispensing chemists planning to work in Estonia.

*Veterinary Activities Organisation Act* has been harmonised with the Directives 78/1026/EEC, 81/1057/EEC, 89/594/EEC on free movement of veterinarians. This act enters into force on January 1, 2002.

### *Administrative Capacity*

The implementing Regulation No 322 of the Recognition of Foreign Professional Qualifications Act provides that competent authorities of relevant fields have an obligation of notifying the Ministry of Education of submitted applications of professional qualifications twice a year. Not a single application had been submitted as at 15.07.2001. Next deadline of notification is 15.01.2002. Joint commission of the responsible ministries meets regularly four times a year with the purpose of exchanging information and experience. In 2002 increasing of the administrative capacity of competent authorities and responsible ministries will continue by means of dissemination of information by the Ministry of Education, co-operation with foreign partners and training. In 2002 development of internet-based reporting and information system of competent authorities will be continued via National Academic Recognition Information Centre (NARIC).

Pursuant to the Professions Act the Ministry of Social Affairs has been keeping a professional register since October 2001. Professional Qualifications Foundation is an authorised keeper of this register. The professional register holds information about vocational councils, professional standards, levels of professional qualifications, professional certificates, terms and procedure of national recognition and obtaining of diplomas and professional qualifications. Internet-based information system of the professional register will be developed in 2002.

Health Care Board will start operating as an administrative agency of the Ministry of Social Affairs on January 1, 2002. Pursuant to the Health Care Services Act the Health Care Board is responsible for registering health care workers, issuing activity licences as well as keeping the register of health care workers and activity licences. Five civil servants will be recruited in the Department of Registries and Activity Licences and eight civil servants in the Inspection Department and training of new civil servants will be organised within the Phare project.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
Council Directive <b>77/249/EEC</b> of 22 March 1977 to facilitate the effective exercise by lawyers of freedom to provide services; Directive <b>98/5/EC</b> of the European Parliament and of the Council of 16 February 1998 to facilitate practice of the profession of lawyer on a permanent basis in a Member State other than that in which the qualification was obtained	§ 66-78 of the <i>Bar Association Act</i>	Adopted 21.03.2001 Entry into force of § 66-78 on a date as specified in a separate Act.	
	<i>Draft Legal Services Act</i>	Government of the Republic approved in November 2001 Entry into force 01.01.2003	It does not directly harmonise any directives but specifies general requirements of providing services by all providers of legal services
Council Directive <b>85/384/EEC</b> of 10 June 1985 on the mutual recognition of diplomas, certificates and other evidence of formal qualifications in architecture, including measures to facilitate the effective exercise of the right of establishment and freedom to provide services	<i>Draft Construction Act</i>	Government of the Republic approved in June 2001 Entry into force 01.07.2002	
Council Directive <b>78/1026/EEC</b> of 18 December 1978 concerning the mutual recognition of diplomas, certificates and other evidence of formal qualifications in veterinary medicine, including measures to facilitate the effective exercise of the right of establishment and freedom to provide services; Council Directive <b>81/1057/EEC</b> of 14 December 1981 supplementing Directives 75/362/EEC, 77/452/EEC, 78/686/EEC and 78/1026/EEC concerning the mutual recognition of diplomas, certificates and other evidence of the formal qualifications of doctors, nurses responsible for general care, dental practitioners and veterinary surgeons respectively, with regard to acquired rights	Regulation of the Minister of Agriculture "List of Documents, Obtained in a Member State, as Evidence of a Formal Qualification of a Veterinarian, forming the Basis for Issuing Activity Licenses"	Will be submitted 20.02.2002 Entry into force 01.03.2002	

**Implementation and administrative capacity**

<b>1.</b>	<b>2.</b>	<b>3.</b>	<b>4.</b>	<b>5.</b>
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
Ministry of Education; Training of competent authorities in mutual recognition of diplomas and professional qualifications	Recognition of Foreign Professional Qualifications Act	Ministry of Education	Foreign partners	
Ministry of Education; Development of internet-based reporting and information system of National Academic Recognition Information Centre (NARIC), competent authorities	Recognition of Foreign Professional Qualifications Act	Ministry of Education		
Ministry of Social Affairs; Development of internet-based information system of professional register	Professions Act	Foundation of Professional Qualifications (200 000 EEK)	Foreign partners	
Ministry of Social Affairs; Recruiting of five new civil servants in the Department of Registries and Activity Licences of the Health Care Board and training	Health Services Organisation Act	The Health Care Board	Expert assistance from Phare	Application for Phare support of €150 000 for the provision of expert opinion about the training of civil servants and the system of registration of health care workers has been submitted
Ministry of Social Affairs; Recruiting and training of eight new civil servants in the Inspection Department of the Health Care Board	The Health Care Services Organisation Act	Sub-component "Health Care Board" of the Estonian Health Care Project	Expert assistance from Phare	Ref. to the previous application to Phare

## 2.2. Rights of Citizens

Directive 93/109/EEC on the exercise of the right to vote and stand as a candidate in elections to the European Parliament will be harmonised with the *European Parliament Election Act* that enters into force upon the accession of Estonia to the European Union. Draft Act is in the procedure of the Riigikogu.

The right to vote and stand as a candidate in elections to the local government for citizens of the European Union is regulated with the *Local Government Council Election Act* that is in the legislative proceeding of the Riigikogu and the provisions regarding the EU citizens enter into force upon the accession of Estonia to the European Union.



**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
Council Directive <b>93/109/EC</b> of 6 December 1993 laying down detailed arrangements for the exercise of the right to vote and stand as a candidate in elections to the European Parliament for citizens of the Union residing in a Member State of which they are not nationals	Draft European Parliament Election Act	Approved by the Government 23.10.2001 Will enter in force when joined to EU	
Council Directive <b>94/80/EC</b> of 19 December 1994 laying down detailed arrangements for the exercise of the right to vote and to stand as a candidate in municipal elections by citizens of the Union residing in a Member State of which they are not nationals	New Draft Local Government Council Election Act	Approved by the Government 24.04.2001 In the procedure of Riigikogu Provisions regarding the EU citizens enter into force upon the accession of Estonia to the European Union	

### 2.3. Free Movement of Workers

Instead of the initial plan of adopting a new redaction of *the Aliens Act, Citizens of the European Union Act* will be adopted providing the arrival of the citizens of the European Union countries in Estonia, requirements of residing and working in Estonia pursuant to the requirements of the *acquis*.

An implementing act of the Labour Market Services Act *Government of the Republic Regulation "Setting up a National Register of Job-seekers and Labour Market Services and Approval of the Statues"* enters into force in March 2002.

Labour market institutions specialising in job mediation with foreign countries and contacts with the EU member countries and the European Commission and planning to provide the EU citizens with services in Estonia will be approved by the Regulation of the Minister of Social Affairs in February 2002.

In March 2002 the statutes and structures of Public Employment Services will be amended as a result of introducing the positions of Euro-advisers.

A new Draft Public Service Act undergoing legal proceedings in the Riigikogu provides, *inter alia*, possibilities of the citizens of the European Union member states of being employed in the service as a state or local government official. Pursuant to this act citizens of the European Union member states complying with the requirements provided in the act and provisions drawn up pursuant to this act may be employed in the service as an official. Positions directly related to the defence of the interests of the county including the management of an agency exercising judicial power, the power of public authority, national surveillance or national defence, representation in court in case of public prosecution, the right of intervention in fundamental rights and freedoms of a person to ensure the law and order and security in the state or diplomatic representation, only citizens of the Republic of Estonia will be appointed.

#### ***Administrative Capacity***

Citizenship and Migration Board will change the structure of the register of residence and work permits within the framework of Phare 2001 project by December 2002. In 2002 a new system of identity documents will be implemented.

New information system will be implemented as a result of setting up a national register of job-seekers and labour market services: cross-usage of databases will be ensured and new users of the information system will be trained.

Enhancement of the administrative capacity of the Labour Market Board and Public Employment Services to join EURES network will be accomplished by training of civil servants (study visits to Swedish and German labour market institutions), drawing up a guide to EURES for the staff of labour market institutions and compiling of information material for job-seekers within the framework of Phare 2000 project. Euro-advisers employed in Public Employment Services will participate in the English Language training.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
<ul style="list-style-type: none"> <li>✧ Regulation (EEC) No 1612/68 of the Council of 15 October 1968 on freedom of movement for workers within the Community;</li> <li>✧ Regulation (EEC) No 1251/70 of the Commission of 29 June 1970 on the right of workers to remain in the territory of a Member State after having been employed in that State;</li> <li>✧ Council Directive 64/221/EEC of 25 February 1964 on the co-ordination of special measures concerning the movement and residence of foreign nationals which are justified on grounds of public policy, public security or public health;</li> <li>✧ Council Directive 68/360/EEC of 15 October 1968 on the abolition of restrictions on movement and residence within the Community for workers of Member States and their families;</li> <li>✧ Council Directive 72/194/EEC of 18 May 1972 extending to workers exercising the right to remain in the territory of a Member State after having been employed in that State the scope of the Directive of 25 February 1964 on co-ordination of special measures concerning the movement and residence of foreign nationals which are justified on grounds of public policy, public security or public</li> <li>✧ Council Directive 73/148/EEC of 21 May 1973 on the abolition of restrictions on movement and residence within the Community for nationals of Member States with regard to establishment and the provision of services;</li> </ul>	<p><i>Citizens of the European Union Act</i></p>	<p>May 2002 The Act will enter into force upon accession to the European Union</p>	<p>Instead of a new version of the Aliens Act</p>

<ul style="list-style-type: none"> <li>✧ Council Directive 75/34/EEC extending Council Directive 64/221/EEC of 25 February 1964 on the co-ordination of special measures concerning the movement and residence of foreign nationals which are justified on grounds of public policy, public security or public health;</li> <li>✧ Council Directive 90/364/EEC of 28 June 1990 on the right of residence;</li> <li>✧ Council Directive 90/365/EEC of 28 June 1990 on the right of residence for employees and self-employed persons who have ceased their occupational activity</li> <li>✧ Council Directive 93/96/EEC of 29 October 1993 on the right of residence for students</li> </ul>			
<p>Regulation (EEC) No 1612/68 of the Council of 15 October 1968 on freedom of movement for workers within the Community; 93/569/EEC: Commission Decision of 22 October 1993 on the implementing of Council Regulation (EEC) No 1612/68 on freedom of movement for workers within the Community as regards, in particular, a network entitled Eures (European Employment Services).</p>	<p>Implementing act of the Labour Market Services Act Government of the Republic Regulation “Setting up a National Register of Job-seekers and Labour Market Services and Approval of the Statutes”</p>	<p>January 2002, The Act will enter into force March 2002</p>	
<p>Regulation (EEC) No 1612/68 of the Council of 15 October 1968 on freedom of movement for workers within the Community; 93/569/EEC: Commission Decision of 22 October 1993 on the implementing of Council Regulation (EEC) No 1612/68 on freedom of movement for workers within the Community as regards, in particular, a network entitled Eures (European Employment Services).</p>	<p>Regulation of the Minister of Social Affairs “Approval of the List of Labour Market Institutions Specialising in Job Mediation with Foreign Countries and Contacts with the EU Member Countries and the European Commission and Providing the EU Citizens with Services in Estonia”</p>	<p>February 2002, The Act will enter into force March 2002</p>	
<p>Regulation (EEC) No 1612/68 of the Council of 15 October 1968 on freedom of movement for workers within the Community; 93/569/EEC: Commission Decision of 22 October 1993 on the implementing of Council Regulation (EEC) No 1612/68 on freedom of movement for workers within the Community as regards, in particular, a network entitled Eures (European Employment Services).</p>	<p>Regulation of the Minister of Social Affairs on amending the “Approval of the Statutes, Structure and Staff Organization of Public Employment Services”</p>	<p>March 2002, The Act will enter into force May 2002</p>	<p>Amendments are related to the introduction of the positions of Euro-advisers in the structure</p>

Regulation (EEC) No 1612/68 of the Council of 15 October 1968 on freedom of movement for workers within the Community;	Public Service Act	Government approved on 20.11.2001 In the procedure of Riigikogu The Act will enter into force 01.01.2003; 01.06.2003	Provisions concerning citizens of the EU necessary for the implementation of the Regulation 1612/68 enter into force upon the accession with the EU.
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**Implementation and administrative capacity**

1.	2.	3.	4.	5.
Institution, planned measures (incl training), deadline	Legal basis, implemented legal act	Financing (State budget line, other sources)	Technical assistance needs	Remarks
Citizenship and Migration Board Changing the structure of the National Register of Residence and Work Permits: December 2002	Schengen Convention art 25	Ministry of Internal Affairs Citizenship and Migration Board Article 37	Phare 2001 “ <i>Developing the readiness to implement SIS</i> ”	
Citizenship and Migration Board Implementation of a system of identity documents. Issuing of new identity documents starts in January 2002	Resolution of the representatives of the governments of member states of the Council adopted by the Council meeting on October 17, 2000 amending the resolutions of June, 23, 1981, June 30, 1982, July 14, 1986 and July 10, 1995 concerning safety features of passports and other travelling documents (2000/C 310/01)	Citizenship and Migration Board		
Labour Market Board, new information system of labour market services: 1. Ensuring of the cross-usage of databases – September 2002 2. Implementation of information systems – September 2002 3. Training of new users – August 2002	Labour Market Services Act (RT I 2000, 57, 370) implementation act: Regulation of the Government on approval of the Bylaws and Establishment of the Register of Professions.	From the resources of the project “Information System of Labour Market Services” State budget Part 141, Chapter 71		

Recruiting of Euro-advisers in Public Employment Services - May 2002	Regulation of the Minister of Social Affairs "Approval of the Statutes, Structure and Staff Organisation of Public Employment Services" Regulation of the Minister of Social Affairs "Approval of the List of Labour Market Institutions Specialising in Job Mediation with Foreign Countries and Contacts with the EU Member Countries and the European Commission and Providing the EU Citizens with Services in Estonia"	State budget part 141, chapter 71	Training within Phare 2000 project "Support to the Balanced Development of Labour Market Services"	
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<p>Enhancement of the administrative capacity of the Labour Market Board and Public Employment Services in the context of accession to the EU within the framework of Phare 2000 project “Support to the Balanced Development of Labour Market Services”:</p> <ol style="list-style-type: none"> <li>1. Assessment of the legal, institutional and financial economic framework and definition of the best solutions pursuant to the EU standards of setting up a network of information technology to join the EURES network – Oct - Nov 2002</li> <li>2. A study tour to Sweden and Germany for 7 civil servants concerning free movement of persons and EURES network– Nov 2002</li> <li>3. Drafting of necessary amendments to the legislation to join the EURES network – Nov 2002</li> <li>4. Drafting of a manual on EURES network for the civil servants of labour market institutions – Dec 2002</li> <li>5. Organisation of a seminar in the EU labour market field for the civil servants of labour market institutions – Jan 2003</li> <li>6. Organisation of the English language course in labour market for Euro-advisers– June - Sept 2002</li> <li>7. Drafting of information material on services provided by EURES network for job-seekers – February 2003</li> </ol>	<p>Regulation (EEC) No 1612/68 of the Council of 15 October 1968 on freedom of movement for workers within the Community; 93/569/EEC: Commission Decision of 22 October 1993 on the implementing of Council Regulation (EEC) No 1612/68 on freedom of movement for workers within the Community as regards, in particular, a network entitled Eures (European Employment Services).</p>	<p>State budget part 141, chapter 71</p> <p>Phare 2000 project “Support to the Balanced Development of Labour Market Services “</p>	<p>Phare 2000 project “Support to the Balanced Development of Labour Market Services”</p>	
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<p>Labour Market Board, Public Employment Services – Setting up a self-serving system within the framework of Phare 2000 project “Support to the Balanced Development of Labour Market Services”– Feb 2002 – Feb 2003</p>	<p>Regulation (EEC) No 1612/68 of the Council of 15 October 1968 on freedom of movement for workers within the Community; 93/569/EEC: Commission Decision of 22 October 1993 on the implementing of Council Regulation (EEC) No 1612/68 on freedom of movement for workers within the Community as regards, in particular, a network entitled Eures (European Employment Services).</p>	<p>Phare 2000 project “Support to the Balanced Development of Labour Market Services”</p>	<p>Phare 2000 project “Support to the Balanced Development of Labour Market Services”</p>	
<p>Training of members of tripartite employment councils with the purpose of defining their role in the implementation of regional labour market policy and compiling of a manual to the members of the councils within the framework of Phare 2000 project “Support to the Balanced Development of Labour Market Services – April 2002</p>	<p>Regulation (EEC) No 1612/68 of the Council of 15 October 1968 on freedom of movement for workers within the Community; 93/569/EEC: Commission Decision of 22 October 1993 on the implementing of Council Regulation (EEC) No 1612/68 on freedom of movement for workers within the Community as regards, in particular, a network entitled Eures (European Employment Services).</p>	<p>State budget part 141, chapter 71  Phare 2000 project “Support to the Balanced Development of Labour Market Services “</p>	<p>Phare 2000 project “Support to the Balanced Development of Labour Market Services”</p>	

#### **2.4. Co-ordination of Social Security Systems (Ref. to Chapter 13 Social Policy and Employment)**

In 2002 draft texts to be included in annexes to Council Regulations 1408/71 and 574/72 will be revised according to the proposals of the Administrative Commission of Social Security of Migrant Workers.

##### ***Administrative Capacity***

Training in Council Regulations 1408/71 and 574/72 within the framework of Phare Twinning Consensus III Project initiated in June 2001 will continue up to the end of January 2002. The training is aimed at the prospective trainers of this field. Representatives of the Ministry of Social Affairs, Social Insurance Board, Labour Market Board, Central Sick Fund and Tax Board will participate in the training.

Analysis of the exchange of current data on social security and cross-usage of data of competent authorities will be completed by April 2002.

Strategy of dissemination of study aids and information on co-ordination of social security schemes will be worked out by June 2002.

**Implementation and administrative capacity**

1.	2.	3.	4.	5.
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
Ministry of Social Affairs, Social Insurance Board, Labour Market Board, Central Sick Fund, Tax Board ✧ Training of trainers in Council (EEC) Regulations 1408/71 and 574/72: January 2002; ✧ Analysis of the exchange of current data on social security and cross-usage of data of competent authorities: April 2002; ✧ Development of the strategy of dissemination of study booklets and information: June 2002	Regulation (EEC) No <b>1408/71</b> of the Council of 14 June 1971 on the application of social security schemes to employed persons and their families moving within the Community; Regulation (EEC) No <b>574/72</b> of the Council of 21 March 1972 fixing the procedure for implementing Regulation (EEC) No 1408/71;	Budget 2002 Co-financing of foreign support projects (Regulation of the Minister of Financial Affairs No 52 of 16.05.2001)  (FM nr ES 9910) EEK 1 000 000	ES 99CO-01 Phare Twinning Consensus III project "Support to Institutional Development for Implementing Social <i>Acquis</i> " Sub-component 4- Social Security  EEK 4 708 900 million	

## 3. FREE MOVEMENT OF SERVICES

### 3.1. Banking

#### *Introduction*

With the enforcement of the *Credit Institutions Act Amendment Act* Estonia's legislation will be fully harmonised with the current EU *acquis communautaire* in the area of banking services with the exception of the provision of the minimum guaranteed limit of deposits in which Estonia has been granted a transition period.

On 1 January 2002 three financial supervisory authorities (Banking Supervision Department of the Bank of Estonia, Insurance Supervisory Authority and Securities Inspectorate) were unified into a single financial supervisory structure – Financial Supervision Authority.

#### *Approximation of legislation*

With the enforcement of the *Credit Institutions Act Amendment Act* Estonia's legislation will be fully harmonised with the current EU *acquis communautaire* in the area of banking services with the exception of the provision of the minimum guaranteed limit of deposits as provided for in the *Directive 94/19/EC on depositing guarantee schemes* in which Estonia has been granted a transition period.

The *Riigikogu* is currently reading the *Draft Credit Institutions Act Amendment Act*. Enforcing the Act and adoption of the *Decree of the Governor of the Bank of Estonia* on the basis of the Act will harmonise the following directives and provisions:

1. Directive 96/10/EC of the European Parliament and of the Council of 21 March 1996 amending Directive 89/647/EEC as regards recognition of contractual netting by the competent authorities.
2. Provision of commodities and commodities derivatives of the Directive 98/31/EC of the European Parliament and of the Council of 22 June 1998 amending Council Directive 93/6/EEC on the capital adequacy of investment firms and credit institutions.
3. Provision of home and host country supervision in the Directive 89/646/EEC (Second Council Directive of 15 December 1989 on the co-ordination of laws, regulations and administrative provisions relating to the taking up and pursuit of the business of credit institutions and amending Directive 77/780/EEC incorporated into Directive 2000/12/EC of the European Parliament and the Council of 20 March 2000 relating to the taking up and pursuit of the business of credit institutions).

*New Capital adequacy calculation guidelines* will be established on the basis of the *Credit Institutions Act Amendment Act*. The new guideline arises from the analysis performed by the Capital Adequacy Examination Workgroup set up in 2000. The Decree of the Governor of the Bank of Estonia will establish the Guidelines after the adoption of the *Credit Institutions Act Amendment Act*. The Guidelines will undergo testing in the first months of 2002 and become effective for commercial banks on 1 July 2002.

Estonia was granted a transition period for harmonising the provision of the minimum guaranteed limit of deposits (EUR 20,000) as provided for in the Directive 94/19/EEC

of the European Parliament and of the Council of 30 May 1994 on deposit guarantee schemes. The timeframe for harmonising the minimum guaranteed limit of deposits has been set as follows:

- ◆ By 31 December 2003 the guaranteed limit of deposits will be EEK 100,000 (EUR 6,391.16);
- ◆ By 31 December 2005 the guaranteed limit of deposits will be EEK 200,000 (EUR 12,782.33);
- ◆ By 31 December 2007 the guaranteed limit of deposits will be EEK 313,000 (EUR 20,004.35<sup>1</sup>);

#### The *acquis* entering into force in the upcoming years

Although no Estonian undertakings have issued up to date electronic money instruments as they are defined by Directive 2000/46/EC, the Estonian authorities intend to incorporate Directive 2000/46/EC into Estonian legislation to make it effective upon accession at the latest. Measures to harmonise this directive will be elaborated during the second half of 2002. The same procedures will apply to Directive 2000/28 that amends Directive 2000/12 in the part of the issuance of electronic money.

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<sup>1</sup> The official exchange rate EUR 1 = EEK 15.6466.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
Provision of commodities and commodities derivatives in the <b>Directive 98/31/EC of the European Parliament and of the Council</b> of 22 June 1998 amending Council Directive 93/6/EEC on the capital adequacy of investment firms and credit institutions	Credit Institutions Act Amendment Act (Draft 871)	01.01.2002, excl. prudential ratios (which enter into force on 01.07.2002)	Is being read by the <i>Riigikogu</i>
<b>Directive 98/31/EC of the European Parliament and of the Council</b> of 22 June 1998 amending Council Directive 93/6/EEC on the capital adequacy of investment firms and credit institutions	The Decree of the Governor of the Bank of Estonia will establish a new Capital Adequacy Calculation Guideline	The indicative date of entry into force is 01.07.2002	
<b>Directive 96/10/EC of the European Parliament and of the Council</b> of 21 March 1996 amending Directive 89/647/EEC as regards recognition of contractual netting by the competent authorities	Credit Institutions Act Amendment Act (Draft 871)	01.01.2002, excl. prudential ratios (which enter into force on 01.07.2002)	Is being read by the <i>Riigikogu</i>
Provision on the supervision of home and host Member States in Directive <b>89/646/EEC: Second Council Directive</b> of 15 December 1989 on the co-ordination of laws, regulations and administrative provisions relating to the taking up and pursuit of the business of credit institutions and amending Directive 77/780/EEC incorporated into <b>Directive 2000/12/EC of the European Parliament and the Council</b> of 20 March 2000 relating to the taking up and pursuit of the business of credit institutions.	Credit Institutions Act Amendment Act (Draft 871)	01.01.2002, excl. prudential ratios (which enter into force on 01.07.2002)	Is being read by the <i>Riigikogu</i>
Directive 2000/46/EC of the European Parliament and of the Council of 18 September 2000 on the taking up, pursuit of and prudential supervision of the business of electronic money institutions and Directive 2000/28/EC of the European Parliament and of the Council of 18 September 2000 amending Directive 2000/12/EC relating to the taking up and pursuit of the business of credit institutions.			Measures to harmonise this directive will be elaborated during the second half of 2002

## 3.2. Insurance

### *Plans for the year 2002*

The Chapter of the *Insurance Activities Act* regulating insurance intermediaries entered fully into force on 1 August 2001. According to the mentioned Chapter, brokers and agents engaged in intermediation of life insurance contracts shall register themselves in the list of insurance intermediaries, which is maintained by the Insurance Supervisory Authority. This particular regulation establishes supervision over insurance intermediaries, which was non-existent before 1 August 2001. Intermediation of insurance is regulated by the Council Directive 77/92/EEC on measures to facilitate the freedom of establishment and the freedom to provide services in respect of the activities of insurance agents and brokers (ex ISIC Group 630), particularly concerning the transitional measures in respect of the mentioned activities and the Commission Recommendation 92/48/EEC on insurance intermediaries. The Commission has initiated a Proposal for a Directive on insurance mediation COM (2000) 511final, which will repeal the aforesaid acts. On 20 November 2001 the Government approved the draft *Insurance Activities Act Amendment Act* prepared by the Ministry of Finance which amends the provisions regulating insurance intermediation. The amendments derive primarily from the problems in actual implementation of the Act and the provisions of the aforesaid draft Directive. The amendment Act is scheduled to be enforced on 1 June 2002.

The transposition tables on consolidated Directives on life insurance and non-life insurance, prepared by the Commission, will be ready by the beginning of 2002. The draft *Insurance Activities Act Amendment Act* will be elaborated on the basis of these tables within the first half of 2002. The aim of the amendments is to eliminate any possible variances with the directives, which may appear on the basis of the transposition tables, concerning mostly the provisions related to the freedom to provide services. The Act will enter into force in two parts. The part of the Act, which is enforceable before accession to the European Union, will enter into force on 1 January 2003. The remaining part of the Act (e.g. the provisions regulating the freedom to provide services) will enter into force upon accession to the European Union.

The new *Motor Third Party Liability Insurance Act* entered into force on 1 June 2001. At present, the Ministry of Finance is analysing the conformity of the *Motor Third Party Liability Insurance Act* to the Fourth motor insurance Directive 2000/26/EC and the respective amendments to the Act will be prepared within the year 2002, if necessary. The Member States shall harmonise the Directive not later than by 20 July 2002.

Riigikogu adopted the *Contracts and Non-Contractual Obligations Act* on 26 September 2001, it will presumably enter into force in July 2002. The mentioned Act harmonises the provisions of insurance Directives regulating insurance contracts (73/239/EC, 79/267/EC, 88/357/EC, 90/619/EC, 92/49/EC, 92/96/EC).

The *Private International Law Act*, which will harmonise the remaining private law provisions in the Directives (88/357/EC, 90/619/EC), is also being read in Riigikogu. The mentioned draft is scheduled to be enforced on 1 July 2002.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
First Council Directive 73/239/EEC of 24 July 1973 on the co-ordination of laws, regulations and administrative provisions relating to the taking-up and pursuit of the business of direct insurance other than life assurance	Insurance Activities Act Amendment Act	Submission in April 2002. Entry into force partially in January 2003, partially upon accession to the European Union	
First Council Directive 79/267/EEC of 5 March 1979 on the co-ordination of laws, regulations and administrative provisions relating to the taking up and pursuit of the business of direct life assurance	Insurance Activities Act Amendment Act	Submission in April 2002. Entry into force partially in January 2003, partially upon accession to the European Union	
Second Council Directive 88/357/EEC of 22 June 1988 on the co-ordination of laws, regulations and administrative provisions relating to direct insurance other than life assurance and laying down provisions to facilitate the effective exercise of freedom to provide services and amending Directive 73/239/EEC	Insurance Activities Act Amendment Act  Private International Law Act	Submission in April 2002. Entry into force partially in January 2003, partially upon accession to the European Union  Being read in <i>Riigikogu</i> Entry into force in July 2002	



Council Directive 90/619/EEC of 8 November 1990 on the co-ordination of laws, regulations and administrative provisions relating to direct life assurance, laying down provisions to facilitate the effective exercise of freedom to provide services and amending Directive 79/267/EEC	Insurance Activities Act Amendment Act  Private International Law Act	Submission in April 2002. Entry into force partially in January 2003, partially upon accession to the European Union  Being read in <i>Riigikogu</i> Entry into force in July 2002	
Council Directive 92/49/EEC of 18 June 1992 on the co-ordination of laws, regulations and administrative provisions relating to direct insurance other than life assurance and amending Directives 73/239/EEC and 88/357/EEC (third non-life insurance Directive)	Insurance Activities Act Amendment Act	Submission in April 2002. Entry into force partially in January 2003, partially upon accession to the European Union	
Council Directive 92/96/EEC of 10 November 1992 on the co-ordination of laws, regulations and administrative provisions relating to direct life assurance and amending Directives 79/267/EEC and 90/619/EEC (third life assurance Directive)	Insurance Activities Act Amendment Act	Submission in April 2002. Entry into force partially in January 2003, partially upon accession to the European Union	
Directive 2000/26/EC of the European Parliament and of the Council of 16 May 2000 on the approximation of the laws of the Member States relating to insurance against civil liability in respect of the use of motor vehicles and amending Council Directives 73/239/EEC and 88/357/EEC (Fourth motor insurance Directive)	Motor Third Party Liability Insurance Act Amendment Act	Submission in May 2002. Entry into force partially in January 2003, partially upon accession to the European Union	
<p><b>Financing:</b></p> <ol style="list-style-type: none"> <li>1. The Ministry of Finance's part of the budget, 139, chapter 01, lines 10 and 21: whereof approximately EEK 1.5 million for approximation of legislation and increasing of administrative capacity with regard to financial services in total;</li> <li>2. Phare ES 9904 (the total project MEUR 1.5): whereof approximately MEUR 0.05 for approximation of legislation regulating insurance</li> </ol>			

### 3.3. Securities market

#### *Plans for the year 2002*

*Riigikogu* adopted the new EU compatible *Securities Market Act* on 17 October 2001. The *Act* regulates the public issue of securities, the activities of investment firms in provision of investment services and the functioning of securities markets and securities settlement systems as well as the conduct of supervision over the securities market and its participants. *Riigikogu* adopted also the related *Criminal Code and Code of Administrative Offences Amendment Act*. Both Acts will enter into force on 1 January 2002. In 2001 and 2002, 34 implementing acts will be prepared on the basis of the new *Securities Market Act* (primarily, for capital adequacy of investment firms, reporting, data to be submitted upon listing on the stock exchange, etc.).

On 9 May 2001, *Riigikogu* adopted the *Financial Supervisory Authority Act* (95/26/EC), which establishes the functions and the basis for the activities of the unified financial supervisory authority that will be set up. The *Act* entered into force on 1 June 2001. The Financial Supervisory Authority will commence its activities on 1 January 2002.

It is planned to start drafting the *Investment Funds Act Amendment Act* in 2002. It is foreseen that the draft will take into account the possible future directives that are likely to be adopted in the near future on the basis of the proposals (COM (98) 449 and COM (98) 451) initiated by the Commission. Several other amendments are also planned concerning the introduction of new type of investment funds (so-called closed-ended contractual investment funds, non-UCITS, investment funds of venture capital and others).

The draft *Guarantee Fund Act*, which harmonises the requirements to the investor compensation scheme foreseen under the Directive 97/9/EC will be submitted to the Government in January 2001 and enacted in 2002. The *Act* provides for a transitional period until 2008 in order to reach the minimum compensation amount of EUR 20,000 required by the EU directive. It is planned to draft about 10 implementing acts on the basis of the *Act* in 2002.

The draft *Mortgage Financing Act* harmonising the requirements for mortgage bonds set out in Directive 85/611/EEC, is planned to be submitted to the Government in October 2002 and enacted in 2003.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
Council Directive 93/6/EEC of 15 March 1993 on the capital adequacy of investments firms and credit institutions	Implementation acts for the Securities Market Act	Submission and entry into force: November 2001 – July 2002	
European Parliament and Council Directive 95/26/EC of 29 June 1995 amending Directives 77/780/EEC, 89/646/EEC, 73/239/EEC, 92/49/EEC, 79/267/EEC, 92/96/EEC, 93/22/EEC and 85/611/EEC, with a view to reinforcing prudential supervision	Implementation acts for the Securities Market Act	Submission and entry into force: November 2001 – July 2002	
Council Directive 85/611/EEC of 20 December 1985 on the coordination of laws, regulations and administrative provisions relating to undertakings for collective investment in transferable securities (UCITS)	Investment Funds Act Amendment Act  Mortgage Financing Act	Submission: December 2002 Entry into force: July 2003 Submission: October 2002 Entry into force: April 2003	
Council Directive 89/298/EEC of 17 April 1989 coordinating the requirements for the drawing-up, scrutiny and distribution of the prospectus to be published when transferable securities are offered to the public	Implementation acts for the Securities Market Act	Submission and entry into force: November 2001 – July 2002	
Council Directive 89/592/EEC of 13 November 1989 coordinating regulations on insider dealing	Implementation acts for the Securities Market Act	Submission and entry into force: November 2001 – July 2002	
Council Directive 93/22/EEC of 10 May 1993 on investment services in the securities field	Implementation acts for the Securities Market Act	Submission and entry into force: November 2001 – July 2002	
Directive 97/9/EC of the European Parliament and of the Council of 3 March 1997 on investor-compensation schemes	Guarantee Fund Act and its implementation acts	Submission: January 2002 Entry into force: July 2002	

**Financing:**

1. The Ministry of Finance part of the budget, 139, chapter 01, lines 10 and 21: whereof approximately EEK 1.5 million for approximation of legislation and increasing of administrative capacity with regard to financial services in total;
2. Phare ES 9904 (the total project MEUR 1.5): whereof approximately MEUR 0.2 for approximation of legislation regulating securities in total

### 3.4. Setting up unified Financial Supervision Authority

On 1 January 2002 the Financial Supervision Authority becomes operational. The merger of three financial supervisory agencies (Banking Supervisory Department of the Bank of Estonia, Insurance Supervisory Authority and Securities Inspectorate) into a unified financial supervisory structure lies on the following legislation:

- ◆ The *Financial Supervision Authority Act* and acts amending legislation on financial supervisory structures (the *Credit Institutions Act*, the *Insurance Act*, etc) adopted on 9 May 2001 by the *Riigikogu*.
- ◆ The *Government of the Republic Act Amendment Act* and the *Central Bank of Estonia Act Amendment Act*.

Pursuant to the *Financial Supervision Authority Act* (RT I 2001, 48, 267) the Financial Supervision Authority is an agency with autonomous competence and a separate budget, which operates at the Bank of Estonia (§ 4).

The guarantee of **autonomous competence** of the Financial Supervision Authority (FSA) lies in its structure: the governing bodies of the Financial Supervision Authority – Council and management board - are not parts of the hierarchical structure of the Bank of Estonia. Pursuant to the *Financial Supervision Authority Act* the FSA has a separate budget comprising of payments by market participants - supervisory fee. The FSA is independent of other national structures of Estonia in the conduct of national supervisory function, i.e. within its competence.

The FSA is **administratively connected with the Bank of Estonia**. The FSA is situated in the premises of the Bank of Estonia. The latter provides the FSA several IT services, maintains the buildings, etc. Such organisation ensures rational use of resources, avoiding duplication in performing similar tasks.

The **Council** of the Supervision Authority plans and manages the activities of the Supervision Authority. The Council consists of six members, two of whom are members by virtue of office – the Minister of Finance and the Governor of the Bank of Estonia – and four of whom are appointed members. The Government of the Republic on the proposal of the Minister of Finance appoints one-half of the appointed members of the Council and the Board of the Bank of Estonia on the proposal of the Governor of the Bank of Estonia the other half. The Minister of Finance is the chairman of the Council by virtue of office. The Council of the FSA was set up pursuant to the above procedure in June 2001.

The **management board** manages and organises the activities of the Supervision Authority. The management board consists of five members, appointed and removed by the Council. In issues relating to the conduct of financial supervision, the management board shall decide on:

- 1) The issue and revocation of activity licences and other issues relating to activity licences;
- 2) The grant of consent, permission or concordance;
- 3) Issues relating to the performance of registration obligations and entry in lists;
- 4) The issue of precepts;

- 5) The application of administrative coercive measures;
- 6) The imposition of administrative penalties;
- 7) The ordering of special audits or expert assessments;
- 8) The establishment of a moratorium or a special regime and the performance of related acts;
- 9) The submission of bankruptcy petitions and the performance of other acts relating to bankruptcy or liquidation proceedings.

Pursuant to the *Financial Supervision Authority Act* the Council shall appoint the members of the management board by 30 June 2002 at the latest. Pursuant to the *Financial Supervision Authority Act* the supervisory board appointed the Head of the Banking Supervision of the Bank of Estonia the acting chairman of the management board and the Director General of the Securities Inspectorate and the Director General of the Insurance Supervision Authority acting members of the management board in June 2001.

On 21 September 2001 the Council approved the *Strategy of the Supervision Authority for 2002-2003* submitted by the acting management board, principles of the structure and the procedure of the Council.

#### The structure of the **Financial Supervision Authority**:

- 1) Capital Supervision Division. Objectives of the division are to supervise requirements and prudential ratios established for subjects of financial supervision, to develop methodology and regulatory environment. The main function is to supervise solvency of the subjects of supervision, to analyse capital adequacy and liquidity.
- 2) Insurance Supervision Division. Objectives of the division are to supervise requirements and prudential ratios established for the insurance sector and insurance companies, to develop methodology and regulatory environment. The main function is to supervise actuarial risks of insurance companies, technical provisions and liquidity.
- 3) Markets and Funds Division. Objectives of the division are to supervise requirements established for the securities market, including regulated market as well as for market participants, to develop methodology and regulatory environment. The main function is to supervise funds, including pension funds; insider transactions; market manipulations; information disclosure, transparency and performance of the financial market, primarily securities market and systemic risks,
- 4) General Supervision Department. Objectives of the division are to ensure legal competence in the operation of the Supervision Authority; to co-ordinate international co-operation and activities promoting oversight of the operational legality of the subjects of supervision, licensing and combating financial crime; to manage consumer relations; to develop legislation, including co-ordination of legislative drafting on the EU direction.
- 5) Internal Services. Objectives are to provide administrative services and co-ordinate budgeting.
- 6) Internal Audit. Objectives are to check operational legality and observance of internal regulations of the Supervision Authority as well as to develop internal rules and procedures.

- 7) Public Relations. Objectives are to elaborate and develop the communication policy of the Supervision Authority, to co-ordinate and manage public relations, to elaborate and implement reporting and accounting principles as well as public disclosure policies.

In 2002 the number of employees will not exceed 75, including members of the management board.

### **Strategic goals of the Supervision Authority for 2002-2003**

#### Merger of three supervision authorities and organisational development:

- ◆ To ensure continuity in supervision upon the termination of the Securities Inspectorate, the Insurance Supervisory Authority and the Banking Supervisory Department and launch of the Financial Supervision Authority;
- ◆ To develop an integrated, flexible and cost-efficient organisation;
- ◆ To elaborate internal regulations, policies and procedures for strategies, planning, budgeting and organisation of work;
- ◆ To establish and launch an efficient internal audit function;
- ◆ To launch systemic and comprehensive in-house training programme;
- ◆ To establish high professional standards for the staff, proceeding from competitive remuneration policy;
- ◆ To complete Phare technical assistance projects and to maximise the outcome;
- ◆ To develop an information system for the Financial Supervision Authority, having accounting and reporting systems of market participants on the same platform;
- ◆ To implement all requirements for the management of the Supervision Authority, organisation of work, co-operation with other institutions, budgeting and reporting and accounting arising from the *Financial Supervision Authority Act*;
- ◆ To be recognised by the public, subjects of the supervision and domestic as well as international co-operation partners.

#### Supervision:

- ◆ To be prepared for efficient supervision upon the entry into force of the *Securities Market Act* and the *Funded Pensions Act*;
- ◆ To harmonise majority of standards and methodology of the supervisory process in banking, insurance and securities market supervision with the focus on strengthening of the securities market supervision;
- ◆ To elaborate methods for consolidated supervision of financial groups, operating in different segments of the financial sector as well as in different geographical locations;
- ◆ To focus in supervision primarily on significant systemic subjects and risks important for financial sector risks and developments;
- ◆ To co-operate actively and conclude co-operation agreements with most important foreign supervision authorities for Estonia's financial sector supervision. To start and enlarge participation in the workgroups at IOSCO, IAIS and Basle Committee on Banking Supervision;
- ◆ To elaborate together with the Bank of Estonia and the Ministry of Finance a framework for financial sector regulations, collection of reporting and exchange of information;

- ◆ To elaborate together with the Bank of Estonia and the Ministry of Finance rules of operation and the exchange of information for potential crisis resolution;
- ◆ To continue intensive introduction of the EU and other international standards into financial sector regulations and supervisory process, considering both efficiency and expediency;
- ◆ To participate actively in the preparation and analysis of financial sector legislation;
- ◆ To launch systemic communication of the subjects of supervision, customers and investors of major changes in the financial sector regulations and operational principles, using also the Internet home page.

### **Phare project supporting the creation of the unified financial supervision**

To unify the supervisory authorities and to increase the administrative capacity of the financial sector's supervisory as well as regulative institutions, a Phare project ES 9904 is on-going with the total value of MEUR 1.5.

The project includes 3 parts:

1. Twinning with the experts from the Danish Financial Supervisory Authority;
2. Additional technical assistance provided by the experts of the Credit Agricole Consultants, PricewaterhouseCoopers and Landwell;
3. Building-up IT system for the unified supervisory authority, which is carried out by the Microlink Systems.

The first part, twinning, started in spring 2001 and will continue until the summer 2002. Two other parts of the project started in autumn 2001 and will be finished in summer 2002. Within the framework of the project a great amount of technical assistance has been received to elaborate the laws and implementing regulations. Also, seminars and study trips have been organised for the officials of the Financial Supervisory Authority as well as the officials of the Ministry of Finance.

### **Administrative capacity regarding legislative drafting of the insurance and securities market**

As of 2001, the Insurance Division of the Financial Services Department in the Ministry of Finance employs 4 officials including the Head of the Division, before the number of officials working in that division was 2. The Division of Financial Markets of the same Department employs 6 officials including the Head, the number of officials before was 3.

### **Compliance with Basel Core Principles on Banking Supervision**

After the adoption of the *State Liability Act* in May 2001 and conclusion of the co-operation agreement between the Banking Supervisory Department of the Bank of Estonia, the Insurance Supervisory Authority and the Securities Inspectorate, Estonia's banking supervision is in full compliance with the Core Principles on Banking Supervision established by the Basel Committee on Banking Supervision.



## 4. FREE MOVEMENT OF CAPITAL

### 4.1. Payment and Settlement Systems

#### *Introduction*

Following the enforcement of the Act on Contractual and Extra-Contractual Obligations and the Securities Market Act adopted by the *Riigikogu* at the end of 2001 the Estonian legislation will be in full compliance with the *acquis* in the field of payment and settlement systems. By end-2001 a new payment and settlement system was ready to start operating. As a consequence of the launch of the new system some implementation acts in the field of payment and settlement systems need amending. Together with the implementation of the new payment and settlement system a Council of Payment System Experts will be established in order to settle out-of-court complaints.

#### *Approximation of legislation*

After the adoption of the Act on Contractual and Extra-Contractual Obligations and the Securities Market Act the Estonian legislation is in full compliance with the *acquis* in the field of payment and settlement systems. With the adoption of the Act on Contractual and Extra-Contractual Obligations the following relevant EU directives were harmonised:

- ◆ Directive 97/5/EC of the European Parliament and of the Council of 27 January 1997 on cross-border credit transfers;
- ◆ Directive 98/26/EC of the European Parliament and of the Council of 19 May 1998 on settlement finality in payment and securities settlement systems;
- ◆ Commission Recommendation No 97/489/EC of 30 July 1997 concerning transactions by electronic payment instruments and in particular the relationship between issuer and holder.

When the Act on Contractual and Extra-Contractual Obligations has entered into force, the Bank of Estonia Governor's Decree No 2 of 14 May 2001 "Instruction for settlement of payments" will be amended. Quite a lot of legal issues regulated by the above-mentioned Bank of Estonia Governor's Decree will be regulated by the Act on Contractual and Extra-Contractual Obligations.

The new interbank payment and settlement system has been in operation since 21 January 2002. The regulation of the new system is based on contracts concluded between the Bank of Estonia and the payment system participants. The Bank of Estonia Governor's Decree No 1 of 10 January 2002 "Approval of the documentation on Bank of Estonia payment systems" establishes General Conditions and Price-lists of the payment system. The Clearing Department establishes technical requirements of the payment system.

#### **Implementation of the new payment and settlement system**

The new payment and settlement system has been operational since 21 January 2002. It is based on two subsystems: the RTGS (Real Time Gross Settlement) system and the DNS (Designated Time Net Settlement) system. Both components of the system need upgrading with supplementary functions. Within 2002 the RTGS should get an

optimization mechanism for queued payments and online monitoring facility, a payment order for processing customer payments and if necessary, also a real-time securities trading activity module (for DVP transactions). Within the DNS system a settlement of payments originated by direct debits should be introduced. In future (2003-2004) the RTGS will need an interface with the Time Gross Settlement Express Transfer System TARGET.

### **Council of Payment System Experts and Arbitration**

With the implementation of the new payment and settlement system a Council of Payment System Experts has been established. The Council is a standing body comprising of payment specialists who recommend upgrading of payment and settlement systems administered by the Bank of Estonia or operating pursuant to the instructions issued by the Bank of Estonia. In terms of arbitration it settles disputes arising from the operational payment and settlement system.

The Bank of Estonia appoints three members of the Council and each of the payment and settlement system members appoints one member. The executive manager of the Bank of Estonia structural unit responsible for payment and settlement systems (System Administrator) is the Chairman of the Council and he/she appoints an alternate member from among the members of the Council to substitute him/her upon necessity.

The Council of Payment System Experts establishes a three-member out-of-court arbitration body to settle disputes. One of the members is appointed by the Bank of Estonia and two other members by each of the parties. The participation of the member of the Council of Payment System Experts in the out-of-court arbitration body can be restricted if he/she is directly or indirectly interested in the outcome of the case or circumstances undermine his/her neutrality in the settlement of the case.

By early-2003 the out-of-court arbitration body is scheduled to deal with out-of-court settlements of complaints related to payment and settlement services between banks and customers.

The Bank of Estonia schedule for the establishment of the out-of-court arbitration body:

<b>Activity</b>	<b>Deadline</b>
Establishment of an independent body responsible for the settlement of out-of-court complaints between interbank settlement system's managers and system's participants	Together with the implementation of the new payment and settlement system by end-2001
Amendment of /updating the body's documentation for the settlement of out of court complaints between credit institutions and their clients.	End of the first half of 2002
Introducing and advertising the body to general public; amendment of the General Conditions for credit institutions	During of the second half of 2002
The out-of-court settlement body starts settling complaints related to payment and settlement services between commercial banks and their customers	Beginning from January 2003

### *Administrative Capacity*

#### **Establishment of Financial Stability Department**

The stability of the financial sector as well as its efficient, smooth and secure performance is significant for the economic development of the country. For consistent and integrated monitoring of the financial sector, the Bank of Estonia has established a new department – Financial Stability Department:

- ◆ The Statute of the Financial Stability Department was approved on 3 December 2001;
- ◆ December 2001 –amendments of employment contracts and job descriptions for employees of the Bank of Estonia who moved from other BoE structures to the new department;
- ◆ January 2002 - the Financial Stability Department is operational.

#### **Objectives of the Financial Stability Department:**

- ◆ Estonia's financial system needs for efficient performance a framework based on internationally recognised rules and good practice and infrastructure.
- ◆ Timely and reliable information about Estonia's financial sector and assessment of the current state of the financial system and its potential development trends should be available to the Bank of Estonia, Estonian financial supervision authorities, relevant local and international institutions and the public.
- ◆ To develop a safety net system for the protection of Estonia's financial system to minimise potential risks and ensure the minimum damage to the entire system in case of failure.

**Implementation and administrative capacity**

1.	2.	3.	4.	5.
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
Establishment of out-of-court settlement body by end-2002	<p>Directive 97/5/EC of the European Parliament and of the Council of 27 January 1997 on cross-border credit transfers;</p> <p>Commission Recommendation No 97/489/EC of 30 July 1997 concerning transactions by electronic payment instruments and in particular the relationship between issuer and holder</p>	Bank of Estonia budget		Please see the Bank of Estonia schedule for the establishment of the out-of-court arbitration body (above).

## 4.2. Capital Movements

Since May 2000 the chapter of free movement of capital has been provisionally closed in the accession negotiations. Estonia accepts the *acquis*' and declares that it will be able to implement it by the date of accession, with two exceptions regarding applicable reference dates. The first holds for the standstill clause preserving restrictions toward third countries, established in paragraph 1 of Article 57 of the Treaty. The other date holds for the corresponding clause in the Declaration No 7 on taxation in relation to the paragraph 1a of Article 58. The negotiating parties agreed that the corresponding reference date for Estonia would be 31 December 1999 in both cases.

Most of the Estonian legal acts already have been harmonised with the *acquis*' of free movement of capital and the harmonisation will be completed by the end of 2002. Estonia's position paper declares that the legislation concerning restitution, land reform, privatisation and other areas of property reform does not require harmonisation as long as the reforms will be completed before the accession. However, if some of the reforms are not completed by that time and the legislation regulating the continued reform will be in contradiction with the *acquis*, this particular legislation will be harmonised upon accession. Based on the Government's position, that the land reform processes may take longer than initially planned the harmonisation of the *Land Reform Act* has been included in the NPAA.

The remaining tasks in harmonisation include the following:

- 1) The *Security Service Act*, which restricts the foreign capital participation in the firms providing security services will be amended. The Ministry of Internal Affairs will submit the amendment act to the Government in May 2002.
- 2) The *Restrictions on Transfer of Immovable Property Ownership to Aliens, Foreign States and Legal Persons Act* will be harmonised according to the commitments made in the position paper. The corresponding draft amendment act will be submitted to the Government together with a draft act regulating the use of arable and forested land (and possibly also draft acts regulating investments in real estate in the border areas or other areas important in consideration of national security). The legislation will be drafted in co-operation with the Ministry of Agriculture, the Ministry of Environment, the Ministry of Defence, the Ministry of Internal Affairs, the Ministry of Foreign Affairs, the Ministry of Justice, and the Ministry of Finance.
- 3) The restrictions in §§ 1 and 2 of the *Ship Flag Act and Registers of Ships Act* which limit the participation in the ownership of sea-going vessels will be removed for the residents of EU and EEA states. The necessary amendment act will be adopted by *Riigikogu* in October 2002 and it will enter into force as of 1 January 2003.
- 4) *The Aviation Act*, which limits the issuing of air operators' certificates, will be completely harmonised by accession.
- 5) The restrictions in the *Land Reform Act* towards privatisation of land to foreigners will be removed to the same level as provided by the *Restrictions on Transfer of Immovable Property Ownership to Aliens, Foreign States and Legal Persons Act amendment Act*. The Act will enter into force on 1 January 2003.

The implementation of the above-mentioned acts does not require new institutions, additional financing, training or foreign assistance.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
EC Treaty, Articles 56 -60, Council directive 88/361/EEC, 24 June 1988	Security Services Act Amendment Act	Submission: April 2002 Enforcement: January 2003	
EC Treaty, Articles 56 -60, Council directive 88/361/EEC, 24 June 1988	Restrictions on Transfer of Immovable Property Ownership to Aliens, Foreign States and Legal Persons Act amendment Act	Submission: November 2002 Enforcement: June 2003	
EC Treaty, Articles 56 -60, Council directive 88/361/EEC, 24 June 1988	Ship Flag Act and Registers of Ships Act amendment Act	Submission: April 2002 Enforcement: January 2003	
EC Treaty, Articles 56 -60, Council directive 88/361/EEC, 24 June 1988	Aviation Act amendment Act	Enforcement: upon accession	
EC Treaty, Articles 56 -60, Council directive 88/361/EEC, 24 June 1988	Land Reform Act amendment Act	Submission: April 2002 Enforcement: January 2003	Based on the commitment in the position paper

## 5. COMPANY LAW

### 5.1. Intellectual and Industrial Property Rights

#### 5.1.1. Industrial Property Rights

Estonian legislation concerning industrial property rights is mostly in compliance with the *acquis*.

85% of the current *Trade Marks Act* is in compliance with the First Council Directive 89/104/EEC of 21 December 1988 on approximation of the laws of Member States relating to trade marks. In order to fully harmonize the *Trade Marks Act* with the directive a revised *Trade Marks Act* has been drafted. The need to bring the Estonian trade mark legislation into conformity with the 1994 Trademark Law Treaty administered by the World Intellectual Property Organization (WIPO) was another reason for revising the Act. By joining the Treaty Estonia can approximate the administrative requirements for registering trademarks. The provisions of Council Regulation (EC) No 40/94 of 20 December 1993 on the Community trade mark have not been included in the revised draft of the *Trade Marks Act*, although the relevant provisions are contained in the Directive. Estonia chose to do so on the basis of a position presented in the accession negotiations, pursuant to which Community trade marks would enter into force with respect to Estonia as of Estonia's accession to the European Union and such trade marks would not be used earlier as a legal basis for examination of the trade marks upon registration. The relevant provisions shall be included in the *Trade Marks Act* before accession to the European Union.

On 5 December 2001 the *Industrial Design Protection Act Amendment Act* was adopted by the *Riigikogu* whereby Estonian legislation was brought into full conformity with Directive 98/71/EC of the European Parliament and of the Council of 13 October 1998 on the legal protection of designs. Estonia's joining the Geneva Act of the Hague Agreement Concerning the International Registration of Industrial Designs was another reason for amending the Act. The *Industrial Design Protection Act Amendment Act* entered into force on 28 December 2001.

*The Patents Act* is in conformity with the Directive 98/44/EC of the European Parliament and of the Council of 6 July 1998 on the legal protection of biotechnological inventions. *The Patents Act* is also in compliance with the Regulation (EC) No 1610/96 of the European Parliament and of the Council of 23 July 1996 concerning the creation of a supplementary protection certificate for plant protection products and Council Regulation (EEC) No 1768/92 of 18 June 1992 concerning the creation of a supplementary protection certificate for medicinal products. Given the need to regulate these areas of activities in Estonia, the relevant provisions were introduced in the *Patents Act* temporarily. Upon accession of Estonia to the European Union the corresponding chapter of the *Patents Act* shall be replaced with the implementing provisions of these EU Regulations.

Pursuant to the Decision of the Administrative Council of the European Patent Organization of 29 January 1999 Estonia received an invitation to join the European Patent Convention on 1 July 2002. Resulting from the invitation, three draft laws have been prepared and are currently in the legislative proceeding of the *Riigikogu*:



1. *Act on Joining the European Patent Convention;*
2. *Act on Implementing the European Patent Convention;*
3. *Act on Joining the Revising Act of the European Patent Convention.*

The principal rules on utility models have not been harmonized in the European Union to date and the rules vary significantly by country. The European Commission has prepared proposals to the European Parliament and the Council in the form of a draft directive to regulate the issues pertaining to the legal protection of utility models in the European Union.

The *Utility Models Act* has taken into account the recommendation made by the European Commission during the screening of the Estonian legislation concerning Company Law, held in Brussels 2-3 June and 15-16 June 1998, to introduce the Doctrine of Regional Exhaustion of Rights covering the European Economic Area into the Estonian legislation on intellectual and industrial property rights. These steps would protect the principle of free movement of goods and help avoid the emergence of price monopolies. The Doctrine has already been included in the *Patents Act*.

The *Geographical Indications Protection Act* is in line with the Council Regulation (EEC) No 2081/92 of 14 July 1992 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs.

The *Layout-Designs of Integrated Circuits Protection Act* is in compliance with the Council Directive 87/54/EEC of 16 December 1986 on the legal protection of topographies of semiconductor products.

### **Implementation of legislation and administrative capacity**

The technical assistance component of the Phare Project ES9903.03 "Institution Building of Regulatory Bodies under Supervision of the Ministry of Economic Affairs – Patent Office and Patent Library" will be carried out in 2002 (technical assistance is to be provided in several important areas from January to December 2002). The investment component (EUR 177 134 in total) has already been completed: the tenders organized in July 2001 resulted in supplying the software for searching trade mark representations to the Patent Office and special software, Pretty Pit Soft-Pretty Lib, to the Patent Library. This project shall significantly contribute to the administrative capacity of the Patent Office and the Patent Library in effectively fulfilling their principal tasks.

The principles of and procedure for charging fees for processing the applications for legal protection of industrial property must be brought in line with the European Patent Convention, the EU *acquis* and international agreements. According to the European Patent Convention, the Estonian Patent Office receives the fees paid in respect of the year of continued validity on European patents where Estonia is a designated state, and 50% of such fees shall be remitted quarterly to the European Patent Office. Current legislation regulating state fees in Estonia does not permit such payments. Once Estonia joins the Community trade mark system (Council Regulation (EC) No 40/94), the Estonian Patent Office shall start receiving the Community trade mark searching fees. The Patent Co-operation Treaty, the Protocol Relating to the Madrid Agreement and the Geneva Act of the Hague Agreement also provide for

direct settlement based on actual costs between the Patent Office and an international organization.

Upon accession to the European Union the Patent Office joins the centralized system of granting legal protection to trade marks and industrial designs, involving all Member States, therefore a relevant structural unit has to be created in the Trade Mark Department of the Patent Office. According to the Co-operation Memorandum signed on 25 December 1999 the Patent Office is already working in co-operation with the Office for Harmonization in the Internal Market (processing practice, exchange of information on trade marks and legal matters and creation of a corresponding information system). The said co-operation is bound to expand and deepen in the coming years, thus increasing the workload of the Trade Mark Department and the Legal Department.

Upon joining the European Patent Convention the Patent Office also joins the centralized system of granting patents, involving all Member States, starts maintaining the National Register of European Patents and publishing full patent specifications for European patents where Estonia is a designated state. Therefore the workload and the number of employees of the Receiving Department, Patent Department, Information Department and Bureau of Registers of the Patent Office, as well as training needs are expected to increase.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
First Council Directive 89/104/EEC of 21 December 1988 to approximate the laws of the Member States relating to trade marks	<i>Trade Marks Act*</i>	In the legislative proceeding of the Riigikogu Entry into force: July 2002	
Trademark Law Treaty	<i>Act on Joining the Trademark Law Treaty*</i>	In the legislative proceeding of the Riigikogu Entry into force: September 2002	The Treaty enters into force three months after the date of communicating notification of becoming party of the Treaty to the WIPO Director General
European Patent Convention	<i>Act on Joining the European Patent Convention *</i>	In the legislative proceeding of the Riigikogu Entry into force: February 2002	
European Patent Convention	<i>Act on Joining the Revising Act of the European Patent Convention *</i>	In the legislative proceeding of the Riigikogu Entry into force: February 2002	
European Patent Convention	<i>Act on Implementing the European Patent Convention *</i>	In the legislative proceeding of the Riigikogu Entry into force: February 2002	
European Patent Convention	Secondary legislation concerning the implementation of the European Patent Convention	March 2002 Entry into force: July 2002	

Patent Law Treaty	<i>Patents Act Amendment Act*</i>	March 2002 Entry into force: July 2002	
Patent Law Treaty	<i>Act on Ratifying the Patent Law Treaty*</i>	March 2002 Entry into force: July 2002	

**Implementation and administrative capacity**

<b>1.</b> <b>Institution, planned measures (incl training), deadline</b>	<b>2.</b> <b>Legal basis, implemented legal act</b>	<b>3.</b> <b>Financing (State budget line, other sources)</b>	<b>4.</b> <b>Technical assistance needs</b>	<b>5.</b> <b>Remarks</b>
<u>Patent Office</u> Establishing the National Register of European Patents, July 2002	European Patent Convention, <i>Act on Joining the European Patent Convention</i>	Part 137, Chapter 41 of the State Budget Act	Assistance of the European Patent Organization concerning information technology	The costs of establishing the Register (without software and hardware) are EEK 200 000.
<u>Ministry of Economic Affairs in co-operation with the Ministry of Finance and the Patent Office</u> Bringing the principles of and procedure for charging fees for processing the applications for legal protection of industrial property in line with the European Patent Convention, the EU acquis and other international agreements.	European Patent Convention, <i>Act on Implementing the European Patent Convention</i> , Council regulation (EC) No 40/94 of 20 December 1993 on the Community trade mark, Patent Co-operation Treaty			
<u>Patent Office</u> Training on the application of the European Patent Convention	European Patent Convention, <i>Act on Implementing the European Patent Convention</i>	Part 137, Chapter 41 of the State Budget Act	Assistance of the European Patent Organization in conducting the training	The additional needs can be specified in more detail, once the assistance to be provided by the European Patent Organization upon Estonia's joining the European Patent Organization is determined.
<u>Patent Office</u> Increase of staff by 5 employees		Part 137, Chapter 41 of the State Budget Act		Depends on the time of Estonia's accession to the European Union.
Technical assistance for developing the mechanisms of implementing legal protection of industrial property, in accordance with the project timeframe Seminars and workshops for introducing the strategy of legal protection of industrial property and the practice of the Member States, in accordance with the project timeframe		Phare 99 technical assistance project, total financing EUR 319 650, co-financing by Estonia – EUR 120 000*	Technical assistance for developing a strategy and a plan of implementation of legal protection of industrial property for the medium-term (3-5 years)	*This amount is intended to cover several measures indicated by contract partner

Training of the staff of the Patent Office and Patent Library, in accordance with the project timeframe		Phare 99 technical assistance project*	Assistance of the Phare experts in implementing the software for conducting a search of trade mark representations, which was supplied as part of the investment component of the project.	
Development of a Public Relations Plan and activities aimed at introducing the functions of the Patent Office and Patent Library to the general public, in accordance with the project timeframe		Phare 99 technical assistance project*	Technical assistance in developing the Public Relations Plan	

## 5.1.2. Copyright and Related Rights

### *Plans for the Year 2002-2003*

The following directives, that need to be harmonised, have been adopted in EU during 2000-2001:

1. Directive 2001/29/EC of the European Parliament and of the Council on the harmonisation of certain aspects of copyright and related rights in the information society (Has to be implemented by the Member States by 22 December 2002)
2. Directive 2001/84/EC of the European Parliament and of the Council on the resale right for the benefit of the author of an original work of art (implementation deadline 1 January 2006)
3. Directive 2000/31/EC of the European Parliament and of the Council on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market (implementation deadline 17 January 2002).

Harmonisation of Estonian legislation with Directive 2001/29/EC will start in the year 2002 but the particular amendments in national laws will presumably enter into force in the second half of 2003. A parallel action to the abovementioned is the ratification process of WIPO 1996 agreement and making corresponding amendments to the Estonian legislation. In order to finance the harmonisation process funds have been applied for in the framework of PHARE 2002-2003 project.

As to the directive 2000/31/EC only 3 articles in the directive are relevant to the copyright-issues coordinated by the Ministry of Culture, the harmonisation of this particular directive can take place in co-operation with other relevant Ministries.

Alteration of the full reservation made for Article 12 of the Rome Convention on the Protection of Performers, Producers of Phonograms and Broadcasting Organizations shall be taken on the agenda. Preparations for this shall start in the first half of 2002.

A very important task is a successful enforcement of copyright-related legislation. Continuous training is necessary for the law-enforcement authorities (police, customs, judges, prosecutors). Training is continuously organised both within the framework of local and foreign support (PHARE 2002-2003 project application submitted by the Ministry of Culture). The structure of the Ministry of Culture was changed in 2000 by launching the Media and Copyright Department which will be extended by one new official to deal with copyright issues.

The Copyright Committee is continuing its work providing the Government twice a year an overview of compliance of the level of intellectual property protection in Estonia with the international obligations assumed by Estonia. The committee will continue to coordinate the fight against piracy between different institutions, from now on involving more effectively local governments.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
Directive 2001/29/EC of the European Parliament and of the Council on the harmonisation of certain aspects of copyright and related rights in the information society	<i>Copyright Act</i>	September 2003	In the framework of PHARE 2002 project a long-term expert (twinning) is planned for legislative drafting who as one part of his work would engage in harmonisation of directives Financing: PHARE 2002 project (in total 2001/29/EC and 2001/84/EC EUR 5,000)
Directive 2001/84/EC of the European Parliament and of the Council on the resale right for the benefit of the author of an original work of art	<i>Copyright Act</i>	Draft is to be submitted 1 October 2003	In the framework of PHARE 2002 project a long-term expert (twinning) is planned for legislative drafting who as one part of his work would engage in harmonisation of directives Financing: PHARE 2002 project (in total 2001/29/EC and 2001/84/EC EUR 5,000)
Directive 2000/31/EC of the European Parliament and of the Council on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market	<i>Copyright Act</i>		As for the majority it does not lie in the competence of MC the plans of the co-ordinating ministry in harmonising of the directive cannot therefore be named
Alteration of the full reservation made for Article 12 of International Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations	It is necessary to draft Accession Act Amendment Act	Is to be submitted in the first half of 2002, Amendment Act enters into force by the beginning of 2003.	



Ratification of WIPO 1996 agreement (WPPT and WCT)	1) Amendments into <i>Copyright Act</i> 2) Draft(s) of Ratification Act(s)	September 2003	In the framework of PHARE 2002-2003 project a long-term expert (twinning) is planned for legislative drafting who as one part of his work, besides harmonisation of directives, would also work with WIPO 1996 agreements (directly connected to directive 2001/29/EC). Financing: PHARE 2002, in total EUR 5,000
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**Implementation and administrative capacity**

1.	2.	3.	4.	5.
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
<p>PARE 2002 project of the Ministry of Culture is targeted on copyright related training of police and customs (local training + study tours). The project is to start in the end of 2002 and will last to the second half of 2004.</p> <p>In the framework of the same project it is planned to organise practical training for the representatives of collective management organisations in order to make acquaintance with the activity of similar organisations in other countries.</p>	<p>Training is necessary for implementation of the supervisory function deriving from following legal acts:</p> <ol style="list-style-type: none"> <li>1) Copyright Act</li> <li>2) Criminal Code</li> <li>3) Code of Administrative Offences</li> <li>4) Customs Act</li> <li>5) Penal Reform</li> </ol>	<p>For training co-financing for PHARE project EUR 18.000 (EEK 156,000), budget of MC section 136, chapter 01, article 30</p>	<p>PHARE EUR 116,183</p>	<p>PHARE 2002 project will last January 2003 - May 2004, The part of national co-financing may thus be distributed on two years.</p>

## 5.2. Accounting and auditing

In 2001, the *Accounting Act amendment Act* was adopted. The Act harmonises the accounting legislation with the requirements of the Directive 83/349/EEC and establishes the requirements for preparing consolidated reports. The Estonian accounting legislation is harmonised with the *acquis*.

In April 2002, the draft new consolidated *Accounting Act* will be submitted to the Government. The Act introduces *inter alia* provisions regarding the reorganisation of the Accounting Standards Board. It is planned to enforce the Act as of January 2003.

In December 2002, the draft *Auditing Act Amendment Act* will be submitted to the Government. The aim of the new Act is to specify the relations between the Board of Auditors, the Authorisation Committee for Auditors and the Ministry of Finance as well as their role in supervising the activities of the auditors and the Board of Auditors. For drafting the Act it is necessary to engage a foreign expert to provide the officials of the Ministry of Finance expertise and advice on this matter.

**Approximation of legislation**

<b>1.</b>	<b>2.</b>	<b>3.</b>	<b>4.</b>
<b>EU legal act</b>	<b>Estonian legal act</b>	<b>Deadline for submission, indicative date of entry into force</b>	<b>Remarks</b>
	<i>Accounting Act</i>	April 2002 January 2003	
	<i>Auditing Act Amendment Act</i>	December 2002 2003	

**Implementation and administrative capacity**

<b>1.</b>	<b>2.</b>	<b>3.</b>	<b>4.</b>	<b>5.</b>
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
Reorganisation of the Accounting Standards Board	<i>Accounting Act</i>	Ministry of Finance budget, part 139, chapter 01		

## 6. COMPETITION AND STATE AID

### 6.1. Competition

The *Competition Act*, which entered into force on 1 October 2001, includes a concentration control chapter. The Act is in principle in compliance with the *acquis*. In parallel with the enactment of the new Act, the secondary legislation for implementing the control of concentrations as well as other secondary legislation for implementing the Competition Act was adopted.

Regarding the secondary legislation further harmonisation of Estonian legislation with the relevant EU legal acts is planned by July 2002:

- Government Regulation to establish a block exemption to certain categories of vertical agreements and concerted practices restricting competition;
- Government Regulation to establish a block exemption to certain categories of horizontal agreements and concerted practices restricting competition.

In 2002 and 2003, the first priority for the Competition Board will be an effective implementation of the *Competition Act* and strengthening of the administrative capacity. Currently the Competition Board employs sufficient number of qualified specialists to ensure the effective application of the *Competition Act*. The Competition Board will pay the main attention to the in-service training of officials (especially newly recruited officials) on competition law and implementation practice with the assistance of foreign experts. The enforcement practice of competition rules will be obtained during the traineeships in the competition authorities of the EU Member States and on the training events organised by the OECD.

In parallel with the training of its officials, the Competition Board plans to increase the capacity of courts to implement the competition law on all different levels of the judiciary. In the framework of the Competition Board's foreign assistance programmes and in co-operation with the Division of Development of Courts of the Ministry of Justice it is planned to organise training for judges on competition law and application of the law in Estonia. The experience of a Member State will be studied during the study visit to one of the EU Member State's specialised courts proceeding different competition cases.

As regards the harmonisation of legislation, Estonia is ready to join the European Union at the end of 2002 and regarding administrative capacity, at the end of 2003.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
Commission Regulation (EC) No 2790/1999 of 22 December 1999 on the application of Article 81(3) of the Treaty to categories of vertical agreements and concerted practices	Government Regulation for establishing a block exemption to categories of vertical agreements and concerted practices restricting competition	May 2002 Indicative date of entry into force July 2002	
Commission's Regulation (EC) No 2659/2000 of 29 November 2000 on the application of Article 81(3) of the Treaty to categories of research and development agreements	Government Regulation for establishing a block exemption to categories of horizontal agreements and concerted practices restricting competition	May 2002 Indicative date of entry into force July 2002	
Commission's Regulation (EC) No 2658/2000 of 29 November 2000 on the application of Article 81(3) of the Treaty to categories of specialisation agreements	Government Regulation for establishing a block exemption to categories of horizontal agreements and concerted practices restricting competition	May 2002 Indicative date of entry into force July 2002	
Commission notice - Guidelines on Vertical Restraints from October 13, 2000	Government of Regulation for establishing a block exemption to categories of vertical agreements and concerted practices restricting competition	May 2002 Indicative date of entry into force July 2002	
<p>The Ministry of Finance plans to establish a working-group to elaborate the Government Regulations to establish a block exemption to categories of vertical agreements and concerted practices and the Government Regulation on horizontal agreements and concerted practices restricting competition. For financing the work of the members of the working-group (salaries + social tax) there is a need for additional financial means from the state budget in the amount of 160,000 kroons.</p>			

**Implementation and administrative capacity**

1.	2.	3.	4.	5.
Institution, planned measures (incl training), deadline	Legal basis, implemented legal act	Financing (State budget line, other sources)	Technical assistance needs	Remarks
Competition Board Implementation of new legal acts in 2002	Government Regulation for establishing a block exemption to categories of vertical agreements and concerted practices restricting competition	To elaborate the regulation the Competition Board needs additional resources from the state budget in amount of 80,000 kroons. The implementation of the regulation will not involve increase in staff of the Competition Board nor additional expenditures from the state budget	The Competition Board needs assistance from an external expert to prepare the regulation. Planned amount of external assistance is 45,000 kroons.	In 2002, there is a need to compile a new publication for the entrepreneurs to inform them about the Competition Act and block exemption regulations. The Competition Board needs 30,000 kroons from the state budget for this purpose
	Government Regulation for establishing a block exemption to categories of horizontal agreements and concerted practices restricting competition	To elaborate the regulation the Competition Board needs additional resources from the state budget in amount of 80,000 kroons. The implementation of the regulation will not involve increase in staff of the Competition Board nor additional expenditures from the state budget	The Competition Board needs assistance from an external expert to prepare the regulation. Planned amount of external assistance is 45,000 kroons.	The Competition Board issues the yearbook to make entrepreneurs better informed about the Competition Board's enforcement practice. In both years the Competition Board needs 20,000 kroons from the state budget to publish the yearbook.

<p><b>Competition Board</b> Training in 2002 and 2003</p>	<p>In order to strengthen the administrative capacity of the officials there is a need to improve practical skills of the officials concerning investigation of the competition cases, granting exemptions dealing with restrictive agreements, carrying out control of concentrations.</p> <p>Training of judges is needed to ensure an application of the EU competition law as well as the application of an Estonian competition law in court</p>	<p>To cover training costs in 2002 it is foreseen to allocate 100,000 kroons from the state budget</p> <p>In order to be able to cover training costs of officials, the Competition Board is planning to apply for 100,000 kroons from the state budget for 2003.</p>	<p>The has Competition Board applied for foreign assistance from PHARE 2002/2003 resources for organising seminars, for receiving expert advice on investigation of competition cases and for study visits to the EU Member States' competition authorities and for training of judges in the amount of EEK 1,664,690. This amount includes expert advice (honorariums, daily allowances, accommodation and travel costs), cost of seminar, and study visits. The Competition Board has applied for bilateral financial assistance of Finland through the Finnish Competition Authority to acquire practical skills in implementing competition law. The amount of application in 2002 is 265,000 kroons. The Competition Board will apply for the Finnish assistance also in 2003 in the same amount. The Competition Board has applied for bilateral financial assistance of France through the French Competition Authority to familiarise with the implementation practice of the competition law. The amount of the budget is unknown.</p>	
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<p>There's a need to improve the skills of English and French language among the officials</p>		<p>The Competition Board is planning to cover the language training costs from it's own budget in 2002 and 2003 in the amount of 10,000 kroons</p>	<p>The Competition Board needs foreign assistance to partially cover the language training costs in 2002 as well as on 2003 in the minimum amount of 10,000 kroons</p>	
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## 6.2. State aid

The new *Competition Act* in force as of 1 October 2001 includes essentially improved State aid chapter, which in principle is in compliance with the *acquis*. Due to the enforcement of the new Act all Government regulations and Minister of Finance regulations, which were established under the former *Competition Act* and providing special conditions for granting State aid and establishing State aid notification and reporting forms, were re-established. With a Government Regulation the procedure of establishing the State aid committee and its working procedure for examining disputable cases of State aid and making proposals to the Government about them has been provided.

In 2002, further approximation of the legislation will continue and the Ministry of Finance has planned to draft 4 Government regulations<sup>1</sup> based on EU legal acts:

- Government Regulation “Special Conditions for Granting State aid to Shipbuilding”;
- Government Regulation “Special Conditions for Granting State aid to the Motor vehicle industry”;
- Government Regulation “Special Conditions for Granting State aid to the Synthetic fibres industry”;
- Government Regulation “Special Conditions for Granting State aid to the Steel industry”.

According to the Article 63 paragraph 4 subparagraph (b) of the Europe Agreement and Article 49 paragraph 2 of the *Competition Act* the Ministry of Finance shall compile the *Report on State aid given in 2001* based on the inventory and submit it to the Government for approval in December 2002. The approved report will be forwarded to the European Commission by the Ministry of Foreign Affairs.

As regards the negotiation process with the European Union concerning the competition chapter the European Commission has considered the criteria in the field of State aid fulfilled for the temporarily closure of the chapter and the chapter is therefore temporarily closed. According to the common position from 21 November 2001 Estonia is ready to present every 6 months a list of all existing aid measures (schemes and ad hoc aid) as of 1 January 2002 until the date of accession to the EU in the form presented by the Commission. Estonia will also give additional information essential for the assessment of the compatibility of the aid measures with the *acquis*.

In the year 2002 and 2003, the Ministry of Finance pays its full attention to the effective implementation of the State aid chapter of the *Competition Act* and to the strengthening of administrative capacity. The strengthening of administrative capacity is planned to be accomplished mainly by training the officials of the Competition and State aid Division, potential grantors of State aid and judges in the field of implementation of the State aid legislation. This will be carried out in co-operation with the foreign experts and by organising study visits within the framework of PHARE 2002 and technical assistance of TAIEX. From January 2002 the number of staff of the Competition and State aid Division of the Ministry of Finance is increased

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<sup>1</sup> The number of regulations might change due to the fact that the EU acts, which are the bases for our regulations, are amended at the time

by 2 employees. As regards approximation of legislation Estonia is ready to join the European Union by the end of the year 2002 and regarding administrative capacity by the end of 2003.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
Council Regulation (EC) No 1540/98 of 29 June 1998 establishing new rules on aid to shipbuilding	Government Regulation "Special conditions for granting State aid to shipbuilding"	Submission date March 2002, Entry into force April 2002	
Community framework for state aid to the motor vehicle industry of 15 September 1997	Government of the Republic Regulation "Special conditions for granting State aid to the motor vehicle industry"	Submission date Nov. 2002, Entry into force Dec. 2002	It is possible that State aid to the motor vehicle industry and to the synthetic fibres industry will be regulated with multisectoral guidelines in EU, therefore there might be 3 regulations drafted and the title might change as well.
Code on aid to the synthetic fibres industry of 30 March 1996	Government of the Republic Regulation "Special conditions for granting State aid to the synthetic fibres industry"	Submission date Nov. 2002, Entry into force Dec. 2002	
Commission Decision No 2496/96/ECSC of 18 December 1996 establishing Community rules for State aid to the steel industry; Framework for certain steel sectors not covered by the ECSC Treaty of 13 December 1988	Government of the Republic Regulation "Special conditions for granting State aid to the steel industry"	Submission date Dec. 2002, Entry into force Dec 2002	Whereas ECSC Treaty and the Commission Decision in question will expire in July 2002, the basis for the regulation will be changed. The submission date of the Government regulation is directly linked to the establishment of the new EU legislation.

**Financing the approximation of legislation**

<p>EEK 188 100 including:</p> <ul style="list-style-type: none"> <li>• PHARE 2002 EEK 28,100 – for drafting the Government Regulation "Special conditions for granting State aid to the steel industry" (expert advice);</li> <li>• TAIEX and United Kingdom's technical advice EEK 160,000 – for drafting Government Regulations "Special conditions for granting State aid to shipbuilding", "Special conditions for granting State aid to the motor vehicle industry", "Special conditions for granting State aid to the Synthetic fibres industry" (expert advice).</li> </ul>	<p>The Competition and State aid Division of the Ministry of Finance has submitted the application for external advice within the framework of PHARE, which includes expertise and advice in the field of State aid to the steel industry. As for the Government Regulation on the State aid to shipbuilding the Competition and State aid Division of the Ministry of Finance has submitted the application for expert advice for drafting the regulation to the British Embassy in January 2002. Concerning the other two regulations the Division will submit the application to TAIEX during the year 2002, depending on the date of amendments of the corresponding EU legislation. The application will cover technical advice for drafting the regulation and expertise, including the seminar on the experience of practical implementation of each regulation. The forecasted cost for expert advice is EEK 160,000.</p>
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**Implementation and administrative capacity**

1.	2.	3.	4.	5.
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
<p>Competition and State aid Division, potential aid grantors: Training to further strengthen the administrative capacity during 2002 and 2003</p> <p>Training for the implementation of new legal acts 2002-2003</p>	<p>State aid Chapter of the Competition Act, regulations on special conditions for granting State aid</p> <p>Government Regulation "Special conditions for granting State aid to shipbuilding"</p>	<p>Training financed from the state budget</p> <p>Implementation of the regulation does not bring along extra costs from the state budget</p>		<p>The expertise and advice on the draft regulation is partially financed within the framework of PHARE assistance, partially by TAIEX and partially within the framework of United Kingdom's technical advice. The timetable for drafting the new regulations depends on the future legislative developments in EU in the field of state aid.</p>
<p>For judges and the Competition and State aid Division – training concerning enforcement of EU State aid law in national courts, in the Court of First Instance and in European Court of Justice</p>			<p>Planned to be financed within the framework of PHARE 2002</p>	
<p>Compiling of the Report on State aid granted in Estonia in 2001</p>			<p>Expert assistance is planned to be financed within the framework of PHARE 2002</p>	
<p>For Competition and State aid Division – training in the field of regional aid, study visits to learn about state aid monitoring system in Member States and about their co-operation with the European Commission</p>		<p>Travel expenses for study visits EEK 104,000</p>	<p>Daily allowances in the sum of EEK 8,500 are planned to be financed within the framework of PHARE 2002</p>	

## 7. AGRICULTURE

### 7.1. Internal Market

#### 7.1.1. Veterinary sector

##### Introduction

The administrative capacity has to be entirely rationalised to transpose the veterinary *aquis* to Estonian legal system and to rationalise the organisation of supervision in all sub-sectors. For this purpose additional employment will be created, in total six positions at the Department of Veterinary and Food of the Ministry of Agriculture. In order to make the veterinary and zootechnical control more effective, the current Animal Breeding Inspectorate will be joined with the Veterinary and Food Board. Whereas at the accession with the European Union (EU) the border control of the trade between member states will be replaced by control on the place of origin and destination, preparations will be started to transfer the border inspectors of the Border Service of the Veterinary and Food Board working on the border of EU member states to the staff of veterinary centres of the counties as officials performing internal control.

##### Control system in the internal market

In order to guarantee the smooth trade from the day of the accession, a strategy will be developed for the transition to the implementation of the control methods of trade between the European Union member states on the internal market as of the day of accession, by creating necessary legislative basis and making necessary administrative conversions in the veterinary control system. Before accession specifications on the organisation of control methods as regards products subject to control which are imported from EU member states and third countries shall be introduced into *Infectious Animal Disease Control Act* and *Food Act*. If necessary, the principles of organisation of veterinary check will be provided for in a separate act. In order to carry out veterinary check on the goods imported from the EU, the principles of non-discriminatory check taking place in the place of origin and destination and during shipment (dir. 90/425/EEC; dir. 89/662/EEC) will be provided for by primary legislation together with the corresponding implementation provisions (decision 94/338/EEC; decision 94/339/EEC).

The principles of mutual co-operation and aid (dir. 89/608/EEC) in the field of veterinary check between the member states and the European Commission have to be introduced into the *Veterinary Activities Organisation Act*.

According to the *Infectious Animal Disease Control Act* the Veterinary and Food Board will approve persons trading with animals by 1 July 2002.

The joining with ANIMO has been planned to take place prior to the accession. The Veterinary and Food Board will complete the establishment of ANIMO system together with prescribing the corresponding rules of procedure (EU decisions 91/398/EEC; 91/585/EEC; 91/637/EEC; 92/176/EEC; 92/34/EEC; 93/70/EEC; 94/34/EEC) and update the guidelines for carrying out the procedures of veterinary certification.

**Financing of inspections and controls**

The Ministry of Agriculture has ordered a legal analysis of Estonian legislation to find out the modifications, which need to be implemented in order to bring the system of financing the veterinary check into accordance with the EU requirements (dir. 85/73/EEC). The Ministry of Agriculture in co-operation with the Ministry of Finance prepares necessary drafts to amend or according to the results of the analysis. The conformity of the principles of veterinary check with the EU requirements should be guaranteed by no later than the date of the accession.

**Veterinary Check of Import**

The requirements for the import of animals and animal products currently in force do not entirely meet the requirements of the European Union. The current requirements are uniform for all the countries of the world and do not take into consideration the regional epizootiological differences. In order to harmonise the requirements for import and to facilitate the approximation of the corresponding European Union legislation the regulation of the Minister of Agriculture of 24 December 1999 No. 44 "Veterinary requirements for import of animals and animal products" will be amended.

According to the amendment to the *Infectious Animal Disease Control Act*, which enters into force on 1 January 2002 the Veterinary and Food Board will compile lists of countries and regions from where it is allowed to import certain animals and animal products, and will publish them on its web site. This in turn will be a prerequisite for the abolishing of the system of special permits and it will allow to implement the import requirements based on the lists of countries and regions. The arrangements for the veterinary and food check on the border will be supplemented and necessary changes will be made to specify the checking procedures of the import from the third countries (99/302/EEC), 99/609/EEC; 2000/25/EEC; 2000/208/EEC; 2000/571/EEC; 2000/583/EEC).

The veterinary and food check on border is carried out according to the principles of the European Union. 2002 will be the decisive year for the development of suitable control facilities at the border inspection points. According to the relevant regulation of the Government of the Republic the closing date is 1 January 2003. The administrators of the border inspection posts have to decide whether it is justified to incur expenses to continue as external border inspection post concerning the goods subject to veterinary check or to develop temporary control possibilities until the accession to the European Union. On the Russian border the bringing of the facilities into accordance with the requirements is inevitable.

The Border Service of Veterinary and Food Board that carries out the control on the border has to complete the compiling of the codes of conduct for the supervision officials and the supply of border inspection posts with the technical equipment necessary for carrying out the control. In order to improve the organisation of the control, the information exchange between border inspection posts and the veterinary services of the administrative centres will be improved.

**Registration and Identification of the Farm Animals**

As a result of co-operation between the Veterinary and Food Board and Agricultural Registers and Information Board (ARIB) the necessary references concerning farm

building register that are still missing from the system of identification and registration of the animals will be entered into a single ARIB database (regulation 1760/2000). In order to form a fully operational and suitable computer based database of identification and movement monitoring of farm animals, a PHARE project has been initiated.

At present there are no bovine passports in Estonia. The necessary legal basis for introducing and using the bovine passports will be created by way of an amendment to the regulation of the Minister of Agriculture of 29 June 2001 No. 47 "List of Farm Animal Species to be Identified, Ways and Arrangements for Their Identification and Registration, Arrangements for Issue of the Certificate of Registration and Accounting of Farm Animals." (Regulation 2629/97).

### **Expenses in the Veterinary Field**

In Estonia the principles, which allow guaranteeing the animal- keepers the compensation for damages resulting from the control methods of especially dangerous animal diseases, are being implemented. With the view to guarantee the covering of the costs there is always an earmarked sum in the national reserve capital. At present, the scale of coverage, which according to the EU principles should totally cover the current real value of an animal, is not completely in compliance with the EU requirements. In order to harmonise it entirely with the EU requirements, the system of evaluation of animals based on the average market meat prices, should be supplemented by co-efficient factors or additional expert decisions in each single case, which in turn would allow to take into consideration the differences resulting from the differences in the value of a breed (the milk cows, breeding animals) and to bring the price of the animal compensated for into accordance with its real value.

### **Animal disease control measures**

The accession to the *Animal Diseases Notification System* (ADNS) has been planned to take place before the accession to the EU. The Veterinary and Food Board will complete the establishment of ADNS system together with enforcing suitable rules of procedure during 2002 (Directive 82/894/EEC; decisions 84/90/EEC and 90/442/EEC).

In 2002 the development or updating of rules for control methods of different animal diseases (directives 92/35/EEC; 92/40/EEC; 92/66/EEC; 92/119/EEC; 93/53/EEC; 95/79/EEC; 2000/75/EEC) and elaboration of situation plans necessary for control of diseases will continue.

According to the *Veterinary Activities Organisation Act* the appointment of national reference laboratories of animal diseases will start in 2002. As regards such animal diseases, where the appointment of national reference laboratory is not feasible, a relevant agreement will be signed with a suitable reference laboratory in the EU during 2003. In total, reference laboratories have to be appointed in Estonia or agreements signed with relevant reference laboratories in a EU member state for 30 different animal diseases.



**Animal health requirements - trade in live animals and animal products**

In 2002 the requirements for the processing of animal products for non-human consumption (manure, skins etc.) and approval of enterprises will be enforced. (dir. 92/118/EEC).

In 2002 the veterinary requirements for the buildings and facilities used for activities concerned with the reproduction of farming animals, such as semen collection centres and hatcheries, will enter into force and the Veterinary and Food Board will approve of such buildings and facilities by January 1, 2003. By that date all the buildings and facilities used for keeping of the farm animals (including farms) have to be registered and if needed, approved. The registration and approval of all the buildings used for animal keeping purposes and enterprises dealing with handling of animal products, together with the regular national conformity supervision, are the prerequisites for the trade with the animals or animal products handled in such buildings on the EU internal market after the Estonia's accession.

**Public health protection**

When it comes to meeting the requirements of public health for the food of animal origin, the problems in the meat processing industry are to be considered. The requirements for the enterprises, which for the milk processing industries will finally enter into force on 1 January 2002, for the meat plants on 1 July 2002 and for the fishing industries on 1 September 2002, provide the Veterinary and Food Board with the grounds to approve or not to approve the enterprises according to the *Food Act* by 1 January 2003. The year 2002 will be decisive for the restructuring of the food industry, increasing the competitiveness in the field of export and achieving the vitality of the surviving enterprises.

The Regulation of the Minister of Agriculture, which will enter into force in 2002, will regulate the marking of beef and beef products, which in turn strengthens the control over the origin of beef and beef products and is important in connection with the "mad cow disease" (regulations 1760/2000 and 1825/2000).

**Control Methods for the Transmissible Spongiform Encephalopathies**

The rules for the control methods of Transmissible Spongiform Encephalopathies (TSE), which will harmonise the methods for prevention and control of TSE (Reg 999/2001) will be elaborated.

In order to strengthen the epidemiological surveillance of TSE, a PHARE project has been initiated. The aim of the project is to find out the optimal study volumes in different risk groups to make the necessary preparations for the execution of EU compliant surveillance in 2003 and improve the general awareness through a training cycle. The training will focus on how to recognise the illness, to take the samples and to implement the control methods more effectively. The training will include all the interest groups such as control authorities, veterinarians, animal keepers, slaughterhouse personnel and laboratory specialists.

The Veterinary and Food Board will strengthen the control over the meeting of the requirements for TSE control (waste handling, animal movement). As from 1 January 2002 the requirement concerning the SRM (Special Risk Material) separation and

disposal from the food and feedingstuffs chain and relevant compliance control will be implemented.

According to the new *Feedingstuffs Act* and the entry into force of its implementing provisions in 2002, the prohibition to feed the bovines with animal protein, which is currently in force, will be better supervised since the requirements will be established for the complete separation of animal feed production lines for bovines and other animals. The supervision in the compound feed factories will be carried out by the Plant Production Inspectorate.

### **Common measures**

In the sector of contaminants and residues (Directive 96/23/EC) and its supplements will be harmonised in 2002. Harmonisation of the directive should not be problematic because the principles provided for in directive has are already implemented at present. Namely, the supervision of the enterprises exporting food products to the EU has to be carried out pursuant to the requirements of the above-mentioned directive. Criteria will be set out to the samples taken during the supervision (European Commission Decisions 90/515/EEC and 93/256/EEC). Separate sample and analysis methods will be set out to analyse raw and heat-treated milk (Commission Decision 91/180/EEC).

In order to dispose of animal waste in Estonia, burial of waste is being practiced in 70% and re-precrocessing in 30% of cases. According to the EU and Estonian legislation the burial of waste can be used only under exceptional circumstances and upon the approval of Veterinary and Food Board. Since the high and special risk waste treatment facility will be finished in 2003, the use of exceptional measures will prevail until that date. Burial of special risk material is permitted until 1 July 2003.

In 2002 the Veterinary and Food Board has to approve the burial places of animal waste. At the moment, 95 burial places of animal waste are used in Estonia.

The enterprises, which handle low risk animal waste, have to be approved by 1 January 2003. The above-mentioned requirement concerns 3 enterprises, which have to bring their activities into complete accordance with these requirements.

The operating enterprises handling high-risk level animal waste have to be approved by 2006. The Ministry of Agriculture has initiated a project to build an enterprise for handling high-risk level animal waste, which has to be finished by 2003. The project will be funded from the state budget (construction and logistics). In order to accelerate the establishment of the enterprise and to bring the waste handling system into accordance with the requirements Estonia has applied for assistance to finance the purchase of equipment from the PHARE funds.

### **Animal Welfare**

In the field of animal protection the slaughter and transport of farm animals has been regulated according to the EU norms. In 2002 the requirements for the keeping of laying hens (Directive 1999/74), calves (Directive. 91/629/EEC; 97/2/EEC) and pigs (dir. 91/630/EEC) will be set out. The requirements will enter into force pursuant to the amendments of *Animal Welfare Act* on 1 July 2002, except as regards certain requirements, which are subject to transitional periods in accordance with the relevant

provisions of the directives. In addition, the requirements for the animal experimentation will be harmonised during 2002 (Directive 86/609/EEC).

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
<b>Control means of the internal market of the European Union</b>			
Council of Europe Directives No. 77/504, 88/661, 89/361, 90/427, 90/428, 91/174, 94/28, 87/328, 90/118, 90/119 and Commission Regulations No. 84/247, 84/419, 86/130, 86/404, 88/124, 96/80, 96/463, 89/501, 89/502, 89/503, 89/504, 89/505, 89/506, 89/507, 90/118, 90/119, 90/254, 90/225, 90/256, 90/257, 90/258, 92/353, 92/354, 93/623, 96/78, 96/79, 92/216, 96/509, 96/510	Farm Animal Breeding Act	03.2002 07.2002	
Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra- Community trade in certain live animals and products with a view to the completion of the internal market	Infectious Animal Disease Control Act and Food Act Amendment Act	05.2003 accession date	
Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market	Infectious Animal Disease Control Act and Food Act Amendment Act	05.2003 accession date	For appropriate transposing of the entire veterinary <i>acquis</i> it may prove to be necessary to draft a veterinary code or a framework law providing for the rules for veterinary control.
Council Directive 89/608/EEC of 21 November 1989 on mutual assistance between the administrative authorities of the Member States and cooperation between the latter and the Commission to ensure the correct application of legislation on veterinary and zootechnical matters	Veterinary Activities Organisation Act Amendment act	05.2003 accession date	
94/338/EC: Commission Decision of 25 May 1994 laying down detailed rules for the application of Council Directive 90/425/EEC as regards the taking of samples for the purpose of veterinary inspections at the place of destination	MoA regulation “ Veterinary Control Carried out on the Delivery Point”	05.2003 accession date	
94/339/EC: Commission Decision of 25 May 1994 laying down detailed rules for the application of Article 9.1 of Council Directive 90/425/EEC concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market	MoA regulation “ Veterinary Control Carried out on the Delivery Point”	05.2003 accession date	

<b>Veterinary control of Import</b>			
Council Directive 71/118/EEC of 15 February 1971 on health problems affecting trade in fresh poultry meat	MoA regulation "Veterinary Requirements for Imported Animals and Animal Products"	06.2002 01.2003	Legislation has been partly harmonised but needs to be specified before the accession.
Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries	MoA regulation "Veterinary Requirements for Imported Animals and Animal Products"	06.2002 01.01.2003	Legislation has been partly harmonised but needs to be specified before the accession.
Council Directive 77/99/EEC of 21 December 1976 on health problems affecting intra-Community trade in meat products	MoA regulation "Veterinary Requirements for Imported Animals and Animal Products"	06.2002 01.2003	Legislation has been partly harmonised but needs to be specified before the accession.
Council Directive 80/215/EEC of 22 January 1980 on animal health problems affecting intra-Community trade in meat products	MoA regulation "Veterinary Requirements for Imported Animals and Animal Products"	06.2002 01.2003	Legislation has been partly harmonised but needs to be specified before the accession.
Council Directive 88/407/EEC of 14 June 1988 laying down the animal health requirements applicable to intra- Community trade in and imports of deep-frozen semen of domestic animals of the bovine species	MoA regulation "Veterinary Requirements for Imported Animals and Animal Products"	06.2002 01.2003	Legislation has been partly harmonised but needs to be specified before the accession.
Council Directive 89/437/EEC of 20 June 1989 on hygiene and health problems affecting the production and the placing on the market of egg products	MoA regulation "Veterinary Requirements for Imported Animals and Animal Products"	06.2002 01.2003	Legislation has been partly harmonised but needs to be specified before the accession.
Council Directive 89/556/EEC of 25 September 1989 on animal health conditions governing intra-Community trade in and importation from third countries of embryos of domestic animals of the bovine species	MoA regulation "Veterinary Requirements for Imported Animals and Animal Products"	06.2002 01.2003	Legislation has been partly harmonised but needs to be specified before the accession.
Council Directive 90/426/EEC of 26 June 1990 on animal health conditions governing the movement and import from third countries of equidae	MoA regulation "Veterinary Requirements for Imported Animals and Animal Products"	06.2002 01.2003	Legislation has been partly harmonised but needs to be specified before the accession.
Council Directive 90/429/EEC of 26 June 1990 laying down the animal health requirements applicable to intra- Community trade in and imports of semen of domestic animals of the porcine species	MoA regulation "Veterinary Requirements for Imported Animals and Animal Products"	06.2002 01.2003	Legislation has been partly harmonised but needs to be specified before the accession.
Council Directive 90/539/EEC of 15 October 1990 on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs	MoA regulation "Veterinary Requirements for Imported Animals and Animal Products"	06.2002 01.2003	Legislation has been partly harmonised but needs to be specified before the accession.
Council Directive 91/67/EEC of 28 January 1991 concerning the animal health conditions governing the placing on the market of aquaculture animals and products	MoA regulation "Veterinary Requirements for Imported Animals and Animal Products"	06.2002 01.2003	Legislation has been partly harmonised but needs to be specified before the accession.

Council Directive 91/492/EEC of 15 July 1991 laying down the health conditions for the production and the placing on the market of live bivalve molluscs	MoA regulation "Veterinary Requirements for Imported Animals and Animal Products"	06.2002 01.2003	Legislation has been partly harmonised but needs to be specified before the accession.
Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products	MoA regulation "Veterinary Requirements for Imported Animals and Animal Products"	06.2002 01.2003	Legislation has been partly harmonised but needs to be specified before the accession.
Council Directive 91/494/EEC of 26 June 1991 on animal health conditions governing intra-Community trade in and imports from third countries of fresh poultrymeat	MoA regulation "Veterinary Requirements for Imported Animals and Animal Products"	06.2002 01.2003	Legislation has been partly harmonised but needs to be specified before the accession.
Council Directive 91/495/EEC of 27 November 1990 concerning public health and animal health problems affecting the production and placing on the market of rabbit meat and farmed game meat	MoA regulation "Veterinary Requirements for Imported Animals and Animal Products"	06.2002 01.2003	Legislation has been partly harmonised but needs to be specified before the accession.
Council Directive 92/45/EEC of 16 June 1992 on public health and animal health problems relating to the killing of wild game and the placing on the market of wild-game meat	MoA regulation "Veterinary Requirements for Imported Animals and Animal Products"	06.2002 01.2003	Legislation has been partly harmonised but needs to be specified before the accession.
Council Directive 92/46/EEC of 16 June 1992 laying down the health rules for the production and placing on the market of raw milk, heat-treated milk and milk-based products	MoA regulation "Veterinary Requirements for Imported Animals and Animal Products"	06.2002 01.2003	Legislation has been partly harmonised but needs to be specified before the accession.
Council Directive 92/65/EEC of 13 July 1992 laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A (I) to Directive 90/425/EEC	MoA regulation "Veterinary Requirements for Imported Animals and Animal Products"	06.2002 01.2003	Legislation has been partly harmonised but needs to be specified before the accession.
Council Directive 92/118/EEC of 17 December 1992 laying down animal health and public health requirements governing trade in and imports into the Community of products not subject to the said requirements laid down in specific Community rules referred to in Annex A (I) to Directive 89/662/EEC and, as regards pathogens, to Directive 90/425/EEC	MoA regulation "Veterinary Requirements for Imported Animals and Animal Products"	06.2002 01.2003	Legislation has been partly harmonised but needs to be specified before the accession.
Council Directive 94/65/EC of 14 December 1994 laying down the requirements for the production and placing on the market of minced meat and meat preparations	MoA regulation "Veterinary Requirements for Imported Animals and Animal Products"	06.2002 01.2003	Legislation has been partly harmonised but needs to be specified before the accession.
Council Directive 92/46/EEC of 16 June 1992 laying down the health rules for the production and placing on the market of raw milk, heat-treated milk and milk-based products	MoA regulation "Veterinary Requirements for Imported Animals and Animal Products"	06.2002 01.2003	Legislation has been partly harmonised but needs to be specified before the accession.

Council Directive 92/65/EEC of 13 July 1992 laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A (I) to Directive 90/425/EEC	MoA regulation "Veterinary Requirements for Imported Animals and Animal Products"	06.2002 01.2003	Legislation has been partly harmonised but needs to be specified before the accession.
Council Directive 92/118/EEC of 17 December 1992 laying down animal health and public health requirements governing trade in and imports into the Community of products not subject to the said requirements laid down in specific Community rules referred to in Annex A (I) to Directive 89/662/EEC and, as regards pathogens, to Directive 90/425/EEC	MoA regulation "Veterinary Requirements for Imported Animals and Animal Products"	06.2002 01.2003	Legislation has been partly harmonised but needs to be specified before the accession.
Council Directive 94/65/EC of 14 December 1994 laying down the requirements for the production and placing on the market of minced meat and meat preparations	MoA regulation "Veterinary Requirements for Imported Animals and Animal Products"	06.2002 01.2003	Legislation has been partly harmonised but needs to be specified before the accession.
Council Directive 71/118/EEC of 15 February 1971 on health problems affecting trade in fresh poultrymeat	MoA regulation "Veterinary Requirements for Imported Animals and Animal Products"	06.2002 01.2003	Legislation has been partly harmonised but needs to be specified before the accession.
Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries	MoA regulation "Veterinary Requirements for Imported Animals and Animal Products"	06.2002 01.2003	Legislation has been partly harmonised but needs to be specified before the accession.
Council Directive 77/99/EEC of 21 December 1976 on health problems affecting intra-Community trade in meat products	MoA regulation "Veterinary Requirements for Imported Animals and Animal Products"	06.2002 01.2003	Legislation has been partly harmonised but needs to be specified before the accession.
Council Directive 80/215/EEC of 22 January 1980 on animal health problems affecting intra-Community trade in meat products	MoA regulation "Veterinary Requirements for Imported Animals and Animal Products"	06.2002 01.2003	Legislation has been partly harmonised but needs to be specified before the accession.
Council Directive 88/407/EEC of 14 June 1988 laying down the animal health requirements applicable to intra-Community trade in and imports of deep-frozen semen of domestic animals of the bovine species	MoA regulation "Veterinary Requirements for Imported Animals and Animal Products"	06.2002 01.2003	Legislation has been partly harmonised but needs to be specified before the accession.
Council Directive 89/437/EEC of 20 June 1989 on hygiene and health problems affecting the production and the placing on the market of egg products	MoA regulation "Veterinary Requirements for Imported Animals and Animal Products"	06.2002 01.2003	Legislation has been partly harmonised but needs to be specified before the accession.
Council Directive 89/556/EEC of 25 September 1989 on animal health conditions governing intra-Community trade in and importation from third countries of embryos of domestic animals of the bovine species	MoA regulation "Veterinary Requirements for Imported Animals and Animal Products"	06.2002 01.2003	Legislation has been partly harmonised but needs to be specified before the accession.

Council Directive 90/426/EEC of 26 June 1990 on animal health conditions governing the movement and import from third countries of equidae	MoA regulation “Veterinary Requirements for Imported Animals and Animal Products”	06.2002 01.2003	Legislation has been partly harmonised but needs to be specified before the accession.
Council Directive 90/429/EEC of 26 June 1990 laying down the animal health requirements applicable to intra- Community trade in and imports of semen of domestic animals of the porcine species	MoA regulation “Veterinary Requirements for Imported Animals and Animal Products”	06.2002 01.2003	Legislation has been partly harmonised but needs to be specified before the accession.
Council Directive 90/539/EEC of 15 October 1990 on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs	MoA regulation “Veterinary Requirements for Imported Animals and Animal Products”	06.2002 01.2003	Legislation has been partly harmonised but needs to be specified before the accession.
Council Directive 91/67/EEC of 28 January 1991 concerning the animal health conditions governing the placing on the market of aquaculture animals and products	MoA regulation “Veterinary Requirements for Imported Animals and Animal Products”	06.2002 01.2003	Legislation has been partly harmonised but needs to be specified before the accession.
Council Directive 91/492/EEC of 15 July 1991 laying down the health conditions for the production and the placing on the market of live bivalve molluscs	MoA regulation “Veterinary Requirements for Imported Animals and Animal Products”	06.2002 01.2003	Legislation has been partly harmonised but needs to be specified before the accession.
Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products	MoA regulation “Veterinary Requirements for Imported Animals and Animal Products”	06.2002 01.2003	Legislation has been partly harmonised but needs to be specified before the accession.
Council Directive 91/494/EEC of 26 June 1991 on animal health conditions governing intra-Community trade in and imports from third countries of fresh poultrymeat	MoA regulation “Veterinary Requirements for Imported Animals and Animal Products”	06.2002 01.2003	Legislation has been partly harmonised but needs to be specified before the accession.
Council Directive 91/495/EEC of 27 November 1990 concerning public health and animal health problems affecting the production and placing on the market of rabbit meat and farmed game meat	MoA regulation “Veterinary Requirements for Imported Animals and Animal Products”	06.2002 01.2003	Legislation has been partly harmonised but needs to be specified before the accession.
Council Directive 92/45/EEC of 16 June 1992 on public health and animal health problems relating to the killing of wild game and the placing on the market of wild-game meat	MoA regulation “Veterinary Requirements for Imported Animals and Animal Products”	06.2002 01.2003	Legislation has been partly harmonised but needs to be specified before the accession.
Council Directive 92/46/EEC of 16 June 1992 laying down the health rules for the production and placing on the market of raw milk, heat-treated milk and milk-based products	MoA regulation “Veterinary Requirements for Imported Animals and Animal Products”	06.2002 01.2003	Legislation has been partly harmonised but needs to be specified before the accession.
Council Directive 92/65/EEC of 13 July 1992 laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A (I) to Directive 90/425/EEC	MoA regulation “Veterinary Requirements for Imported Animals and Animal Products”	06.2002 01.2003	Legislation has been partly harmonised but needs to be specified before the accession.



Council Directive 92/118/EEC of 17 December 1992 laying down animal health and public health requirements governing trade in and imports into the Community of products not subject to the said requirements laid down in specific Community rules referred to in Annex A (I) to Directive 89/662/EEC and, as regards pathogens, to Directive 90/425/EEC	MoA regulation “Veterinary Requirements for Imported Animals and Animal Products”	06.2002 01.2003	Legislation has been partly harmonised but needs to be specified before the accession.
Council Directive 94/65/EC of 14 December 1994 laying down the requirements for the production and placing on the market of minced meat and meat preparations	MoA regulation “Veterinary Requirements for Imported Animals and Animal Products”	06.2002 01.01.2003	Legislation has been partly harmonised but needs to be specified before the accession.
94/360/EC: Commission Decision of 20 May 1994 on the reduced frequency of physical checks of consignments of certain products to be implemented from third countries, under Council Directive 90/675/EEC	Amendment to the regulation No. 47 of the MoA “ Arrangements for the Veterinary and Food Control on Import and Export”	11.2002 01.2003	Legislation has been partly harmonised but needs to be specified before the accession.
<b>Identification and Registration of Farm Animals</b>			
Regulation (EC) No 1760/2000 of the European Parliament and of the Council of 17 July 2000 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products and repealing Council Regulation (EC) No 820/97	Amendment of MoA regulation “List of Farm Animal Species to be Identified, Ways and Arrangements for Their Identification and Registration, Arrangements for Issuance of the Certificate of Registration and Accounting of Farm Animals.”	06.2002 07.2002	
<b>Control Methods for Animal Diseases</b>			
Council Directive 92/40/EEC of 19 May 1992 introducing Community measures for the control of avian influenza	MoA regulation “Rules for Control Measures of Avian Influenza”	08.2002 09.2002	
Council Directive 92/66/EEC of 14 July 1992 introducing Community measures for the control of Newcastle disease	MoA regulation “Rules for Control Measures of Newcastle Disease”	05.2002 06.2002	
Council Directive 92/119/EEC of 17 December 1992 introducing general Community measures for the control of certain animal diseases and specific measures relating to swine vesicular disease	MoA regulation “Rules for Control Measures of Swine Vesicular Disease”	03.2002 04.2002	
Council Directive 93/53/EEC of 24 June 1993 introducing minimum Community measures for the control of certain fish diseases	MoA regulation “Rules for Control Measures of Certain Fish Diseases”	12.2002 01.2003	
Council Directive 2000/75/EC of 20 November 2000 laying down specific provisions for the control and eradication of bluetongue	MoA regulation “Rules for Control Measures of Bluetongue”	12.2002 01.2003	

Council Directive 92/35/EEC of 29 April 1992 laying down control rules and measures to combat African horse sickness	MoA regulation "Rules for Control Measures of African Horse Sickness"	06.2003	Because the occurrence of insects carrying agents of disease in our latitude is improbable, the preparation of the rules of control methods is postponed to the year 2003. If necessary the Veterinary and Food Board shall implement the control methods according to the Directive.
Council Directive 95/70/EC of 22 December 1995 introducing minimum Community measures for the control of certain diseases affecting bivalve molluscs	MoA regulation "Rules for Control Measures of Diseases of Bivalve Molluscs"	06.2003	Because there is no mollusc production in Estonia, the preparation of the rules of control methods is postponed to the year 2003. If necessary the Veterinary and Food Board shall implement the control methods according to the Directive.
<b>Animal Health Requirements for Trade with Animals and Animal Products</b>			
Council Directive 92/118/EEC of 17 December 1992 laying down animal health and public health requirements governing trade in and imports into the Community of products not subject to the said requirements laid down in specific Community rules referred to in Annex A (I) to Directive 89/662/EEC and, as regards pathogens, to Directive 90/425/EEC	MoA regulation Veterinary Requirements for Animal Products and Their Handling	06.2002 01.2003	Regulation shall lay down requirements for: <ul style="list-style-type: none"> <li>- milk and milk products meant for human consumption</li> <li>- animal casings</li> <li>- hoofs and skins</li> <li>- production of feedingstuffs for pets</li> <li>- products made of horns and hoofs</li> <li>- processed animal protein</li> <li>- blood and blood products</li> <li>- serum of Perissodactyla</li> <li>- fat</li> <li>- beekeeping products</li> <li>- game trophies</li> <li>- manure</li> <li>- wool, hair, feathers</li> </ul>
Council Directive 89/556/EEC of 25 September 1989 on animal health conditions governing intra-Community trade in and importation from third countries of embryos of domestic animals of the bovine species	MoA regulation "Veterinary Requirements for Farm Building or Construction Used for Processing and Storage of Bovine Embryos and for Collection, Processing and Storage of Embryos There."	08.2002 01.2003	

<p>Council Directive 92/65/EEC of 13 July 1992 laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A (I) to Directive 90/425/EEC</p>	<p>MoA regulation “ Veterinary Requirements for the Farm Building or Construction Used for Collection, Processing and Storage of Equidae Semen and for the Collection, Processing and Storage of semen.”</p> <p>MoA regulation “ Veterinary Requirements for the Farm Building or Construction Used for Collection, Processing and Storage of Sheep and Goat Semen and for the Collection, Processing and Storage of Semen There.”</p> <p>MoA regulation “ Veterinary Requirements for the Farm Building or Construction Used for Collection, Processing and Storage of Animal Other Than Bovine Embryos and for the Collection, Processing and Storage of the Embryos There.”</p> <p>MoA regulation “ Veterinary Requirements for the Farm Building or Construction Used for Collection, Processing and Storage of Animal Other Than Bovine, Pig, Sheep, Goat and Equidae Semen and for the Collection, Processing and Storage of Semen There.”</p>	<p>10.2002 01.2003</p> <p>10.2002 01.2003</p> <p>10.2002 01.2003</p> <p>10.2002 01.2003</p>	
<p>Council Directive 90/539/EEC of 15 October 1990 on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs</p>	<p>MoA regulation “ Veterinary Requirements for the Farm Building or Construction Used for Production of Hatching Eggs of Poultry and Twenty-Four Hour Chicks for the Purpose of Marketing and for the Production of Hatching Eggs and Twenty-Four Hour Chicks There.”</p> <p>MoA regulation “Veterinary Requirements for the Farm Building or Construction Used for Keeping of Poultry Used for Breeding or Production and for the Keeping of Poultry Used for Breeding and Production There.”</p>	<p>06.2002 07.2002</p>	

<b>Measures for Public Health</b>			
Regulation (EC) No 1760/2000 of the European Parliament and of the Council of 17 July 2000 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products and repealing Council Regulation (EC) No 820/97	MoA regulation “Requirements for Labelling Veal”	03.2002 09.2002	
<b>Control Methods for Transmissible Spongiform Encephalopathies</b>			
Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies	MoA regulation “Rules for Control Methods of Transmissible Spongiform Encephalopathies”	03.2002 05.2002	
<b>Methods Concerning Several Sectors</b>			
Council Directive 96/23/EC of 29 April 1996 on measures to monitor certain substances and residues thereof in live animals and animal products and repealing Directives 85/358/EEC and 86/469/EEC and Decisions 89/187/EEC and 91/664/EEC	MoA regulation “ Arrangements for Regulating Control of Pollutants in Foodstuffs of Animal Origin and Methods of Sample-taking for Study of Pollutants in Foodstuffs of Animal Origin”	04.2002 05.2002	
90/515/EEC: Commission Decision of 26 September 1990 laying down the reference methods for detecting residues of heavy metals and arsenic  93/256/EEC: Commission Decision of 14 April 1993 laying down the methods to be used for detecting residues of substances having a hormonal or a thyrostatic action	GoR regulation “Methods of Determination of Biostimulants, Hormone Preparations, Arsenic and Heavy Metal Residues”	12.2002 01.2003	
91/180/EEC: Commission Decision of 14 February 1991 laying down certain methods of analysis and testing of raw milk and heat-treated milk	GoR regulation “Methods of Analysis of Raw Milk and Heat-Treated Milk”	05.2002 01.2003	

<b>Animal Protection</b>			
Council Directive 93/119/EC of 22 December 1993 on the protection of animals at the time of slaughter or killing	MoA regulation “ Requirements for Stunning, Slaughtering of Farm Animals and for Training of Persons Performing These Actions, Authorised Means of Stunning and Slaughtering and Authorised Means of Stunning and Slaughtering by Animal Species”	01.2002 02.1001	
Council Directive 86/609/EEC of 24 November 1986 on the approximation of laws, regulations and administrative provisions of the Member States regarding the protection of animals used for experimental and other scientific purposes	GoR regulation “Requirements for Enterprises of Husbandry of Experimental Animals, Enterprises of Supplying Experimental Animals and Employment Enterprises of Experimental Animals and Arrangements for Approval of These Enterprises”. GoR regulation “Format of Animal Testing Protocol” GoR regulation “Forms of Applications of Animal Testing License” GoR “Arrangements, Duties and Rules of Procedure for Formation of the Committee of Licence of Animal Testing”	05.2002 07.2002  06.2002 07.2002 06.2002 07.2002 06.2002 07.2002	
Council Directive 88/166/EEC of 7 March 1988 complying with the judgment of the Court of Justice in Case 131/86 (annulment of Council Directive 86/113/EEC of 25 March 1986 laying down minimum standards for the protection of laying hens kept in battery cages)	MoA regulation “Requirements for the Protection of Laying Hens and for the Space or Building Allocated for It.”	05.2002 07.2002	
Council Directive 1999/74/EC of 19 July 1999 laying down minimum standards for the protection of laying hens	MoA regulation “Requirements for the Protection of Laying Hens and for the Space or Building Allocated for It.”	05.2002 07.2002	
Council Directive 91/629/EEC of 19 November 1991 laying down minimum standards for the protection of calves	MoA regulation “Requirements for the Protection of Calves and for the Space or Building Allocated for It.”	03.2002 07.2002	
Council Directive 97/2/EC of 20 January 1997 amending Directive 91/629/EEC laying down minimum standards for the protection of calves	MoA regulation “Requirements for the Protection of Calves and for the Space or Building Allocated for It.”	03.2002 07.2002	

Council Directive 91/630/EEC of 19 November 1991 laying down minimum standards for the protection of pigs	MoA regulation "Requirements for the Protection of Pigs and for the Space or Building Allocated for It."	04.2002 07.2002	
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**Implementation and administrative capacity**

<b>1. Institution, planned measures (incl training), deadline</b>	<b>2. Legal basis, implemented legal act</b>	<b>3. Financing (State budget line, other sources)</b>	<b>4. Technical assistance needs</b>	<b>5. Remarks</b>
Veterinary and Food Board (VFB), Estonian Agricultural Registers and Information Board (ARIB) implementation of bovine passports	Infectious Animal Disease Control Act (IADCA), MoA regulation			
VFB, creation of ARIB register for buildings and facilities for animal keeping, their approval and registration, approval of persons trading with animals; 2002	IADCA, MoA regulation	State Budget  Request for PHARE 2002 project "Development of system of identification, registration and movement monitoring of farm animals and databases concerned with animal health, animal protection and health, which meets the requirements of the EU" Total value 26 601 900 EEK. Estonian co-financing 8 661 900 EEK.		

VFB, PRIA. Creation of information system allowing identification, registration and movement monitoring of farm animals and databases necessary for supervision of animal health, animal protection and health, procurement of hardware necessary for the implementation of the information system, training of the users of the information system; during 2002, 2003 and 2004	Veterinary Activities Organisation Act (VAOA), IADCA, Animal Protection Act (APA), Food Act (FA), MoA regulation	Request for PHARE 2002 project "Development of system of identification, registration and movement monitoring of farm animals and databases concerned with animal health, animal protection and health, which meets the requirements of the EU" Total value 26 601 900 EEK. Estonian co-financing 8 661 900 EEK.		
VFB, Creation of the position of IT executive, general department of VFB, training and further training of the IT executive, incl. in a EU member state; 2002	VFB statutes	State Budget 199 500 (art. 10, 21) 50 000 (art. 49)		Necessary for the administration of existing and developed veterinary and food control information systems.
VFB, creation of the position of PR executive, VFB general department, 2002	VFB statutes	State Budget 153 000 (art. 10, 21)		Necessary for dissemination of veterinary and food control information to different target groups (animal-keepers, handlers of raw materials for food and food, media etc.)
Compilation of codes of conduct and manuals for VFB supervision officials; during 2002 and 2003.	VFB statutes	PHARE project "Strengthening of the Food Inspection System" (covers partly)		
Restructuring of VFB	VFB statutes			
VFB, Estonian accession with the ANIMO system, training of users of ANIMO system; during 2002	IADCA	State Budget 126 454 (art. 31) 42 000 (art. 49)		
VFB, preparations for accession with the ADNS, translation of the software, compilation of the user manual, training of the users	IADCA, VFB statutes	State Budget 100 000 (art.31) 60 000 (art.49)		



Evaluation of the acceptance of VFB border inspection posts	GoR regulation			
VFB, supplying the border inspection posts with the necessary technical means for carrying out supervision, compilation of codes of conduct for the supervision officials carrying out border control, training of supervision officials; 2002	IADCA, FA, VTA PT statutes	State Budget 977 200 (art. 31) 600 000 (art. 34) 150 000 (art.49) 329 000 (art. 76)		
VFB, training courses for supervision officials, veterinarians, animal keepers and handlers of animal products, to prevent infectious animal disease and to intensify the control methods; 2002, 2003	VFB statutes	State Budget 500 000 (art. 49)  State Budget 500 000 (art. 49) Request for PHARE 2002 project "Strengthening of TSE Control System in Estonia" Total cost 23 963 160 EEK. Estonian co-financing 4 747 080 EEK		
VFB, creating 2 additional positions of animal protection specialists, VFB Veterinary centre of Harjumaa and Hiiumaa, training of the specialists and technical outfit; 2002	APA, MoA regulation	State Budget 242 000 (art. 10, 21) 100 000 (art. 30) 50 000 (art 37) 20 000 (art. 49) 360 000 (art. 76)		
VFB, training the supervision officials on animal protection, incl. in EU member states	APA, MoA regulation	State Budget 500 000 (art. 49)		
Supplying the VFB officials with the inspection means for evaluation of acceptance of food handling; June 2002	FA MoA regulation	PHARE project "Strengthening of the Food Inspection System"		

<p>Updating the laboratory equipment used for analysing the samples taken during the evaluation of acceptance of infectious animal disease control and food in Veterinary and Food Laboratory; June 2002</p>	<p>IADCA, FA</p>	<p>PHARE project  <i>“Strengthening of the Food Inspection System”</i>;                   PHARE project  <i>“Strengthening of TSE Control System in Estonia”</i></p>		
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## 7.1.2. Subsector Phytosanitary

### Introduction

Legal approximation in all phytosanitary subsectors is continued to ensure the transposition of the EU phytosanitary *acquis* (enforced by 31 December 2000) by the end of 2002. The new *Feedingstuffs Act* harmonises all legislative acts of the feedingstuffs sector. The draft *Fertilisers Act* will be submitted for preliminary approval by other ministries in the end of March 2002. *Seed and Plant Propagating Material Act* and *Plant Protection Act* will be amended in 2002.

The process of legal approximation continues in 2003 with legal acts enforced after 31 December 2000. Relevant amendments will be introduced into the Estonian legislation.

### Phytosanitary inspection

The phytosanitary inspection is carried out by the Plant Production Inspectorate (PPI). The PPI is a government institution under the administration of the Ministry of Agriculture. The PPI is responsible for variety control, certification and control of seeds and plant propagating material, plant health inspection, control of production and marketing of feedingstuffs and fertilisers, registration and control of use of plant protection products, control of conformity to standards of fruits and vegetables, and control of meeting the requirements of organic farming. In the end of 2001 there were 187 job posts foreseen in the structure of PPI. By the end of 2003 the number will increase to 203. 2 new departments will be established: development and quality department, and public information department. The number of posts is planned to be increased in the IT, feedingstuffs, horticulture, fertilisers, organic farming and inspection departments. The introduction of internal audit system is continued on the basis of strategic plan developed in the PPI. Also the process of introducing quality systems, preparation of inspection procedures and guidelines continued.

The registers and databases under the responsibility of PPI have been developed. The national registers have been established according to the provisions of the Databases Act. However, the work is continued with automatic processing of information in databases. Due to the enforcement of new laws the number of registers has grown rapidly in previous years. Therefore, more state budget finances are used to support the development and increase the quality of the registers. In 2002 two additional IT specialists will be recruited.

The Control Centre of Plant Production (CCPP) is responsible for providing the PPI with laboratory analyses and field tests. The CCPP is an institution administered by the Ministry of Agriculture. In the end of 2001 there were 161.5 posts in the structure of the CCPP. By the end of 2003 the number should be 167.5. 6 new posts will be created in the plant health laboratory, residues and contaminants laboratory and in the agro-chemistry laboratory.

Special allocations for procurement of laboratory services were for the first time in the 2001 budget of the PPI, including those for procurement of analyses not carried out by the CCPP or of reference analyses carried out abroad.

To increasing the administrative capacity of PPI to carry out inspection in the sectors under their responsibility the following is done:

1. As almost all activities are based on registers, the information technology is considered as area of utmost importance, including further development of electronic data processing;
2. The increasing number of inspection spots and production capacities accompanying the development of agricultural sector results in the increasing number of inspections;
3. To raise the qualification of PPI specialists trainings are foreseen at home and abroad, as well participation in international co-operation events.
4. The basis of further increase in inspection quality will be the continuing improvement of inspection manuals and guidelines in line with new principles of practical inspection work.;
5. The continuing development of laboratories will guarantee that laboratory services meet internationally accepted quality requirements.

### **Overview of sectors:**

#### **Seed and plant propagating material**

The sector is regulated by the *Seed and Plant Propagating Material Act* and the *Plant Protection Act* together with the secondary legislative acts.

In 2002 the amendment and improvement of almost whole legislation regulating the use of plant varieties, certification, control of seeds and plant propagating material will ensure the conformity with the *acquis* enforced by the end of 2000.

The new requirement on compulsory registration of producers and suppliers of plant propagating material in the national register of plant health as well as the requirement for introduction of plant passports will come into force on 1 April 2002 on the basis of the *Plant Protection Act* (91/682/EEC, 92/33/EEC, 92/34/EEC).

A bilateral project between Estonia and the Netherlands “*Strengthening of the Estonian Seed Inspection and Variety Control Systems in accordance with EU Legislation*” is about to commence to assist in raising the administrative capacity of the PPI by training the PPI specialists and inspectors. The project should cover the areas of plant variety protection, registration of varieties, certification and control of seeds and plant propagating material and is planned to start in the beginning of 2002.

#### **Plant health**

The sector is regulated by the *Plant Protection Act* (in force since 2000) and its secondary legislative acts. Expertise carried out in 2001 and the amendments in the EU legislation cause the need to amend majority of legislative acts of this sector in 2002.

The monitoring of harmful organisms (*Erwinia amylovora*, *Clavibacter michiganensis* subsp. *sepedonicus*, *Ralstonia solanacearum*, *Thrips palmi*, *Bemisia tabaci*, *Liriomyza* spp.) started in 2001 will be continued. New monitoring objects will be introduced in 2002 (*Tomato Spot Wild Virus* and *Bursaphelenchus xylophilus*). According to the EU practice the analysed results of three-year monitoring would

enable the description of extent of dissemination of harmful organisms in Estonia or to state that Estonia is free of that.

In the plant health laboratory of the CCPP further development is planned in 2002 (to procure further equipment, smocks), construct phytotron and greenhouse, and start with preparation of manual for accreditation of the lab. The training of staff will be continued, among others in the framework of co-operation project with the Netherlands. Until the final furnishing of the lab the service is partially outsourced.

### **Plant protection products**

As a EU member state Estonia must be ready to fulfil the obligations deriving from the plant protection sector *acquis*. This would *inter alia* mean the capacity to assess the data (on safety of a products to human or animal health, environment, ground water, to analyse pesticide residues in products of plant and animal origin, etc) within the framework of EU assessment system of substances, as well as to assess the characteristics of certain plant protection product for registration under Estonian conditions. Preparations for these obligations are continued and one additional job will be created in 2003.

In 2002 the amendment and improvement of the *Plant Protection Act* and its secondary legislative acts are planned to ensure the fulfilment of our obligations.

The residues and contaminants laboratory of the CCPP performs the testing of residues and quality of plant protection products. The equipment of laboratory has been upgraded in previous years in the framework of the EU Phare project and enables by now to perform all analyses for the monitoring of residues. Many testing methods of residues of plant protection products have been accredited. In 2002 the accreditation is expanded by installation of new testing equipment to new matrixes. The full renovation of premises of residues and contaminants laboratory of the CCPP is started in 2002. The new liquid chromatograph will be procured for analysing the quality of plant protection products, one additional specialist will be recruited. The training of specialists will be continued to increase the capacity and quality of results of the laboratory. The training is very important as new substances of plant protection products are introduced continuously and the testing methods also change.

### **Plant variety protection**

The sector is regulated by the *Plant Variety Protection Act* (in force since 1 July 1998) and its secondary legislative acts. The Act was amended in 2000 and the UPOV (Union for the Protection of New Varieties of Plants) Convention was ratified by the *Riigikogu*. This enabled the accession of Estonia to the UPOV in September 2000.

In the field of plant variety protection Estonia is able to fulfil EU requirements. . The National Register of Protected Varieties complements the electronic data processing with the aim of cross-usage with the respective databases of UPOV as well as of the EU Plant Variety Office in the future.

### **Fertilisers**

The sector is regulated by the *Fertiliser Act* passed in 1997 and its secondary legislative acts.

In the first half of 2002 the draft *Fertilisers Act* is will be passed in *Riigikogu* and followed by the development of secondary legislative acts complying to the EU directives.

The most important issues to be regulated by the *Fertilisers Act* and its secondary acts will be:

- 1) Quality requirements on fertilisers and production of mixtures of fertilisers;
- 2) Bringing the methods of sampling and testing the fertilisers in accordance with international methods;
- 3) Requirements on packaging, labelling and imports of fertilisers;
- 4) Statutes of the fertilisers register to establish the documents serving as a basis for registration entry and procedures and documents required for preliminary registration of a fertiliser upon first importation;
- 5) Special requirements for transportation, storing and safety insurance of flammable or explosive fertilisers.

The secondary acts of the new *Fertilisers Act* will be enforced during 2002.

### **Feedingstuffs**

The new *Feedingstuffs Act* to be enforced in 2002 will harmonise EU legislative acts establishing requirements on feedingstuffs, enterprises handling feedingstuffs and organisation of inspection. On the basis of the new *Feedingstuffs Act* the approval and registration of enterprises producing and mediating feedingstuffs will be organised according to the respective EU requirements. The requirement of approval and registration of enterprises handling feedingstuffs will be enforced in 2003. The enterprises approved will be registered in the national register operated by the PPI.

Until the enforcement of the new Act the sector is regulated by the *Feedingstuffs Act* that was enforced on 1 January 1999 together with its secondary acts. In 2001 the amendments were made in these acts according to the EU legislation.

In the future the amendments in the EU regulations will be followed by introduction of respective amendments in the Estonian acts.

**Plant health****Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
Council Directive 69/464/EEC of 8 December 1969 on control of Potato Wart Disease	Amendment of the Regulation of the Government of the Republic from 17 January 2001 No 26 "Measures intended for eradication of species of harmful organisms detected on plant, plant product or other object contaminated, in danger of contamination or suspected to be contaminated by harmful organism"	07.2002 01.2003	Amendments and additions required
Council Directive 69/465/EEC of 8 December 1969 on control of Potato Cyst Eelworm	Amendment of the Regulation of the Government of the Republic from 17 January 2001 No 26 "Measures intended for eradication of species of harmful organisms detected on plant, plant product or other object contaminated, in danger of contamination or suspected to be contaminated by harmful organism"	07.2002 01.2003	Amendments and additions required
Commission Directive 92/90/EEC of 3 November 1992 establishing obligations to which producers and importers of plants, plant products or other objects are subject and establishing details for their registration	Plant Protection Act Amendment Act and amendment of the Regulation of the Government of the Republic from 10 September 2000 No 302 "Plant Health Register"	07.2002 01.2003	Amendments and additions required

Commission Directive 92/105/EEC of 3 December 1992 establishing a degree of standardization for plant passports to be used for the movement of certain plants, plant products or other objects within the Community, and establishing the detailed procedures related to the issuing of such plant passports and the conditions and detailed procedures for their replacement	Amendment of the Regulation of the Government of the Republic from 29 September 2000 No 317 "List of plants, plant products and other objects to be inspected at the place of production and provided with plant passports; requirements on contents and format of plant passport and phytosanitary certificate, and procedure of issuing, replacement and storing of these documents.	07.2002 01.2003	Amendments and additions required
Council Directive 93/85/EEC of 4 October 1993 on the control of potato ring rot	Amendment of the Regulation of the Government of the Republic from 17 January 2001 No 26 "Measures intended for eradication of species of harmful organisms detected on plant, plant product or other object contaminated, in danger of contamination or suspected to be contaminated by harmful organism"	07.2002 01.2003	Amendments and additions required
97/647/EC: Commission Decision of 9 September 1997 detailing an interim test scheme for the diagnosis, detection and identification of <i>Pseudomonas solanacearum</i> (Smith) Smith in potatoes	Amendment of the Regulation of the Government of the Republic from 17 January 2001 No 25 "Sample size and sampling procedures of plants, plant products and other objects, and plant protection products"	07.2002 01.2003	Amendments and additions required
Commission Directive 98/22/EC of 15 April 1998 laying down the minimum conditions for carrying out plant health checks in the Community, at inspection posts other than those at the place of destination, of plants, plant products or other objects coming from third countries	Amendment of the Regulation of the Government of the Republic from 29 September 2000 No 314 "List of BIP-s at the state border foreseen for importation of plants, plant products and other objects, and requirements on these"	07.2002 01.2003	Amendments and additions required



Council Directive 98/57/EC of 20 July 1998 on the control of <i>Ralstonia solanacearum</i> (Smith) Yabuuchi et al.	Amendment of the Regulation of the Government of the Republic from 17 January 2001 No 26 “Measures intended for eradication of species of harmful organisms detected on plant, plant product or other object contaminated, in danger of contamination or suspected to be contaminated by harmful organism”.	07.2002 01.2003	Amendments and additions required
Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community	Plant Protection Act Amendment Act; Amendment of the Regulation of the Government of the Republic from 29 September 2000 No 318 “Special plant health requirements”; Amendment of the Regulation of the Government from 29 September 2000 No 316 “Procedure for importation of plants, plant products and other objects, and list and quantities of plants, plant products and other objects subjected to simplified importation procedure, and the simplified importation procedure of these”; Amendment of the Regulation of the Government of the Republic from 29 September 2000 No 315 “List of plants, plant products and other objects to be inspected in the BIP at the state border”	07.2002 01.2003	Amendments and additions required

2000/325/EC: Commission Decision of 11 May 2000 authorising Member States to take measures provisionally against the introduction into, and the spread within the Community of Pepino mosaic virus as regards tomato plants, intended for planting, other than seeds (notified under document number C(2000) 1312)	Amendment of the Regulation of the Government of the Republic from 13 September 2000 No 300 “List of harmful organisms”; Amendment of the Regulation of the Government of the Republic from 17 January 2001 No 26 “Measures intended for eradication of species of harmful organisms detected on plant, plant product or other object contaminated, in danger of contamination or suspected to be contaminated by harmful organism”	07.2002 01.2003  07.2002 01.2003	To be added to the list after inclusion of this harmful organism into Annex I A of Directive 2000/29/EC by the EU  Amendments and additions required
Council Directive 66/403/EEC of 14 June 1966 on the marketing of seed potatoes	Seed and Plant Propagating Material Act amendment Act; Amendment of the Regulation of the Minister of Agriculture from 20 April 1999 No 14 “Categories of seed potato, procedure for accreditation of laboratories producing micro-propagated material for seed potatoes, packaging, marketing and importation of seed potato”	11.2002 05.2003	Amendments and additions required
91/682/EEC on the marketing of propagating material of ornamental plants (amended 98/56/EC)	Seed and Plant Propagating Material Act amendment Act; Amendment of the Regulation of the Minister of Agriculture from 20 April 1999 No 18 “Requirements on packaging, marketing and importation of propagating material of ornamental plants”	11.2002 05.2003	Amendments and additions required
Council Directive 92/33/EEC of 28 April 1992 on the marketing of vegetable propagating and planting material, other than seed	Seed and Plant Propagating Material Act amendment Act; Amendment of the Regulation of the Minister of Agriculture from 20 April 1999 No 17 “Requirements on packaging, marketing and importation of propagating material of vegetable species”	11.2002 05.2003	Amendments and additions required

Council Directive 92/34/EEC of 28 April 1992 on the marketing of fruit plant propagating material and fruit plants intended for fruit production	Seed and Plant Propagating Material Act amendment Act; Amendment of the Regulation of the Minister of Agriculture from 30 April 1999 No 20 “Categories of fruit and berry plants, procedure for accreditation of laboratories producing propagating material of fruit and berry plants, packaging, marketing and importation of propagating material of fruit and berry plants”	11.2002 05.2003	Amendments and additions required
Commission Directive 93/17/EEC of 30 March 1993 determining Community grades of basic seed potatoes, together with the conditions and designations applicable to such grades	Amendment of the Regulation of the Minister of Agriculture from 20 April 1999 No 14 “Categories of seed potato, procedure for accreditation of laboratories producing seed potatoes, packaging, marketing and importation of seed potato”	11.2002 05.2003	Amendments and additions required
Commission Directive 93/48/EEC of 23 June 1993 setting out the schedule indicating the conditions to be met by fruit plant propagating material and fruit plants intended for fruit production, pursuant to Council Directive 92/34/EEC	Amendment of the Regulation of the Minister of Agriculture from 30 April 1999 No 20 “Categories of fruit and berry plants, procedure for accreditation of laboratories producing propagating material of fruit and berry plants, packaging, marketing and importation of propagating material of fruit and berry plants”	11.2002 05.2003	Amendments and additions required
Commission Directive 93/49/EEC of 23 June 1993 setting out the schedule indicating the conditions to be met by ornamental plant propagating material and ornamental plants pursuant to Council Directive 91/682/EEC	Amendment of the Regulation of the Minister of Agriculture from 20 April 1999 No 18 “Requirements on packaging, marketing and importation of propagating material of ornamental plants”	11.2002 05.2003	Amendments and additions required
Commission Directive 93/61/EEC of 2 July 1993 setting out the schedules indicating the conditions to be met by vegetable propagating and planting material, other than seed pursuant to Council Directive 92/33/EEC	Amendment of the Regulation of the Minister of Agriculture from 20 April 1999 No 17 “Requirements on packaging, marketing and importation of propagating material of vegetable species”	11.2002 05.2003	Amendments and additions required

Commission Directive 93/62/EEC of 5 July 1993 setting out the implementing measures concerning the supervision and monitoring of suppliers and establishments pursuant to Council Directive 92/33/EEC on the marketing of vegetable propagating and planting material, other than seed	Seed and Plant Propagating Material Act amendment Act ; Amendment of the Regulation of the Minister of Agriculture from 20 April 1999 No 17 “Requirements on packaging, marketing and importation of propagating material of vegetable species”	11.2002 05.2003	Amendments and additions required
93/63/EEC, setting out the implementing measures concerning the supervision and monitoring of suppliers and establishments pursuant to Council Directive 91/682/EEC on the marketing of propagating material of ornamental plants, and ornamental plants	Seed and Plant Propagating Material Act amendment Act; Amendment of the Regulation of the Minister of Agriculture from 20 April 1999 No 18 “Requirements on packaging, marketing and importation of propagating material of ornamental plants”	11.2002 05.2003	Amendments and additions required
Commission Directive 93/64/EEC of 5 July 1993 setting out the implementing measures concerning the supervision and monitoring of suppliers and establishments pursuant to Council Directive 92/34/EEC on the marketing of fruit plant propagating material and fruit plants intended for fruit production	Seed and Plant Propagating Material Act amendment Act; Amendment of the Regulation of the Minister of Agriculture from 30 April 1999 No 20 “Categories of fruit and berry plants, procedure for accreditation of laboratories producing propagating material of fruit and berry plants, packaging, marketing and importation of propagating material of fruit and berry plants”	11.2002 05.2003	Amendments and additions required
93/78/EEC (99/68/EC), setting out additional provisions for lists of varieties of ornamental plants as kept by suppliers pursuant to Council Directive 91/682/EEC	Amendment of the Regulation of the Minister of Agriculture from 20 April 1999 No 18 “Requirements on packaging, marketing and importation of propagating material of ornamental plants”	11.2002 05.2003	To be added, currently not regulated by law. Directive being renewed.

Commission Directive 93/79/EEC of 21 September 1993 setting out additional implementing provisions for lists of varieties of fruit plant propagating material and fruit plants, as kept by suppliers under Council Directive 92/34/EEC	Amendment of the Regulation of the Minister of Agriculture from 30 April 1999 No 20 “Categories on fruit and berry plants, procedure for accreditation of laboratories producing propagating material of fruit and berry plants, packaging, marketing and importation of propagating material of fruit and berry plants”	11.2002 05.2003	To be added, currently not regulated by law. Directive being renewed.
Council Directive 98/56/EC of 20 July 1998 on the marketing of propagating material of ornamental plants	Amendment of the Regulation of the Minister of Agriculture from 20 April 1999 No 18 “Requirements on packaging, marketing and importation of propagating material of ornamental plants”; Seed and Plant Propagating Material Act amendment Act	11.2002 05.2003	Amendments and additions required
Commission Directive 1999/66/EC of 28 June 1999 setting out requirements as to the label or other document made out by the supplier pursuant to Council Directive 98/56/EC	Amendment of the Regulation of the Minister of Agriculture from 20 April 1999 No 18 “Requirements on packaging, marketing and importation of propagating material of ornamental plants”	11.2002 05.2003	Amendments and additions required
Commission Directive 1999/68/EC of 28 June 1999 setting out additional provisions for lists of varieties of ornamental plants as kept by suppliers under Council Directive 98/56/EC	Amendment of the Regulation of the Minister of Agriculture from 20 April 1999 No 18 “Requirements on packaging, marketing and importation of propagating material of ornamental plants”	11.2002 05.2003	To be added, currently not regulated by law

**Seed and plant propagating material**  
**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
	Seed and Plant Propagating Material Act (in force since 1 July 1998)  Seed and Plant Propagating Material Act Amendment Act	11.2002 05.2003	
Council Directive 98/95/EC of 14 December 1998 amending, in respect of the consolidation of the internal market, genetically modified plant varieties and plant genetic resources, Directives 66/400/EEC, 66/401/EEC, 66/402/EEC, 66/403/EEC, 69/208/EEC, 70/457/EEC and 70/458/EEC on the marketing of beet seed, fodder plant seed, cereal seed, seed potatoes, seed of oil and fibre plants and vegetable seed and on the common catalogue of varieties of agricultural plant species	Amendment of the Regulation of the Minister of Agriculture from 20 April 1999 no 12 "Categories of cereal seeds, requirements on packaging, marketing and importation of cereal seeds"	05.2003	Amendments and additions required
95/232/EC: Commission Decision of 27 June 1995 on the organization of a temporary experiment under Council Directive 69/208/EEC in order to establish conditions to be satisfied by the seed of hybrids and varietal associations of swede rape and turnip rape	Regulation of the Minister of Agriculture from 20 April 1999 No 14 "Categories of seeds of oil and fibre plants, requirements on packaging, marketing and importation of seeds of oil and fibre plants"	05.2003	Amendments and additions required
Council Directive 98/95/EC of 14 December 1998 amending, in respect of the consolidation of the internal market, genetically modified plant varieties and plant genetic resources, Directives 66/400/EEC, 66/401/EEC, 66/402/EEC, 66/403/EEC, 69/208/EEC, 70/457/EEC and 70/458/EEC on the marketing of beet seed, fodder plant seed, cereal seed, seed potatoes, seed of oil and fibre plants and vegetable seed and on the common catalogue of varieties of agricultural plant species	Regulation of the Minister of Agriculture from 10 April 1999 No 14 "Categories of seeds of oil and fibre plants, requirements on packaging, marketing and importation of seeds of oil and fibre plants"	05.2003	Amendments and additions required

98/291/EC: Commission Decision of 22 April 1998 concerning the placing on the market of genetically modified spring swede rape ( <i>Brassica napus</i> L. ssp. <i>oleifera</i> ), pursuant to Council Directive 90/220/EEC	Regulation of the Minister of Agriculture from 10 April 1999 No 14 “Categories of seeds of oil and fibre plants, requirements on packaging, marketing and importation of seeds of oil and fibre plants”	05.2003	Amendments and additions required
97/125/EC: Commission Decision of 24 January 1997 authorizing the indelible printing of prescribed information on packages of seed of oil and fibre plants and amending Decision 87/309/EEC authorizing the indelible printing of prescribed information on packages of certain fodder plant species  98/320/EC: Commission Decision of 27 April 1998 on the organisation of a temporary experiment on seed sampling and seed testing pursuant to Council Directives 66/400/EEC, 66/401/EEC, 66/402/EEC and 69/208/EEC	Regulation of the Minister of Agriculture from 10 April 1999 No 14 “Categories of seeds of oil and fibre plants, requirements on packaging, marketing and importation of seeds of oil and fibre plants”	05.2003	Amendments and additions required
98/320/EC: Commission Decision of 27 April 1998 on the organisation of a temporary experiment on seed sampling and seed testing pursuant to Council Directives 66/400/EEC, 66/401/EEC, 66/402/EEC and 69/208/EEC	Regulation of the Minister of Agriculture from 20 April 1999 No 11 “Categories of herbage seeds, requirements on packaging, marketing and importation of seeds of herbage seeds”	05.2003	Amendments and additions required
Council Directive 98/95/EC of 14 December 1998 amending, in respect of the consolidation of the internal market, genetically modified plant varieties and plant genetic resources, Directives 66/400/EEC, 66/401/EEC, 66/402/EEC, 66/403/EEC, 69/208/EEC, 70/457/EEC and 70/458/EEC on the marketing of beet seed, fodder plant seed, cereal seed, seed potatoes, seed of oil and fibre plants and vegetable seed and on the common catalogue of varieties of agricultural plant species	Regulation of the Minister of Agriculture from 20 April 1999 No 11 “Categories of herbage seeds, requirements on packaging, marketing and importation of seeds of herbage seeds”	05.2003	Amendments and additions required
Commission Directive 72/168/EEC of 14 April 1972 on determining the characteristics and minimum conditions for inspecting vegetable varieties	Regulation of the Minister of Agriculture from 3 June 1999 No 20 “Requirements on production, certification, packaging and marketing of vegetable seeds”	05.2003	Amendments and additions required

Council Directive 98/95/EC of 14 December 1998 amending, in respect of the consolidation of the internal market, genetically modified plant varieties and plant genetic resources, Directives 66/400/EEC, 66/401/EEC, 66/402/EEC, 66/403/EEC, 69/208/EEC, 70/457/EEC and 70/458/EEC on the marketing of beet seed, fodder plant seed, cereal seed, seed potatoes, seed of oil and fibre plants and vegetable seed and on the common catalogue of varieties of agricultural plant species	Regulation of the Minister of Agriculture from 3 June 1999 No 20 “Requirements on production, certification, packaging and marketing of vegetable seeds”	05.2003	Amendments and additions required
98/320/EC: Commission Decision of 27 April 1998 on the organisation of a temporary experiment on seed sampling and seed testing pursuant to Council Directives 66/400/EEC, 66/401/EEC, 66/402/EEC and 69/208/EEC	Regulation of the Minister of Agriculture “Categories of beat seeds, requirements on packaging, marketing and importation of beat seeds”	05.2003	



**Plant variety protection**  
**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
<b>Laws regulating variety protection</b>			
Commission Regulation (EC) No 930/2000 of 4 May 2000 establishing implementing rules as to the suitability of the denominations of varieties of agricultural plant species and vegetable species	Plant Protection Act Amendment Act; Regulation of the Minister of Agriculture “Requirements on the denomination of plant variety”  Seed and Plant Propagating Material Act Amendment Act; State Fees Act Amendment Act; Amendment of the Regulation of the Minister of Agriculture from 12 March 1999 No 8 “List of plant species subject to variety listing and certification, and endorsement of procedure of variety listing of plant varieties”	03.2002 04.2002  11.2002 05.2003	Requirements on the denomination of plant variety have to be harmonised. UPOV has different requirements. CPVO has not yet acceded to UPOV but it has to be taken into account while establishing the Estonian Plant Variety Register.  Impose fees on variety listing and annual registration fees
<b>Law regulating seed and plant propagating material</b>			
Council Directive 98/95/EC of 14 December 1998 amending, in respect of the consolidation of the internal market, genetically modified plant varieties and plant genetic resources, Directives 66/400/EEC, 66/401/EEC, 66/402/EEC, 66/403/EEC, 69/208/EEC, 70/457/EEC and 70/458/EEC on the marketing of beet seed, fodder plant seed, cereal seed, seed potatoes, seed of oil and fibre plants and vegetable seed and on the common catalogue of varieties of agricultural plant species	Plant Protection Act Amendment Act; Regulation of the Minister of Agriculture “Requirements on the name of plant variety” Seed and Plant Propagating Material Act Amendment Act; State Fees Act Amendment Act; Amendment of the Regulation of the Minister of Agriculture from 12 March 1999 No 8 “List of plant species subject to variety listing and certification, and endorsement of procedure of variety listing of plant varieties”	11.2002 05.2003	Impose fees on variety listing and annual registration fees

**Plant Protection Products**  
**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market	Plant Protection Act Amendment Act	07.2002 01.2003	Transition measures and restrictions regarding marketing and use of plant protection products the active substances of which are not included in the EU positive list; restrict or prohibit marketing and use of plant protection products on national territory if dangerous to human or animal health, or to environment.
Council Directive 97/57/EC of 22 September 1997 establishing Annex VI to Directive 91/414/EEC concerning the placing of plant protection products on the market	Amendment of the Regulation of the Government of the Republic from 24 October 2000 no 347 "Requirements on contents and format of application for registration of plant protection product and its annexes, procedure of registration and principles of assessment of data submitted"	11.2002 05.2003	Principles of assessment principles of data submitted in annexes of application for registration of plant production products have to be improved as well as the decision making concerning the results of assessment
Commission Directive 93/71/EEC of 27 July 1993 amending Council Directive 91/414/EEC concerning the placing of plant protection products on the market	Regulation of the Minister of Agriculture "Procedure for testing effectiveness of plant protection products following good testing principles"	12.2002 01.2003	Principles of procedure for testing of effectiveness to be established.

**Plant health****Implementation and administrative capacity**

<b>1.</b>	<b>2.</b>	<b>3.</b>	<b>4.</b>	<b>5.</b>
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
PPI, improvement of qualification of specialists, consultations and training (in the field of propagating material)	Seed and Plant Propagating Material Act and its secondary legislative acts on marketing of propagating material	Bilateral cooperation project between Estonia and the Netherlands "Strengthening of the Estonian Seed Inspection and Variety Control Systems in accordance with EU Legislation" State budget 138/76/30 foreign financing 68,500 EEK	Seminars for producers and training of specialists of PPI (including hands on training)	
Development of compatibility of database on producers of plant propagating material and national plant health register operated by the PPI, introduction of necessary IT solutions	Plant Protection Act and Seed and Plant Propagating Material Act and their secondary acts	State budget 138/98/37 – 100,000 EEK		
Continuation of monitoring of harmful organisms started in 2001 and starting with new monitoring	Plant Protection Act and its secondary acts	State budget 138/76/ 10,21,30 – 300,000 EEK		
Procurement of laboratory analyses	"Plant Protection Act" and its secondary acts	State budget 138/76/44 – 30,5,000 EEK	Cooperation agreement for 2001-2002 between the Danish Plant Directorate and PPI	Until the full upgrading of the lab of the CCPP the laboratory services and control analyses of certain harmful organisms will still be procured outside.
Upgrading of the plant health laboratory of the PPCC (procurement of additional equipment, smocks). Construction of phytotron for biological testing and greenhouse for analysing potato viruses	"Plant Protection Act" and its secondary acts	State budget 138/97 138/77		
PPCC, development of quality manual for accreditation of the lab	"Plant Protection Act" and its secondary acts	State budget 138/77		

<p>PPCC, advanced training of laboratory staff</p>	<p>“Plant Protection Act” and its secondary acts</p>	<p>State budget 138/77 /30 foreign financing in the framework of bilateral cooperation project between Estonia and the Netherlands <i>“Strengthening of the Estonian Seed Inspection and Variety Control Systems in accordance with EU Legislation”</i></p>		
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**Seeds****Implementation and administrative capacity**

1.	2.	3.	4.	5.
Institution, planned measures (incl training), deadline	Legal basis, implemented legal act	Financing (State budget line, other sources)	Technical assistance needs	Remarks
PPI, training of specialists, advanced training	Seed and Plant Propagating Material Act and its secondary acts	State budget 138/76/30 foreign financing 100,000 EEK	Bilateral cooperation project between Estonia and the Netherlands " <i>Strengthening of the Estonian Seed Inspection and Variety Control Systems in accordance with EU Legislation</i> " Consultations and training	Cooperation project will contain both the assistance for amendment of legislation as well as practical training for implementation of the legislation
Upgrading of electronic database of certification and register of seed producers	Seed and Plant Propagating Material Act and its secondary acts	State budget 138/98/37 – 300,000 EEK		
Application of EU equivalency for importation of seeds from third countries to EU member states. Preparation of necessary documentation.				

**Plant variety protection  
Implementation and administrative capacity**

1.	2.	3.	4.	5.
Institution, planned measures (incl training), deadline	Legal basis, implemented legal act	Financing (State budget line, other sources)	Technical assistance needs	Remarks
PPI, 930/2000 EEC translation, consultations, training in a variety protection office of an EU member state or in CPVO	Plant Variety Protection Act Amendment Act on the basis of 930/2000 EEC, Regulation of the Minister of Agriculture "Requirements on the denomination of plant variety"	State budget 138/76/30 foreign financing 500,000 EEK	Consultations, training	The act is related to the harmonisation of requirements on variety denomination similar to the requirements for granting of plant breeders rights
PPI, upgrading the qualification of specialists, consultations and training	Seed and Plant Propagating Material Act Amendment Act (accompanied by the amendment of State Fees Act); Amendment of the Regulation of the Minister of Agriculture "Endorsement of list of plant species subjected to variety listing and certification and procedure for variety listing"	Bilateral cooperation project between Estonia and the Netherlands "Strengthening of the Estonian Seed Inspection and Variety Control Systems in accordance with EU Legislation" State budget 138/76/30 foreign financing 500,000 EEK	Consultations, training	
Development of IT solutions for operating the national register of protected plant varieties by the PPI and submission of electronic data from the register to UPOV	Plant Variety Protection Act and UPOV Convention Ratification Act	138/98/37 – 100,000 EEK		

**Plant protection products  
Implementation and administrative capacity**

1.	2.	3.	4.	5.
Institution, planned measures (incl training), deadline	Legal basis, implemented legal act	Financing (State budget line, other sources)	Technical assistance needs	Remarks
PPI, principles of assessment of characteristics of substances of plant protection products for inclusion into the list of acceptable substances – one additional job to be created (toxicologist) in the plant protection department	Regulation of the Government of the Republic from 24 October 2000 No 347 “Requirements on contents and format of application of plant protection product and its annexes, procedure of registration and principles of assessment of data submitted”			
PPI, training on development of registration system of plant protection products according to the requirements of the EU		138/76/30 - 50,000 EEK	Estonian-Danish cooperation project on registration of plant protection products	
PPCC, monitoring of quality of plant protection products		State budget 138/76/30 – 126,0,000 EEK 138/76/44 50,000 EEK  State budget 138/77 – 1,100,000 EEK	Additional administration costs and procurement of analyses in relation to monitoring	Procurement of equipment for analysing the quality of plant protection products and recruitment of one specialist

**Fertilisers****Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
Council Directive 76/116/EEC of 18 December 1975 on the approximation of the laws of the Member States relating to fertilizers	<i>Fertilisers Act</i>	04.2002 10.2002	
Commission Directive 77/535/EEC of 22 June 1977 on the approximation of the laws of the Member States relating to methods of sampling and analysis for fertilizers	<i>Fertilisers Act</i>	04.2002 10.2002	
Council Directive 80/876/EEC of 15 July 1980 on the approximation of the laws of the Member States relating to straight ammonium nitrate fertilizers of high nitrogen content	<i>Fertilisers Act</i>	04.2002 10.2002	
Commission Directive 87/94/EEC of 8 December 1986 on the approximation of the laws of the Member States relating to procedures for the control of characteristics of, limits for and resistance to detonation of straight ammonium nitrate fertilizers of high nitrogen content	<i>Fertilisers Act</i>	04.2002 10.2002	



**Implementation and administrative capacity**

1.	2.	3.	4.	5.
Institution, planned measures (incl training), deadline	Legal basis, implemented legal act	Financing (State budget line, other sources)	Technical assistance needs	Remarks
PPI, consultations and training in a centre of plant research of an EU member state (Finland)	Fertilisers Act and its secondary acts	State budget of 2002 - 15,000 EEK	Consultations, training (in Finland)	
Improvement of national register of fertilisers of the PPI	Statutes of the National Register of Fertilisers	State budget of 2002 - 10,000 EEK	-	Improvement of national register of fertilisers, ensuring the safety of processing and storing of data

**Feedingstuffs**  
**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
	Feedingstuffs Act	06.2001 07.2002	Currently read by the <i>Riigikogu</i>
Council Directive 95/69/EC of 22 December 1995 laying down the conditions and arrangements for approving and registering certain establishments and intermediaries operating in the animal feed sector and amending Directives 70/524/EEC, 74/63/EEC, 79/373/EEC and 82/471/EEC	Feedingstuffs Act Regulation of the Minister of Agriculture “List of feedingstuffs requiring the approval or registration of enterprise for production or mediation, and requirements on enterprise”	03.2002 07.2002	
Council Directive 96/25/EC of 29 April 1996 on the circulation of feed materials, amending Directives 70/524/EEC, 74/63/EEC, 82/471/EEC and 93/74/EEC and repealing Directive 77/101/EEC	Feedingstuffs Act Regulation of the Minister of Agriculture “List of feed materials and requirements on the information to be revealed upon labelling concerning these materials”	03.2002 07.2002	
Council Directive 93/74/EEC of 13 September 1993 on feedingstuffs intended for particular nutritional purposes	Feedingstuffs Act Regulation of the Minister of Agriculture “List of intended uses of animal feedingstuffs for particular nutritional purposes”	03.2002 07.2002	
79 Council Directive 79/373/EEC of 2 April 1979 on the marketing of compound feedingstuffs	Feedingstuffs Act Regulation of the Minister of Agriculture “Requirements on marketing compound feedingstuffs, use of compound feedingstuffs and information to be revealed upon labelling of compound feedingstuffs”	03.2002 07.2002	

Council Directive 70/524/EEC of 23 November 1970 concerning additives in feedingstuffs	Feedingstuffs Act Regulation of the Minister of Agriculture “List of additives in feedingstuffs and requirements on the use of additives in compound feedingstuffs or pre-mixtures and information to be revealed upon labelling of feedingstuff additives or pre-mixtures”	03.2002 07.2002	
Council Directive 82/471/EEC of 30 June 1982 concerning certain products used in animal nutrition	Feedingstuffs Act Regulation of the Minister of Agriculture “List of special feed materials, requirements on use of special feed materials and information to be revealed upon labelling of such materials”	03.2002 07.2002	
Council Directive 1999/29/EC of 22 April 1999 on the undesirable substances and products in animal nutrition	Feedingstuffs Act Regulation of the Minister of Agriculture “List of undesirable substances in feedingstuffs and the acceptable limits of such substances”	03.2002 07.2002	
Council Directive 95/53/EC of 25 October 1995 fixing the principles governing the organization of official inspections in the field of animal nutrition	Feedingstuffs Act Regulation of the Minister of Agriculture “Requirements on format and contents of data to be submitted upon informing about importation of feedingstuffs, and procedure of inspection of importation and exportation of feedingstuffs”	03.2002 07.2002	
Council Directive 95/69/EC of 22 December 1995 laying down the conditions and arrangements for approving and registering certain establishments and intermediaries operating in the animal feed sector and amending Directives 70/524/EEC, 74/63/EEC, 79/373/EEC and 82/471/EEC	Regulation of the Minister of Agriculture “Procedure for approval and registration of enterprise”	03.2002 07.2002	

Council Directive 90/167/EEC of 26 March 1990 laying down the conditions governing the preparation, placing on the market and use of medicated feedingstuffs in the Community	Feedingstuffs Act Regulation of the Minister of Agriculture “Requirements on enterprises producing and mediating medicated feedingstuffs”	03.2002 07.2002	
91/516/EEC: Commission Decision of 9 September 1991 establishing a list of ingredients whose use is prohibited in compound feedingstuffs	Feedingstuffs Act Regulation of the Minister of Agriculture “List of contents ingredients prohibited in feedingstuffs”	03.2002 07.2002	
Council Directive 87/153/EEC of 16 February 1987 fixing guidelines for the assessment of additives in animal nutrition	Feedingstuffs Act Regulation of the Minister of Agriculture “Requirements on format and contents of application to be submitted for commencement with production of special feed materials or feedingstuff additives, and procedure for submission and processing of application, organisation of checking the safety and conformity to the requirements of special feed material or feedingstuff additive, and payment of expenditures of expertise”	03.2002 07.2002	
Council Directive 95/69/EC of 22 December 1995 laying down the conditions and arrangements for approving and registering certain establishments and intermediaries operating in the animal feed sector and amending Directives 70/524/EEC, 74/63/EEC, 79/373/EEC and 82/471/EEC	Feedingstuffs Act Regulation of the Government of the Republic “Statutes of the National Feedingstuff Register”	03.2002 07.2002	
Commission Directive 80/511/EEC of 2 May 1980 authorizing, in certain cases, the marketing of compound feedingstuffs in unsealed packages or containers	Feedingstuffs Act Regulation of the Minister of Agriculture ”Requirements on transportation of feedingstuffs”	03.2002 07.2002	

	Feedingstuffs Act Regulation of the Minister of Agriculture “Requirements on importation and use of special feed materials and feedingstuff additives used for scientific research, including testing, and pre-mixtures and compound feedingstuffs containing such materials and additives”	03.2002 07.2002	
Council Directive 95/53/EC of 25 October 1995 fixing the principles governing the organization of official inspections in the field of animal nutrition Council Directive 70/373/EEC of 20 July 1970 on the introduction of Community methods of sampling and analysis for the official control of feeding-stuffs	Feedingstuffs Act Regulation of the Minister of Agriculture “Procedure for sampling feedingstuffs for inspection”	03.2002 07.2002	
Council Directive 95/53/EC of 25 October 1995 fixing the principles governing the organization of official inspections in the field of animal nutrition	Feedingstuffs Act Regulation of the Minister of Agriculture “List of feedingstuffs and activities subject to informing by producer or intermediary about commencement, amendment or finalisation of production or mediation”	03.2002 07.2002	

**Implementation and administrative capacity**

1.	2.	3.	4.	5.
Institution, planned measures (incl training), deadline	Legal basis, implemented legal act	Financing (State budget line, other sources)	Technical assistance needs	Remarks
2002: PPCC, introduction of analysis of contents of glycosinolates in feedingstuffs	Feedingstuffs Act Regulation of the Minister of Agriculture "List of undesired substances in feedingstuffs and acceptable limits of such substances"			
2003: PPCC, introduction of analysis of detection of amino acids	Feedingstuffs Act		Training in Finland	
PPI, improvement of software of feedingstuff register	Feedingstuffs Act			
PPI, creation of one additional job in the feedingstuff department	Feedingstuffs Act		Cooperation in relation to training with office of a EU member state responsible for inspection of feedingstuffs	

## 7.2. Common Agricultural Policy

### Horizontal measures

#### European Agricultural Guidance and Guarantee Fund (EAGGF )

As the requirements on the administration of support schemes of the EU are not directly applicable in Estonia before accession to the EU, the main emphasis is put on the introduction of national support schemes administratively as similar as possible to the CAP measures.

The Estonian national support measures in the agriculture and rural development sectors are established by the *Rural Development and Agriculture Market Regulation Act*.

The Agricultural Registers and Information Board (ARIB) is currently being developed to act as the payment authority and implementation body for all support schemes of the common agricultural policy. ARIB is already now responsible for administration of payment of national agricultural and rural development support and support under the SAPARD programme. ARIB is accredited as the payment agency of the SAPARD programme according to the rules of EAGGF.

The approximation of administration mechanisms of national support schemes established by the *Rural Development and Agricultural Market Regulation Act* to the measures of the EU common agricultural policy is continued.

In addition to national financing also an EU Phare project EE00/IB/AG-01 “*Agricultural Support System Administration*” has been launched for the development of Integrated Administration and Control System (IACS). In 2002 extensive expert assistance is foreseen in the framework of the project. The project will also enable the finalisation of development of the system of area payments. In April 2002 the preparation of aerial photos will be completed. Orthophotos will be ready by the end of 2002. This activity was originally planned for spring 2001 but was postponed by one year due to unsuitable weather conditions. Hence the postponing of deadline of digitalisation of field massifs until 2003. The digitalisation is continued on the basis of existing orthophotos and six out of fifteen counties are planned to be digitalised by May 2002.

ARIB has developed the system and procedures for payment of area support on the basis of experience acquired from the payment of national direct support. A working group has been established incorporating also foreign experts for development of terms of reference for preparation of software system in accordance with the EU rules. The software should be ready by March 2003.

The animal register will be further developed. In February 2002 the software for payment of direct support based on the data of animals will be completed, followed by testing and correction. The processing of milking cow support will be carried out on the basis of this software in spring, and that of nursing cows in autumn. In the framework of the EU Phare 2002 programme the additional funds will be applied for completing of the register.

In September 2001 the pilot project of EUROVET was launched. The project will continue in 2002. The testing of EUROVET software in the framework of the pilot project is planned for July 2002 and installation for September 2002.

Register of agricultural supports was established by the Regulation of the Government of the Republic from 18 September 2001 No 292. The register contains data on applicants of national supports and granting of support.

Additional funds for the finalisation of IACS have been applied for in the framework of the EU Phare 2002 programme. These funds will enable the procurement of software solutions for integration of different databases and administration of rural development supports (measures according to 1257/99, including agri-environment supports) in full accordance with the rules of the EU. The software must be operational in the second half of 2003.

### **Trade mechanisms** (*and products not covered by Annex I*)

The relevant EU legislation enter into force in Estonia on the date of accession. Because of the WTO-obligations it is not possible for Estonia to implement most of the trade mechanisms practiced in the EU before accession. Since 1 January 2000 the customs tariffs are applied as regards third countries. The highest priority of Estonia in this field is the development of necessary administrative systems.

ARIB will be further developed as the payment and implementation agency of all CAP supports (also as the intervention agency).

A working group has been established under the Ministry of Agriculture for coordination of cooperation between different institutions (including representatives from the Ministry of Agriculture, Ministry of Finance, ARIB, Customs Board, Veterinary and Food Board, Plant Production Control Centre). The task of the working group will be to develop detailed division of tasks between different institutions (by January 2002), mapping the needs for laboratory analyses (July 2002) and preparation of covenant for the EU Phare 2002 project ES2001/IB/AG/0T01 "*Development of Market Regulation Systems*". The objective of the project will be the development of fully functional market regulation system. The project includes both the investment component and the expert assistance. The twinning partners in the framework of the project will be the Netherlands, UK and Denmark. The results of the project will be :

- Detailed structure and written procedures for introduction of different market regulation measures;
- Functioning quality control system (written procedures and rules of quality control);
- Institutions involved have been equipped with necessary technology;
- Staff has been trained;
- Functioning information flow systems;
- Final users have been informed.

The project will start in August 2002 and is scheduled to end at the end of 2003.



In cooperation with the experts participating in the project the administrative schemes of trade mechanisms will be developed in the second half of 2002, based on the current structural units of ARIB. The tasks to be completed will be added to those already carried out by the relevant structural units, or additional structural units will be established if necessary. Additional staff will be recruited in 2003.

Until the clarification of concrete deadlines for implementation of measures the necessary development work is carried out by the management, development advisers and department heads of ARIB.

### **Organic Farming**

The *Organic Farming Act* (RT I 2001, 42, 235) that entered into force in 2001 corresponds in most aspects to the requirements of regulation EEC/2092/91 and related legislative acts regulating the sector. The conformity of Estonia to the requirements of the EU was assessed positively in the course of inspection of organic farming sector by the Food and Veterinary Office of the European Commission in September 2001.

In the first half of 2002 the legislative acts regulating the importation of organic products and produce and issuing of licenses for using organic label will be enforced. On 1 April 2002 the register of organic farming will be put into operation to gather the information on inspection of organic farming activities into one single institution, the Plant Production Inspectorate. In the coming years the improvement of the terminology of the *Organic Farming Act* and its secondary legislation will be continued, as well as the review of Estonian legal acts on the basis of developments in the regulations of the EU concerning organic farming.

In 2002 – 2003 the improvement of surveillance systems will be continued. Additional inspectors will be recruited in the Plant Production Inspectorate, Veterinary and Food Board and the Health Protection Inspectorate, and the inspectors will be more extensively provided with professional and advanced training, including training in abroad. The laboratory equipment to be procured in the Health Protection Inspectorate in the framework of foreign assistance will enable the expansion of list of characteristics analysed.

The key to successful implementation of the *Organic Farming Act* is the proper training of agricultural producers and advisers. The training will be financed from the state budget and foreign assistance funds.

### **Horticulture**

The horticulture sector of the CAP is mainly regulated by regulations which are directly applicable in the member states of the EU. The preparatory work for application of *acquis* on the date of accession is mostly finished. The administration of horticultural sector is based on the *Horticultural Products Act*. However, the institutions established have to be strengthened, inspectors further trained, and the Estonian legal acts amended on the basis of new EU legislative acts that have come into force in 2001.

**Fibre flax and hemp**

It is not planned to implement all measures of the CAP in respect of fibre flax and hemp according to the EU legislation before accession. Currently, the income support scheme of agricultural crops implemented in Estonia covers also fibre flax. The *Rural Development and Agricultural Market Regulation Act* and its secondary legislative acts will provide the legislative basis for introduction of private storage support.

**Milk**

In the course of accession negotiations the obligation has been taken by Estonia to fully implement the milk quota of the EU from the moment of accession. Until now no measures restricting the production have been imposed on Estonian agricultural producers. According to the EU rules the national quota will be divided between all market oriented milk producers on the basis of fat contents of milk.

The *Rural Development and Agricultural Market Regulation Act* authorises the Government of the Republic to establish production quota. The necessary implementing acts will be drafted in the second half of 2002. It is planned to impose the milk quota on producers in 2003. ARIB will be responsible for administration of the quota. The development of the quota system is one of the objectives of the EU Phare 2001 project mentioned above.

In the *Rural Development and Agriculture Market Regulation Act Amendment Act* it will be foreseen that upon introduction of production quotas on agricultural production also income support will be limited to production within the quota. In respect of milk the present cow-based support payment system will be replaced by system based on milk quota from 2005 according to the EU legislation.

Implementing acts for public buying-in and private storage of butter and skimmed milk powder will be developed by November 2002 to ensure the readiness for implementation of EU intervention system of milk and milk products.

**Meat**

The classification of carcasses will be harmonised with EU quality standards by legislative acts that are going to be enforced in 2002. Upon entry into force of the *Rural Development and Agriculture Market Regulation Act Amendment Act* the Veterinary and Food Board will become responsible for supervision of classification of carcasses. In addition to inspectors also persons classifying the carcasses daily in slaughterhouses (employed by slaughterhouses) will be trained in 2002. The classification system of carcasses obliges slaughterhouses to submit information on animals slaughtered as well as on prices. This will enable the development of price information system. The classification system of carcasses will be implemented by the end of 2002.

**Organic farming**  
**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
Commission Regulation (EC) No 1788/2001 of 7 September 2001 laying down detailed rules for implementing the provisions concerning the certificate of inspection for imports from third countries under Article 11 of Council Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs	* Regulation of the Minister of Agriculture "Conditions and procedure for importation of labelled product or produce"	03.2002	
Council Regulation (EEC) No 2092/91 of 24 June 1991 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs	* Regulation of the Minister of Agriculture "Procedure for application and issue of labelling licence and format of the labelling licence"	05.2002	

**Organic farming****Implementation and administrative capacity**

1.	2.	3.	4.	5.
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
<p><b>2002 Plant Production Inspectorate (PPI):</b></p> <ol style="list-style-type: none"> <li>1. Establishment, putting into operation and implementation of organic farming register,</li> <li>2. Improvement of inspection of organic production, approval of enterprises involved in organic production and surveillance of importers of organic products, issue of certificate for exported organic products</li> <li>3. Foundation of 8 new jobs in the PPI, including <ul style="list-style-type: none"> <li>• Necessary resources</li> <li>• Training</li> </ul> </li> <li>4. Professional and advanced training of inspectors in Estonia and in the framework of bilateral cooperation project between Estonia and the Netherlands in 2002 – 2003 (training of IT specialist, operator of the register and surveillance officials)</li> </ol>	<p>Organic Farming Act (RT I 2001, 42, 235)</p> <p>Regulation of the Government of the Republic “Establishment of the organic farming register and statutes of operation of the register” (RT I 2001, 86, 518);</p> <p>Regulation of the Minister of Agriculture “Conditions and procedure for importation of labelled product or produce”</p> <p>Project MAT01/ES/9/2</p>	<p>State budget, part138. Ministry of Agriculture, Chapter 76 Plant Production Inspectorate, bilateral assistance from a member state of the EU</p>	<p>Additional short term cooperation projects between Estonia and authorities of the EU Member States</p>	<p>Development of database of the register of organic farming and the web-based user interface.</p> <p>Ensuring of security of processing and storing of data of the register.</p>

<p><u>2002 Veterinary and Food Board (VFB):</u></p> <ol style="list-style-type: none"> <li>1. Foundation of 2 new jobs in the food hygiene department of the VFB</li> <li>2. Procurement of tools necessary for inspection for officials/surveillance inspectors</li> <li>3. In depth professional training of new officials, including training in an EU member state</li> <li>4. Advanced training of surveillance inspectors</li> <li>5. Cooperation project between competent authorities of Estonia (VFB) and an EU member state (partly in the framework of bilateral cooperation project between Estonia and the Netherlands in 2002 – 2003)</li> </ol>	<p>Organic Farming Act (RT I 2001, 42, 235)</p>	<p>State budget part 138. Ministry of Agriculture Chapter 70. Veterinary and Food Board, Bilateral assistance from an EU member state</p>	<p>Additional short term cooperation projects between Estonia and authorities of the EU Member States</p>	
<p><u>2002 Health Protection Inspectorate (HPI):</u></p> <ol style="list-style-type: none"> <li>1. Nomination of inspectors responsible for surveillance of organic farming sector</li> <li>2. In depth professional training of officials, including training in an EU member state (partly in the framework of bilateral cooperation project between Estonia and the Netherlands in 2002 – 2003)</li> </ol>	<p>Organic Farming Act (RT I 2001, 42, 235)</p>	<p>State budget part 141 Ministry of Social Affairs, Chapter 65. Health Protection Inspectorate, Bilateral assistance from an EU member state</p>	<p>Additional short term cooperation projects between Estonia and authorities of the EU Member States</p>	
<p><u>2002 Producers, advisers and trainers</u></p> <ol style="list-style-type: none"> <li>1. Organisation of information days and advanced training in Estonia together with preparation of information materials</li> <li>2. In the framework of bilateral cooperation project between Estonia and the Netherlands in 2002 – 2003.</li> </ol>	<p>Organic Farming Act (RT I 2001, 42, 235)</p>	<p>State budget part 138. Ministry of Agriculture Chapter 01. Ministry of Agriculture, bilateral assistance from an EU member state</p>	<p>Need for bilateral cooperation projects (Denmark, Finland and others)</p>	

<p><b><u>2003 Plant Production Inspectorate (PPI):</u></b></p> <ol style="list-style-type: none"> <li>1. Improvement of inspection of organic production, approval of enterprises involved in organic production and surveillance of importers of organic products, issue of certificate for exported organic products</li> <li>2. Procurement of tools necessary for inspection for officials/inspectors</li> <li>3. Advanced training of inspectors, including bilateral cooperation project between Estonia and the Netherlands in 2002 – 2003 (training of surveillance inspectors), project between Estonia and Finland in 2003 - 2004</li> </ol>	<p>Organic Farming Act (RT I 2001, 42, 235)</p> <p>Project MAT01/ES/9/2</p>	<p>State budget part 138. Ministry of Agriculture, Chapter. 76 Plant Production Inspectorate, bilateral assistance from an EU member state</p>	<p>Additional short term cooperation projects between Estonia and authorities of the EU Member States</p>	
<p><b><u>2003 Veterinary and Food Board (VFB):</u></b></p> <ol style="list-style-type: none"> <li>1. Foundation of 2 new jobs in the food hygiene department of the VFB</li> <li>2. Procurement of tools necessary for inspection for officials/surveillance inspectors</li> <li>3. In depth professional training of new officials, including training in an EU member state</li> <li>4. Advanced training of surveillance inspectors</li> <li>5. Cooperation project between competent authorities of Estonia (VFB) and an EU member state (partly in the framework of bilateral cooperation project between Estonia and the Netherlands in 2002 – 2003)</li> </ol>	<p>Organic Farming Act (RT I 2001, 42, 235)</p>	<p>State budget part 138. Ministry of Agriculture Chapter 70. Veterinary and Food Board, bilateral assistance from an EU member state</p>	<p>Additional short term cooperation projects between Estonia and authorities of the EU Member States</p>	

<p><b><u>2003 Health Protection Inspectorate (HPI):</u></b></p> <ol style="list-style-type: none"> <li>1. Nomination of inspectors responsible for surveillance of organic farming sector</li> <li>2. In depth professional training of officials, including training in an EU member state (partly in the framework of bilateral cooperation project between Estonia and the Netherlands in 2002 – 2003)</li> </ol>	Organic Farming Act (RT I 2001, 42, 235)	State budget part 141 Ministry of Social Affairs, Chapter 65. Health Protection Inspectorate, Bilateral assistance from an EU member state	Additional short term cooperation projects between Estonia and authorities of the EU Member States	
<p><b><u>2003 Producers, advisers and trainers</u></b></p> <ol style="list-style-type: none"> <li>1. Organisation of information days and advanced training in Estonia together with preparation of information materials</li> <li>2. In the framework of bilateral cooperation project between Estonia and the Netherlands in 2002 – 2003.</li> </ol>	Organic Farming Act (RT I 2001, 42, 235)	State budget part 138. Ministry of Agriculture Chapter 01. Ministry of Agriculture, bilateral assistance from an EU member state	Need for bilateral cooperation projects (Denmark, Finland and others)	

**Plant production**  
**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
Regulation (EEC) No 2358/71 of the Council of 26 October 1971 on the common organisation of the market in seeds	Rural Development and Agricultural Market Regulation Act Amendment Act	02.2002 05.2002	
Regulation (EEC) No 1674/72 of the Council of 2 August 1972 laying down general rules for granting and financing aid for seed	Rural Development and Agricultural Market Regulation Act Amendment Act	02.2002 05.2002	
Commission Regulation (EEC) No 2131/93 of 28 July 1993 laying down the procedure and conditions for the sale of cereals held by intervention agencies	Regulation of the Minister of Agriculture "Procedure for organisation of sale and other type of transfer of publicly bought-in agricultural products or produce"	12.2002	
Commission Regulation (EC) No 824/2000 of 19 April 2000 establishing procedures for the taking-over of cereals by intervention agencies and laying down methods of analysis for determining the quality of cereals	Regulation of the Minister of Agriculture "Quality requirements for agricultural products or produce to be publicly bought-in" Regulation of the Minister of Agriculture "List of data and documents supporting the data to be presented in application for compensatory support and procedure for payment of compensatory support"	09.2002,  10. 2002,	
Commission Regulation (EC) No 245/2001 of 5 February 2001 laying down detailed rules for the application of Council Regulation (EC) No 1673/2000 on the common organisation of the markets in flax and hemp grown for fibre	Rural Development and Agricultural Market Regulation Act Amendment Act	02.2002 05.2002	
Council Regulation (EC) No 1673/2000 of 27 July 2000 on the common organisation of the markets in flax and hemp grown for fibre	Rural Development and Agricultural Market Regulation Act Amendment Act	02.2002 05.2002	
Council Regulation (EC) No 603/95 of 21 February 1995 on the common organization of the market in dried fodder	Rural Development and Agricultural Market Regulation Act Amendment Act	02.2002 05.2002	
Commission Regulation (EC) No 785/95 of 6 April 1995 laying down detailed rules for the application of Council Regulation (EC) No 603/95 on the common organization of the market in dried fodder	Rural Development and Agricultural Market Regulation Act Amendment Act	02.2002 05.2002	



Commission Regulation (EC) No 2419/2001 of 11 December 2001 laying down detailed rules for applying the integrated administration and control system for certain Community aid schemes established by Council Regulation (EEC) No 3508/92	Rural Development and Agricultural Market Regulation Act Amendment Act	02.2002 05.2002	
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**Milk**  
**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
<p>Commission Regulation (EC) No 2771/1999 of 16 December 1999 laying down detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards intervention on the market in butter and cream</p>	<p>* Regulation of the Minister of Agriculture "Procedure for public buying-in and storing of bought-in agricultural products and produce"</p> <p>* Regulation of the Minister of Agriculture "Quality requirements for agricultural products or produce to be publicly bought-in"</p> <p>*Regulation of the Government of the Republic "Procedure for payment of compensatory support and list of data and documents supporting the data to be presented in application for compensatory support"</p> <p>* Regulation of the Minister of Agriculture "Procedure for private storage"</p> <p>* Regulation of the Minister of Agriculture "Quality requirements for agricultural products and produce under private storage"</p> <p>* Regulation of the Minister of Agriculture "Requirements on stores and other rooms used for storage under private storage and preserving and storing conditions of agricultural products and produce"</p>	<p>11. 2002 scheduled entry into force 2003</p> <p>09. 2002 scheduled entry into force 2003</p> <p>10. 2002 scheduled entry into force 2003</p> <p>11. 2002 scheduled entry into force 2003</p> <p>09. 2002 scheduled entry into force 2003</p> <p>11. 2002 scheduled entry into force 2003</p>	

Commission Regulation (EEC) No 3143/85 of 11 November 1985 on the sale at reduced prices of intervention butter intended for direct consumption in the form of concentrated butter	* Regulation of the Minister of Agriculture “Procedure for organisation of sale and other type of transfer of publicly bought-in agricultural products or produce”	12. 2002 scheduled entry into force 2003	
Commission Regulation (EEC) No 3378/91 of 20 November 1991 laying down detailed rules for the sale of butter from intervention stocks for export and amending Regulation (EEC) No 569/88	* Regulation of the Minister of Agriculture “Procedure for organisation of sale and other type of transfer of publicly bought-in agricultural products or produce”	12. 2002 scheduled entry into force 2003	
Council Regulation (EEC) No 3950/92, of 28 December 1992, establishing an additional levy in the milk and milk products sector	Rural Development and Agricultural Market Regulation Act Amendment Act  Regulation of the Government of the Republic “List of agricultural produce subject to production quota, and the term of production quota and its validity”  Regulation of the Government of the Republic “Grounds and procedure for granting production quota to agricultural producer and repealing of the quota”  Regulation of the Minister of Agriculture ”List of data to be submitted to the Board for carrying out state surveillance on the fulfilment of the production quota granted to agricultural producer, and the procedure for submission and use of these data”	09. 2002 scheduled entry into force 2003  11. 2002 scheduled entry into force 2003  11. 2002 scheduled entry into force 2003	
Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products	Rural Development and Agricultural Market Regulation Act Amendment Act		

<p>Commission Regulation (EC) No 213/2001 of 9 January 2001 laying down detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards methods for the analysis and quality evaluation of milk and milk products and amending Regulations (EC) No 2771/1999 and (EC) No 2799/1999</p>	<p>* Regulation of the Minister of Agriculture “Quality requirements for agricultural products or produce to be publicly bought-in”</p> <p>* Regulation of the Minister of Agriculture “Quality requirements for agricultural products and produce under private storage”</p>	<p>09. 2002 scheduled entry into force 2003</p> <p>09. 2002 scheduled entry into force 2003</p>	
<p>Commission Regulation (EC) No 214/2001 of 12 January 2001 laying down detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards intervention on the market in skimmed-milk powder</p>	<p>* Regulation of the Minister of Agriculture “Procedure for public buying-in and storing of bought-in agricultural products and produce”</p> <p>* Regulation of the Minister of Agriculture “Quality requirements for agricultural products or produce to be publicly bought-in”</p> <p>*Regulation of the Government of the Republic “Procedure for payment of compensatory support and list of data and documents supporting the data to be presented in application for compensatory support”</p> <p>* Regulation of the Minister of Agriculture “Procedure for private storage”</p> <p>* Regulation of the Minister of Agriculture “Quality requirements for agricultural products and produce under private storage”</p> <p>* Regulation of the Minister of Agriculture “Requirements on stores and other rooms used for storage under private storage and preserving and storing conditions of agricultural products and produce”</p>	<p>11. 2002 scheduled entry into force 2003</p> <p>09. 2002 scheduled entry into force 2003</p> <p>10.2002 scheduled entry into force 2003</p> <p>11.2002 scheduled entry into force 2003</p> <p>09. 2002 scheduled entry into force 2003</p> <p>10. 2002 scheduled entry into force 2003</p>	

<p>Council Regulation (EC) No 1256/1999 of 17 May 1999 amending Regulation (EEC) No 3950/92 establishing an additional levy in the milk and milk products sector</p>	<p>Rural Development and Agricultural Market Regulation Act Amendment Act</p> <p>Regulation of the Government of the Republic “List of agricultural produce subject to production quota, and the term of production quota and its validity”</p> <p>Regulation of the Government of the Republic “Grounds and procedure for granting production quota to agricultural producer and repealing of the quota”</p> <p>Regulation of the Minister of Agriculture ”List of data to be submitted to the Board for carrying out state surveillance on the fulfilment of the production quota granted to agricultural producer, and the procedure for submission and use of these data”</p>	<p>09. 2002 scheduled entry into force 2003</p> <p>11. 2002 scheduled entry into force 2003</p> <p>11. 2002 scheduled entry into force 2003</p>	
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<p>Commission Regulation (EC) No 1392/2001 of 9 July 2001 laying down detailed rules for applying Council Regulation (EEC) No 3950/92 establishing an additional levy on milk and milk products</p>	<p>Rural Development and Agricultural Market Regulation Act Amendment Act</p> <p>Regulation of the Government of the Republic “List of agricultural produce subject to production quota, and the term of production quota and its validity”</p> <p>Regulation of the Government of the Republic “Grounds and procedure for granting production quota to agricultural producer and repealing of the quota”</p> <p>Regulation of the Minister of Agriculture ”List of data to be submitted to the Board for carrying out state surveillance on the fulfilment of the production quota granted to agricultural producer, and the procedure for submission and use of these data”</p>	<p>09. 2002 scheduled entry into force 2003</p> <p>11. 2002 scheduled entry into force 2003</p> <p>11. 2002 scheduled entry into force 2003</p>	
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**Meat****Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
Commission Regulation (EEC) No 2182/77 of 30 September 1977 laying down detailed rules for the sale of frozen beef from intervention stocks for processing in the Community and amending Regulation (EEC) No 1687/76	Regulation of the Minister of Agriculture "Procedure for organisation of sale and other type of transfer of publicly bought-in agricultural products or produce"*	12.2002 scheduled entry into force 2003	
Commission Regulation (EEC) No 2173/79 of 4 October 1979 on detailed rules of application for the disposal of beef bought in by intervention agencies and repealing Regulation (EEC) No 216/69	Regulation of the Minister of Agriculture "Procedure for organisation of sale and other type of transfer of publicly bought-in agricultural products or produce"*	12. 2002 scheduled entry into force 2003	
Council Regulation (EEC) No 1208/81 of 28 April 1981 determining the Community scale for the classification of carcasses of adult bovine animals	<i>Rural Development and Agricultural Market Regulation Act Amendment Act</i>  Regulation of the Government of the Republic "Requirements on quality classes of carcasses of bovine animals and methodology and procedure for identification of conformity to these requirements, and list of data to be submitted and procedure of submission of the data"*	05.2002 09.2002	

Commission Regulation (EEC) No 2930/81 of 12 October 1981 adopting additional provisions for the application of the Community scale for the classification of carcasses of adult bovine animals	Rural Development and Agricultural Market Regulation Act Amendment Act  Regulation of the Government of the Republic “Requirements on quality classes of carcasses of bovine animals and methodology and procedure for identification of conformity to these requirements, and list of data to be submitted and procedure of submission of the data”*	05.2002 09.2002	
Commission Regulation (EEC) No 563/82 of 10 March 1982 laying down detailed rules for the application of Regulation (EEC) No 1208/81 for establishing the market prices of adult bovine animals on the basis of the Community scale for the classification of carcasses	Rural Development and Agricultural Market Regulation Act Amendment Act  Regulation of the Government of the Republic “Requirements on quality classes of carcasses of bovine animals and methodology and procedure for identification of conformity to these requirements, and list of data to be submitted and procedure of submission of the data”*	05.2002 09.2002	
Commission Regulation (EEC) No 2539/84 of 5 September 1984 laying down detailed rules for certain sales of frozen beef held by the intervention agencies	Regulation of the Minister of Agriculture “Procedure for organisation of sale and other type of transfer of publicly bought-in agricultural products or produce”*	12. 2002 scheduled entry into force 2003	
Commission Regulation (EEC) No 2824/85 of 9 October 1985 laying down detailed rules for the sale of frozen boned beef from intervention stocks for export, either in the same state or after cutting and/or repacking	Regulation of the Minister of Agriculture “Procedure for organisation of sale and other type of transfer of publicly bought-in agricultural products or produce”*	12. 2002 scheduled entry into force 2003	



Council Regulation (EEC) No 1186/90 of 7 May 1990 extending the scope of the Community scale for the classification of carcasses of adult bovine animals	Rural Development and Agricultural Market Regulation Act Amendment Act  Regulation of the Government of the Republic “Requirements on quality classes of carcasses of bovine animals and methodology and procedure for identification of conformity to these requirements, and list of data to be submitted and procedure of submission of the data”	05.2002 09.2002	
Commission Regulation (EC) No 907/2000 of 2 May 2000 laying down detailed rules for the application of Council Regulation (EC) No 1254/1999 as regards aid for private storage in the beef and veal sector	Regulation of the Minister of Agriculture “Quality requirements for agricultural products and produce under private storage” *  Regulation of the Minister of Agriculture “Procedure for private storage”*  Regulation of the Minister of Agriculture “Requirements on stores and other rooms used for storage under private storage and preserving and storing conditions of agricultural products and produce”*	09.2002 scheduled entry into force 2003  11. 2002 scheduled entry into force 2003  10.2002 scheduled entry into force 2003	
Commission Regulation (EEC) No 344/91 of 13 February 1991 laying down detailed rules for applying Council Regulation (EEC) No 1186/90 to extend the scope of the Community scale for the classification of carcasses of adult bovine animals	Rural Development and Agricultural Market Regulation Act Amendment Act  Regulation of the Government of the Republic “Requirements on quality classes of carcasses of bovine animals and methodology and procedure for identification of conformity to these requirements, and list of data to be submitted and procedure of submission of the data”	05.2002 09.2002	

<p>Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal</p>	<p><i>Rural Development and Agricultural Market Regulation Act Amendment Act</i></p> <p>Regulation of the Government of the Republic “Requirements on quality classes of carcasses of bovine animals and methodology and procedure for identification of conformity to these requirements, and list of data to be submitted and procedure of submission of the data”</p> <p>Regulation of the Government of the Republic "Requirements for qualification for young bull breeding support and procedure for application of the support and processing of application”</p> <p>*Regulation of the Minister of Agriculture “Procedure for public buying-in and storing of bought-in agricultural products and produce”</p> <p>*Regulation of the Minister of Agriculture “Quality requirements for agricultural products or produce to be publicly bought-in”</p> <p>*Regulation of the Minister of Agriculture “Procedure for organisation of sale and other type of transfer of publicly bought-in agricultural products or produce”</p> <p>*Regulation of the Minister of Agriculture “Quality requirements for agricultural products or produce under private storage”</p> <p>*PM “Procedure for private storage”</p>	<p>05.2002 09.2002</p> <p>11. 2002 scheduled entry into force 2003</p> <p>09.2002 scheduled entry into force 2003</p> <p>12. 2002 scheduled entry into force 2003</p> <p>09.2002 scheduled entry into force 2003</p> <p>11.2002 scheduled entry into force 2003</p>	
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Commission Regulation (EC) No 2342/1999 of 28 October 1999 laying down detailed rules for the application of Council Regulation (EC) No 1254/1999 on the common organisation of the market in beef and veal as regards premium schemes	Regulation of the Government of the "Requirements for qualification for young bull breeding support and procedure for application of the support and processing of application"	11.2002 scheduled entry into force 2003	
Commission Regulation (EC) No 562/2000 of 15 March 2000 laying down detailed rules for the application of Council Regulation (EC) No 1254/1999 as regards the buying-in of beef	<p>*Regulation of the Minister of Agriculture "Procedure for public buying-in and storing of bought-in agricultural products and produce"</p> <p>*Regulation of the Minister of Agriculture "Quality requirements for agricultural products or produce to be publicly bought-in"</p> <p>Regulation of the Minister of Agriculture "Requirements on stores and other rooms used for storage under private storage and preserving and storing conditions of agricultural products and produce"*</p> <p>Regulation of the Minister of Agriculture "List of data and documents supporting the data to be presented in application for compensatory support and procedure for payment of compensatory support" *</p>	<p>11.2002 scheduled entry into force 2003</p> <p>09. 2002 scheduled entry into force 2003</p> <p>10.2002 scheduled entry into force 2003</p> <p>10.2002 scheduled entry into force 2003</p>	
Commission Regulation (EEC) No 1481/86 of 15 May 1986 on the determination of prices of fresh or chilled lamb carcasses on representative Community markets and the survey of prices of certain other qualities of sheep carcasses in the Community	<p>Rural Development and Agricultural Market Regulation Act Amendment Act</p> <p>Regulation of the Government of the Republic "Requirements on quality classes of sheep carcasses and methodology and procedure for identification of conformity to these requirements, and list of data to be submitted and procedure of submission of the data"</p>	<p>05.2002 09.2002</p>	

<p>Council Regulation (EC) No 2467/98 of 3 November 1998 on the common organisation of the market in sheepmeat and goatmeat</p>	<p>Rural Development and Agricultural Market Regulation Act Amendment Act</p> <p>Regulation of the Government of the Republic “Requirements on quality classes of sheep carcasses and methodology and procedure for identification of conformity to these requirements, and list of data to be submitted and procedure of submission of the data”</p> <p>Amendment of the Regulation of the Government of the Republic from 17 July 2001 No 245 “Requirements for qualification for ewe and goat breeding support and procedure for application of the support and processing of application”</p> <p>Regulation of the Minister of Agriculture “Quality requirements for agricultural products and produce under private storage” *</p> <p>Regulation of the Minister of Agriculture “Procedure for private storage”*</p>	<p>05.2002 09.2002</p> <p>09. 2003 December 2003</p> <p>09. 2002 scheduled entry into force 2003</p> <p>11.2002 scheduled entry into force 2003</p>	
<p>Commission Regulation (EEC) No 3446/90 of 27 November 1990 laying down detailed rules for granting private storage aid for sheepmeat and goatmeat</p>	<p>Regulation of the Minister of Agriculture “Quality requirements for agricultural products and produce under private storage” *</p> <p>Regulation of the Minister of Agriculture “Procedure for private storage”*</p>	<p>09. 2002 scheduled entry into force 2003</p> <p>11. 2002 scheduled entry into force 2003</p>	

Council Regulation (EEC) No 2137/92 of 23 July 1992 concerning the Community scale for the classification of carcasses of ovine animals and determining the Community standard quality of fresh or chilled sheep carcasses and extending Regulation (EEC) No 338/91	Rural Development and Agricultural Market Regulation Act Amendment Act  Regulation of the Government of the Republic “Requirements on quality classes of sheep carcasses and methodology and procedure for identification of conformity to these requirements, and list of data to be submitted and procedure of submission of the data”	05.2002 09.2002	
Commission Regulation (EEC) No 461/93 of 26 February 1993 laying down detailed rules for the Community scale for the classification of carcasses of ovine animals	Rural Development and Agricultural Market Regulation Act Amendment Act  Regulation of the Government of the Republic “Requirements on quality classes of sheep carcasses and methodology and procedure for identification of conformity to these requirements, and list of data to be submitted and procedure of submission of the data”	05.2002 09.2002	
Commission Regulation (EEC) No 3567/92 of 10 December 1992 laying down detailed rules for the application of the individual limits, national reserves and transfer of rights provided for in Articles 5a to 5c of Council Regulation (EEC) No 3013/89 on the common organization of the market in sheepmeat and goatmeat	Amendment of the Regulation of the Government of the Republic from 17 July 2001 No 245 “Requirements for qualification for ewe and goat breeding support and procedure for application of the support and processing of application”	09.2003 12. 2003	
Commission Regulation (EEC) No 2700/93 of 30 September 1993 on detailed rules for the application of the premium in favour of sheepmeat and goatmeat producers	Amendment of the Regulation of the Government of the Republic from 17 July 2001 No 245 “Requirements for qualification for ewe and goat breeding support and procedure for application of the support and processing of application”	09. 2003 December 2003	
Regulation (EEC) No 391/68 of the Commission of 1 April 1968 laying down detailed rules for intervention buying- in in pigmeat	Regulation of the Minister of Agriculture “Quality requirements for agricultural products and produce under private storage” *	09.2002 scheduled entry into force 2003	

Regulation (EEC) No 2759/75 of the Council of 29 October 1975 on the common organization of the market in pigmeat	<p>Rural Development and Agricultural Market Regulation Act Amendment Act</p> <p>Regulation of the Government of the Republic “Requirements on quality classes of pig carcasses and methodology and procedure for identification of conformity to these requirements, and list of data to be submitted and procedure of submission of the data”</p> <p>Regulation of the Minister of Agriculture “Quality requirements for agricultural products and produce under private storage” *</p> <p>Regulation of the Minister of Agriculture “Procedure for private storage”*</p>	<p>05.2002 09.2002</p> <p>09. 2002 scheduled entry into force 2003</p> <p>11. 2002 scheduled entry into force 2003</p>	
Regulation (EEC) No 2763/75 of the Council of 29 October 1975 laying down general rules for granting private storage aid for pigmeat	Regulation of the Minister of Agriculture “Procedure for private storage”*	11. 2002 scheduled entry into force 2003	
Council Regulation (EEC) No 3220/84 of 13 November 1984 determining the Community scale for grading pig carcasses	<p>Rural Development and Agricultural Market Regulation Act Amendment Act</p> <p>Regulation of the Government of the Republic “Requirements on quality classes of pig carcasses and methodology and procedure for identification of conformity to these requirements, and list of data to be submitted and procedure of submission of the data”</p>	<p>05.2002 09.2002</p>	

Commission Regulation (EEC) No 2967/85 of 24 October 1985 laying down detailed rules for the application of the Community scale for grading pig carcasses	Rural Development and Agricultural Market Regulation Act Amendment Act  Regulation of the Government of the Republic “Requirements on quality classes of pig carcasses and methodology and procedure for identification of conformity to these requirements, and list of data to be submitted and procedure of submission of the data”	05.2002 09.2002	
Commission Regulation (EEC) No 3537/89 of 27 November 1989 on the marketing stage to which the average price for pig carcasses refers	Rural Development and Agricultural Market Regulation Act Amendment Act  Regulation of the Government of the Republic “Requirements on quality classes of pig carcasses and methodology and procedure for identification of conformity to these requirements, and list of data to be submitted and procedure of submission of the data”	05.2002 09.2002	
Commission Regulation (EEC) No 3444/90 of 27 November 1990 laying down detailed rules for granting private storage aid for pigmeat	Regulation of the Minister of Agriculture “Quality requirements for agricultural products and produce under private storage” *  Regulation of the Minister of Agriculture “Procedure for private storage”*	09.2002 scheduled entry into force 2003  11. 2002 scheduled entry into force 2003	

**IACS****Implementation and administrative capacity**

1.	2.	3.	4.	5.
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
ARIB; Development of IACS (structural changes, development and improvement of written procedures, development of IT systems, training) <i>Final deadline 2003</i>	Rural Development and Agricultural Market Regulation Act	State budget part 138. Ministry of Agriculture 87. ARIB	Phare 2000+ (Phare 2002 – application submitted)	
ARIB, Customs Board, VFB, PPCC; Development of market regulation system (structural changes, development and improvement of written procedures, development of IT systems, training) <i>Final deadline 2003</i>	Rural Development and Agricultural Market Regulation Act	State budget part 138. Ministry of Agriculture 70. VFB 77. PPCC 87. ARIB State budget part 139. Ministry of Finance 71. Customs Board	Phare 2001	



**Plant Production****Implementation and administrative capacity**

1.	2.	3.	4.	5.
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
Plant Production Inspectorate Training of inspectors of fruits and vegetables <i>Training and development centre of Horticultural Marketing Inspectorate of Ministry of Agriculture, Fisheries and Food of GB</i> 2002 – 2003	Horticultural Products Act	2002, 2003 State budget part 138. Ministry of Agriculture 76. Plant Production Inspectorate		
Statistics Board Submission of information to the Commission necessary for preparation of Community sugar balance Implemented in 2001	Common Agricultural Policy of European Communities Implementation Act  Official Statistics Act (RT I 1997, 51, 822)	State budget		

**Meat****Implementation and administrative capacity**

1.	2.	3.	4.	5.
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
Veterinary and Food Board, training of 2 surveillance officials by July 2002, training of persons responsible for classification of quality of carcasses (approximately 10 persons) by September 2002, recruitment of 2 surveillance officials in the VFB	Rural Development and Agricultural Market Regulation Act Amendment Act	State budget 138.70 Meat processing enterprises	Foreign assistance from Denmark	

### 7.3. Rural development policy

#### The main objectives:

- Implementation of provisions of the *Rural Development and Agricultural Market Regulation Act*;
- Development of procedure for application, payment and refund of training support;
- Enforcement of list of less favoured areas;
- Step-by-step implementation of new measures of SAPARD;
- Development of new Rural Development Plan;
- Preparation of section in the National Development Plan of 2003 – 2006 concerning rural economy and rural life.

The whole rural development legislation of the European Union will enter into force in Estonia on the date of accession. At present the main aim is to strengthen the administrative capacity for implementation of EU rural development support measures. In 2001 the SAPARD programme started in Estonia, being the special accession programme for agriculture and rural development for Central and Eastern European countries in 2000 – 2006 based on the Council Regulation 1268/1999. Upon introduction of the SAPARD programme the system of administration of national support schemes similar to those of the EU has been established, with the Agricultural Registers and Information Board (ARIB) under the Ministry of Agriculture as the paying agency.

In 2001 4 measures were implemented in the framework of pre-structural fund SAPARD:

*Measure 1* – investment support to agricultural production;

*Measure 2* – investment support to production and marketing of agricultural and fishery products;

*Measure 3* – investment support for development and diversification of alternative economic activity in a rural area;

*Measure 4* – investment support to rural infrastructure.

In 2002 – 2003 there will be 4 additional rural development measures introduced in the framework of the SAPARD programme.

*Measure 5* – technical assistance to the measures covered by the Rural Development Plan with the aim of supporting the supervision and implementation of the SAPARD programme;

*Measure 6* – restoration and development of villages, and protection and maintenance of natural and cultural heritage of rural areas;

*Measure 7* – agri-environment programme, with the aim of introducing environment-friendly production methods and preservation of natural and cultural objects of value (including semi-natural associations and landscape elements) located in the agricultural land;

*Measure 8* – forestry.

The above-mentioned measures of the SAPARD programme are similar to the support measures of the EU enforced by the Council Regulation (EC) 1257/1999. Upon

accession of Estonia to the EU in addition to these measures also the training support and amelioration support will be introduced under the Guidance-section of the EAGGF and less favoured area support measure, support measure for afforestation of agricultural land and agri-environment support measure under the Guarantee section of the EAGGF.

By the end of 2002 the new Rural Development Plan will be prepared by the Ministry of Agriculture for introduction of rural development measures outside the Objective 1 (Guarantee section of EAGGF). The new Rural Development Plan must correspond to the Council Regulation (EC) 1257/1999.

#### Less favoured areas (LFA)

In 2002 the principles of identification of less favoured areas will be agreed by the Ministry of Agriculture with the European Commission on the basis of data acquired from pilot areas in 2001. In 2003 the implementation procedure will be developed.

#### Agri-environment programme

The introduction of agri-environment programme in the pre-accession period will be carried out in three stages:

- 1) Full introduction of measures of the programme in pilot areas;
- 2) Introduction of selected measures in the whole country;
- 3) Full introduction of the programme in the whole country (after accession).

The agri-environment programme financed by the state budget will consist of selected measures and will not fully follow the rules of the CAP. In 2002 – 2003 the pilot project for assessment of effectiveness of the measures and development of administrative structures will be continued in two areas – in Palamuse Parish in Jõgeva County and in Lümända and Kihelkonna Parishes in Saare County. In 2002 the selected activities will be expanded to ca 40 parishes.

Out of the nation-wide measures the supporting of organic farming, breeding of Estonian original cattle and production of endangered plant varieties will be continued. Also the nature preservation support scheme for restoration and preservation of semi-natural associations will be continued under the administration of institutions of the Ministry of Environment. In the first half of 2002 the legislative acts for implementation of the support will be elaborated.

In 2002 the preparations will be made for introduction of measure 7 of the SAPARD programme (the agri-environment programme) in pilot areas not covered by the agri-environment programme financed from the state budget in 2003. Also the development of agri-environment programme measure in the new Rural Development Plan will be continued in 2002.

The preparations will continue in 2002 – 2003 for nation-wide introduction of agri-environment programme after accession. Additional jobs will be created in the ARIB together with necessary technical equipment. The training of administrators, advisers, trainers and monitoring staff will be continued primarily with the assistance from

foreign trainers. Within the Control Centre of Plant Production a unit will be established responsible for coordination and implementation of monitoring of the agri-environment programme.

#### Planning of land use

In 2002 the *Land Amelioration Act* and its secondary legislative acts will be drafted by the Ministry of Agriculture taking into account the Council Regulation (EC) 1257/1999.

#### Rural development policy

Taking into account the trends of developed countries of the world and policies of the EU the rural development policy of Estonia has to be reformulated. In the context of the EU there are four objectives in rural development:

- Development of economic and social cohesion, conservation of old and creation of new jobs;
- Overcoming development barriers by supporting diversification of entrepreneurship, improvement of infrastructure and development of transfer of technology;
- Raising living standard in rural areas;
- Maintenance of vital rural inhabitancy.

These principles will serve the basis of further *rural development strategy* to be developed in Estonia in 2002 – 2003.

The National Development Plan/Single Programming Document 2003-2006 will be prepared in co-operation by different ministries. This common programming document for 2003 – 2006 will be necessary for programming of post-accession support measures from the EU structural funds and Cohesion Fund. The Ministry of Agriculture will be responsible for preparation of rural development and rural economy sections of the Plan, and in co-operation with the Ministry of Environment also for the development of forestry and fishery sections.

After accession to the EU, the Ministry of Agriculture will be programming, monitoring and evaluating rural development measures co-financed from the Guidance section of the EAGGF and will also partly implement the structural assistance from the FIFG and European Social Fund. For the Community initiative LEADER-programme financed through the EAGGF the Ministry of Agriculture will be the administrative and paying institution. The ARIB will become the implementing body and paying authority of the Guidance section of the EAGGF.

The preparations for implementation of the LEADER-programme will be carried out step-by-step. Firstly, the principles of the LEADER will be partly integrated into the measure 6 of the SAPARD-programme. Secondly, in 2003 a project will be commenced in the framework of EU Phare ESC programme for development of structure and training of people for implementation of the LEADER-programme.

***Administrative capacity***

By the end of 2003 Estonia will be administratively capable to implement the support measures of the EU and operate similar administration systems of support schemes.

To achieve this objective the development of ARIB will be continued. ARIB is already now responsible for administration of national agricultural and rural development support schemes and making payments under the EU SAPARD programme. ARIB will become the implementing body and paying authority of all support measures of the EU common agricultural policy and rural development support schemes. However, the capacity of ARIB to carry out inspection has to be increased in terms of resources. The procedures of processing applications and control will have to be harmonised with regulations on structural funds.

On the other hand the development of the capacity of the Ministry of Agriculture has to be increased for monitoring and evaluating of the effect of both national and SAPARD-programme supports.

**Forestry**

[See “Protection of forests” Chapter 22.5 Nature protection]

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
Council Regulation (EC) No 1257/1999 of 17 May 1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) and amending and repealing certain Regulations	<p>Rural Development and Agricultural Market Regulation Act Amendment Act</p> <p>Land Amelioration Act (1257/199, art 33) Procedure for application, payment and refund of training support*</p> <p>Enforcement of list of less favoured areas *</p>	<p>02.2002 05.2002</p> <p>04.2002, 06.2002</p> <p>06.2002 scheduled entry into force 2003</p>	<p>Enforcement of the regulation depends on the passing of Rural Development and Agricultural Market Regulation Act Amendment Act</p>
Council Regulation (EC) No 1268/1999 of 21 June 1999 on Community support for pre-accession measures for agriculture and rural development in the applicant countries of central and eastern Europe in the pre- accession period	<p>“Special Accession Programme for Agriculture and Rural Development in the Republic of Estonia: Multi-Annual Financing Agreement between the Commission of the European Communities on behalf of the European Community and the Republic of Estonia” Ratification Act Amendment Act</p> <p>Procedure for application, payment and refund of support for restoration and development of villages</p> <p>Procedure for application, payment and refund of forestry support</p>	<p>12.2002, 01.2003</p> <p>01.2003, 02.2003</p> <p>01.2003, 02.2003</p>	
Commission Regulation (EC) No 1750/1999 of 23 July 1999 laying down detailed rules for the application of Council Regulation (EC) No 1257/1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF)	Rural Development and Agricultural Market Regulation Act Amendment Act	02.2002 05.2002	

Commission Regulation (EC) No 2603/1999 of 9 December 1999 laying down rules for the transition to the rural development support provided for by Council Regulation (EC) No 1257/1999	Rural Development and Agricultural Market Regulation Act Amendment Act	02.2002 05.2002	
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**Implementation and administrative capacity**

1.	2.	3.	4.	5.
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
2002 <i>ARIB</i> (new staff, training)	Rural Development and Agricultural Market Regulation Act	Budget of <i>ARIB</i>		
Training in <u>LEADER programme</u> , officials and social partners involved in the implementation of the programme , 2003	Council Regulation 1260/99	Application submitted to Phare 2002 ESC programme	Application submitted to Phare 2002 ESC programme	Negotiations still underway in respect of financing
<u>2002 Agri-environment programme</u> <i>ARIB</i> Professional and advanced training of surveillance inspectors in Estonia, and in the framework of the bilateral cooperation project between Estonia and the Netherlands in 2002 – 2003	Rural Development and Agricultural Market Regulation Act	Part 138. Ministry of Agriculture, Chapter. 88. <i>ARIB</i> ; Bilateral assistance	Need for additional foreign assistance from an EU member state implementing similar measure	
<u>2002 Agri-environment programme</u> <i>Ministry of Agriculture</i> 1) Training abroad in an EU member state implementing similar measure (partly in the framework of the bilateral cooperation project between Estonia and the Netherlands in 2002 – 2003) 2) Involving local and foreign experts in the implementation process 3) Further introduction of monitoring system	Rural Development and Agricultural Market Regulation Act	Part 138. Ministry of Agriculture, Chapter. 01. Ministry of Agriculture, Bilateral assistance	Need for additional foreign assistance from an EU member state implementing similar measure	

<p><u>2002 Agri-environment programme</u>  <i>Control Centre of Plant Production (CCPP)</i>  Development of structures for monitoring:</p> <ol style="list-style-type: none"> <li>1) Recruitment of new staff on the basis of structural changes endorsed in 2001 in the statutes of the CCPP (new departments of agricultural monitoring, and agro-ecology and environment protection were established)</li> <li>2) Further equipping of agro-chemistry laboratory)</li> <li>3) Procurement of equipment for field work</li> <li>4) training</li> </ol>	EC/1257/1999; EC/1750/99	Part 138. Ministry of Agriculture, Chapter. 77. CCPP, PHARE 2002 in terms of monitoring, Bilateral assistance	Foreign assistance necessary for financing activities No 2, 3 and 4. Project application submitted.	
<p><u>2002 Agri-environment programme</u> <i>Advisers, trainers, monitoring staff</i></p> <ol style="list-style-type: none"> <li>1) Training in Estonia, including preparation of information materials</li> <li>2) Training abroad in an EU member state implementing similar measure (partly in the framework of the bilateral cooperation project between Estonia and the Netherlands in 2002 – 2003 and PHARE 2002)</li> </ol>	Rural Development and Agricultural Market Regulation Act	Part 138. Ministry of Agriculture, Chapter. 01. Ministry of Agriculture, PHARE 2002 in terms of monitoring, bilateral assistance	Need for bilateral cooperation projects (Finland, Denmark, etc)	
<p><u>2003 Agri-environment programme</u>  <i>ARIB</i>  Professional and advanced training of surveillance inspectors in Estonia, and in the framework of the bilateral cooperation project between Estonia and the Netherlands in 2002 – 2003</p>	Rural Development and Agricultural Market Regulation Act	Part 138. Ministry of Agriculture, Chapter 88. ARIB, bilateral assistance	Need for additional foreign assistance from an EU member state implementing similar measure	

<p><u>2003 Agri-environment programme</u> <i>Ministry of Agriculture</i></p> <ol style="list-style-type: none"> <li>1. creation of one job for chief specialist;</li> <li>2. Training abroad in an EU member state implementing similar measure (partly in the framework of the bilateral cooperation project between Estonia and the Netherlands in 2002 – 2003);</li> <li>3. Involving local and foreign experts in the implementation process</li> </ol>	Rural Development and Agricultural Market Regulation Act	Part 138. Ministry of Agriculture, Chapter. 01. Ministry of Agriculture bilateral assistance	Need for additional foreign assistance from an EU member state implementing similar measure	
<p><u>2003 Agri-environment programme</u> <i>Control Centre of Plant Production (CCPP)</i></p> <p>Development of structures for monitoring:</p> <ol style="list-style-type: none"> <li>5) Recruitment of new staff on the basis of structural changes endorsed in 2001 in the statutes of the CCPP (new departments of agricultural monitoring, and agro-ecology and environment protection were established)</li> <li>6) Further equipping of agro-chemistry laboratory)</li> <li>7) Procurement of equipment for field work</li> <li>1) training</li> </ol>	EC/1257/1999; EC/1750/99	Part 138. Ministry of Agriculture, Chapter. 77. CCPP, PHARE 2002 in terms of monitoring, bilateral assistance	Foreign assistance necessary for financing activities No 2, 3 and 4. Project application submitted.	
<p><u>2003 Agri-environment programme</u> <i>Advisers, trainers, monitoring staff</i></p> <ol style="list-style-type: none"> <li>3) Training in Estonia, including preparation of information materials</li> <li>1) Training abroad in an EU member state implementing similar measure (partly in the framework of the bilateral cooperation project between Estonia and the Netherlands in 2002 – 2003 and PHARE 2002)</li> </ol>	Rural Development and Agricultural Market Regulation Act	Part 138. Ministry of Agriculture, Chapter. 01. Ministry of Agriculture, PHARE 2002 in terms of monitoring, bilateral assistance	Need for bilateral cooperation projects (Finland, Denmark, etc)	

## 8. FISHERIES

### *Objectives for 2002 – 2003*

According to the Accession Partnership the establishment of adequate administrative structures with institutional resources and equipment at central and regional level will be completed to ensure the implementation of common fisheries policy of the EU e.g. resource management, inspection and control of fishing activities, market policy, structural policy co-financed from FIFG, fishing vessel register and fishing fleet development plan, which is in balance with available fishery resources.

The Progress Report 2001 of the European Commission notes that the fisheries legislation of Estonia is only partly harmonised with the EU *acquis*. In 2002 the harmonisation of legislation will be continued. In 2000 and 2001 EU Phare twinning project "Preparation of Estonian fisheries sector for accession to the EU" carried out an expert assessment concerning Estonian fisheries legislation conformity to the EU *acquis*. On the bases of the project results the drafting of harmonised legislative acts will be continued. Above all, the draft amendment of the Fishing Act will be ready in May 2002, to be enforced in the second half of 2002.

The Fishery Resources Department of the Ministry of the Environment is responsible for the organisation of sustainable management of fishery resources (including multi-annual guidance programme) and implementation of necessary inspection system. The Department of Fishery Economics of the Ministry of Agriculture is responsible for fish market organisation and structural policy in the fisheries sector.

For the organisation of structural aid and strengthening of controls the state fishing vessel register and fisheries information system will be developed, as currently these do not contain all fisheries information required. In respect of structural policy the development of legislative framework will be continued to ensure proper planning and coordination of EU structural measures. The preparation of multi-annual guidance programme will be continued as well as the segmentation of fleet, to put the fishing effort into conformity with available fishery resources.

The quality of controls in the sector will be improved. For that purpose the capacity of the Environmental Inspectorate will be strengthened by expanding their supervision activity to the whole chain from catches to first sale. The respective methodology and equipment of inspection and control will be upgraded.

The provisional programming documents of fisheries sector drafted by the experts of the EU Phare twinning project will be further developed (operational programme, programme complement, ex-ante evaluation) to facilitate the introduction of the EU common fisheries policy requirements to be able to implement structural aid after accession.

The Fishery Resources Department of the Ministry of the Environment and the Department of Fishery Economics of the Ministry of Agriculture will prepare for the implementation of the EU common fisheries policy as follows:

## 1. Harmonisation of EU legal acts

- Ministry of the Environment will:  
continue preparation of harmonised fishery legislation in 2002, drafting amendments and modifications to the Fishing Act to:

- harmonise the term of “fishing vessel”;
- harmonise the procedure of submitting data on fishing provided in subsection 18 (1) of the Fishing Act;
- change the deadline related to introduction of fishing vessel’s licence.

continue drafting of secondary legislation in 2002 based on the amendments of the Fishing Act and related to fishing activities of the EU common fisheries policy. Among others the following acts will be drafted:

- \*Regulation of the Government of the Republic on the procedure for submitting data on fishing;
- \*amendment to the fishing rules.

- Ministry of Agriculture will:  
continue drafting of legal acts related to the organisation of the common fish market and re-analysing of legal acts on market organisation analysed by the Fisheries Department of the Ministry of the Environment in 1999 – 2000 in the framework of the NPAA as well as new legal acts enforced.

- In cooperation with the social partners draft a legal act on regulation of marketing of fish products and regulation of the Government of the Republic for withdrawal of fish products from the market (December 2002).
- \*Enforcement of draft Rural Development and Agricultural Market Regulation Act Amendment Act specifying the term of professional fisherman and harmonising the term with that provided in the Fishing Act.
- On the basis of section 12 of the Food Act draft regulation will be prepared on quality requirements of fish products establishing standards of the fish market (February 2002).
- \*Draft regulation on the recognition of fishermen associations to provide legal basis for establishment of such associations (October 2002).
- In cooperation with the Fishery Resources Department of the Ministry of the Environment and social partners draft regulation will be prepared for organisation of structural aid implementation. (November 2002).

- Ministry of Transport and Communications will:  
prior to entry into force of subsection 3 (3) of the *Maritime Safety Act* draft the guidelines for measurement of fishing vessels with length less than 24 m.

## 2. Structural policy

- Continue the analysis of EU legal acts to further develop and complete the fisheries operational programme and multi-annual guidance programme for fishing fleet. In cooperation with economic and social partners updating of operational programme, programme complement and ex-ante evaluation prepared by the EU Phare twinning project will be continued (December 2002).
- Revise the multi-annual guidance programme for fishing fleet prepared in 2001 to facilitate the changes taking place in 2002 – 2003. Among other issues the

guidance programme contains also the segmentation plan of fishing fleet and strategy for optimal exploitation of fishery resources. All these documents will be updated in cooperation with social partners.

- Update and amend guidelines for administration, supervision and control of FIFG prepared by the EU Phare twinning project.

### 3. International relations

- Continue work in international regional fishery organisations:
  - in the IBSFC and NAFO develop cooperation to ensure fishing possibilities for Estonia;
  - in the NAFO, negotiate to achieve the division of block-quota between Estonia, Latvia, Lithuania and Russia, and enforce the NAFO rules;
  - to identify the conditions for acceding NEAFC, enforce the NEAFC rules;
  - to identify the possibilities for expanding the fishing possibilities on open sea fishery by the Estonian fishing vessels and develop cooperation with countries managing these areas.
- Organise fisheries consultations with the EU, Latvia, Lithuania and Poland to identify the possibilities for exchange of fishing possibilities and exchange information on the progress of accession to the EU.

### 4. Control and enforcement

- In 2002, continue developing the fisheries information system set up in the Environmental Inspectorate in 1999 in accordance with the development plan prepared by the Fishery Resources Department in 2001;
- Continue development of control systems taking into account future structural aid, in particular fishing vessel register to comply with the EU requirements;
- Develop administrative and technical capacity to continue the installation of satellite monitoring system of fishing fleet set up in 2000 on vessels operating on the territory under the jurisdiction of the Republic of Estonia;
- Develop cooperation with respective authorities of Latvia, Sweden and Finland in 2002 to improve the control over fishing vessels operating in the Baltic Sea and harmonise the methodology and techniques of control using the financial assistance of the EU;
- Draft a strategic development plan for the Environmental Inspectorate, defining the priorities of inspection, and setting up data processing and analysing centre in 2002. In 2003 the list of supervision standards will be prepared, necessary standards will be drafted and the post of the inspector will be audited;
- Improve technical capacity of the Environmental Inspectorate, in particular, planning the procurement of sea scooter to improve inspections.

### 5. Training

- Training of staff engaged in the fisheries sector in the harmonisation of EU legislation (transposition of legislation, practical implementation and enforcement thereof).
- Training of environmental supervision inspectors will be carried out according to the training plan of the Environmental Inspectorate in 2002 – 2003.

### 6. Raising public awareness

- Disseminate information through media on common fisheries policy.
- Compile and publish “Fisheries Yearbook 2002”.
- Organise information days and seminars for the staff of fisheries sector.
- Promote and up-date webpages of fisheries sector.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
Council Regulation (EC) No 104/2000 of 17 December 1999 on the common organisation of the markets in fishery and aquaculture products	Legislative act for regulation of fishery products market	September 2002 January 2003	Secondary legal act: 1. Draft regulation of the Government of the Republic on removal of fish products from the market 2. Analysis of EU legal acts necessary for establishment of threshold price, basic price and sales price
Commission Regulation (EC) No 2211/94 of 12 September 1994 laying down detailed rules for the implementation of Council Regulation (EEC) No 3759/92 as regards the notification of the prices of imported fishery products			
Commission Regulation (EEC) No 3703/85 of 23 December 1985 laying down detailed rules for applying the common marketing standards for certain fresh or chilled fish			
Commission Regulation (EEC) No 686/78 of 6 April 1978 laying down additional provisions as regards the granting of export refunds on fishery products			
Council Regulation (EEC) No 110/76 of 19 January 1976 laying down general rules for granting export refunds on fishery products and criteria for fixing the amount of such refunds			
Regulation (EEC) No 1985/74 of the Commission of 25 July 1974 laying down detailed rules of application for the fixing of reference prices and free-at-frontier prices for carp			
Commission Regulation (EC) No 347/96 of 27 February 1996 establishing a system of rapid reporting of the release of salmon for free circulation in the European Community			



Commission Regulation (EEC) No 3902/92 of 23 December 1992 setting detailed rules for granting financial compensation on certain fishery products	Draft Regulation of the Government of the Republic for enforcement of market standards of fishery products and implementation of EU regulations	January 2002	Legal basis provided in section 12 of the Food Act
Council Regulation (EC) No 2406/96 of 26 November 1996 laying down common marketing standards for certain fishery products			
Commission Regulation (EEC) No 3703/85 of 23 December 1985 laying down detailed rules for applying the common marketing standards for certain fresh or chilled fish			
Commission Regulation (EEC) No 3506/89 of 23 November 1989 amending Regulation (EEC) No 3703/85 laying down detailed rules for applying the common marketing standards for certain fresh or chilled fish			
Council Regulation (EC) No 2406/96 of 26 November 1996 laying down common marketing standards for certain fishery products			
Commission Regulation (EC) No 2939/94 of 2 December 1994 laying down detailed rules for the application of Council Regulation (EEC) No 105/76 on the recognition of producers' organizations in the fishing industry	Draft Regulation of the Government of the Republic for recognition and support of fishermen organisations *	December 2002 January 2003	Analysis of EU legal acts concerning the recognition of fishermen associations was carried out by the Fishery Resources Department of the Ministry of the Environment in 1999 (NPAA 1999)
Commission Regulation (EC) No 1924/2000 of 11 September 2000 laying down detailed rules for the application of Council Regulation (EC) No 104/2000 as regards the grant of specific recognition to producers' organisations in the fisheries sector in order to improve the quality of their products			
Commission Regulation (EC) No 80/2001 of 16 January 2001 laying down detailed rules for the application of Council Regulation (EC) No 104/2000 as regards notifications concerning recognition of producer organisations, the fixing of prices and intervention within the scope of the common organisation of the market in fishery and aquaculture products			

Commission Regulation (EC) No 150/2001 of 25 January 2001 laying down detailed rules for the application of Council Regulation (EC) No 104/2000 as regards the penalties to be applied to producer organisations in the fisheries sector for irregularity of the intervention mechanism and amending Regulation (EC) No 142/98	Draft Regulation of the Government of the Republic for recognition and support of fishermen organisations *	December 2002 January 2003	Analysis of EU legal acts concerning the recognition of fishermen associations was carried out by the Fishery Resources Department of the Ministry of the Environment in 1999 (NPAA 1999)
Commission Regulation (EC) No 1812/2001 of 14 September 2001 amending Regulation (EC) No 1886/2000 as regards the extension to non-members of certain rules adopted by producers' organisations in the fisheries sector			
Council Regulation (EEC) No 3252/87 of 19 October 1987 on the coordination and promotion of research in the fisheries sector	Draft Regulation of the Government of the Republic for coordination of implementation of structural aid	November 2002 January 2003	
Council Directive 83/515/EEC of 4 October 1983 concerning certain measures to adjust capacity in the fisheries sector			
85/474/EEC: Commission Decision of 16 September 1985 concerning applications for reimbursement and the payment of advances in respect of certain measures to adjust capacity in the fisheries sector			
Council Regulation (EEC) No 3760/92 of 20 December 1992 establishing a Community system for fisheries and aquaculture	<i>Fishing Act</i> Amendment Act	30.05.2002	§13 (4) – definition of fishing vessel will be harmonised
Commission Regulation (EC) No 2090/98 of 30 September 1998 concerning the fishing vessel register of the Community	Regulation of the Government of the Republic on the establishment of fishing vessel register	15.02.2002 March 2002	Fishing vessel register will be established as a state register
278A1024(01) Northwest Atlantic Future Multilateral Fisheries Cooperation Convention Council Regulation (EEC) No 1956/88 of 9 June 1988 adopting provisions for the application of the scheme of joint international inspection adopted by the Northwest Atlantic Fisheries Organization; Commission Regulation (EEC) No 2868/88 of 16 September 1988 laying down detailed rules for the application of the Scheme of Joint International Inspection adopted by the Northwest Atlantic Fisheries Organization	Regulation of the Government of the Republic on the enforcement of NAFO fishing rules	28.03.2002	Enforcement of NAFO rules

Council Regulation (EEC) No 2807/83 of 22 September 1983 laying down detailed rules for recording information on Member States catches of fish O	Regulation of the Government of the Republic on submitting data on fishery	29.04.2002	Harmonisation of log-books, landing declarations and first sale notes, procedure and deadlines of their submission
Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy			
Council Regulation (EC) No 2597/95 of 23 October 1995 on the submission of nominal catch statistics by Member States fishing in certain areas other than those of the North Atlantic			
Council Regulation (EEC) No 1382/91 of 21 May 1991 on the submission of data on the landings of fishery products in Member States			
Council Regulation (EEC) No 3880/91 of 17 December 1991 on the submission of nominal catch statistics by Member States fishing in the north-east Atlantic			
Council Regulation (EEC) No 2018/93 of 30 June 1993 on the submission of catch and activity statistics by Member States fishing in the Northwest Atlantic			
Council Regulation (EC) No 88/98 of 18 December 1997 laying down certain technical measures for the conservation of fishery resources in the waters of the Baltic Sea, the Belts and the Sound	* Regulation of the Government of the Republic "Amendments to Governmental Regulation enforcing legal acts based on the <i>Fishing Act</i> "	16.09.2002	Amendment to the fishing rules and harmonisation of technical measures in fishery
Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy			

<p>280A1118(01) Northeast Atlantic Future Multilateral Fisheries Cooperation Convention  Council Regulation (EEC) No 3880/91 of 17 December 1991 on the submission of nominal catch statistics by Member States fishing in the north-east Atlantic;  Council Regulation (EEC) No 2018/93 of 30 June 1993 on the submission of catch and activity statistics by Member States fishing in the Northwest Atlantic;  Council Regulation (EC) No 3680/93 of 20 December 1993 laying down certain conservation and management measures for fishery resources in the Regulatory Area as defined in the Convention on Future Multilateral Cooperation in the North West Atlantic Fisheries;  Commission Regulation (EC) No 1085/2000 of 15 May 2000 laying down detailed rules for the application of control measures applicable in the area covered by the Convention on Future Multilateral Cooperation in the North-East Atlantic Fisheries</p>	<p>Regulation of the Government of the Republic on the enforcement of NEAFC rules</p>	<p>31.05.2002</p>	<p>Enforcement of NEAFC rules</p>
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**Implementation and administrative capacity**

<b>1.</b>	<b>2.</b>	<b>3.</b>	<b>4.</b>	<b>5.</b>
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
Development of fisheries information system in 2002 - 2003	Development plan of fisheries information system, Fishing Act, Fishing Act Amendment Act, Regulation of the Government of the Republic on the procedure for issuing of data on fishery	State budget, Centre of Environmental Investments		Fisheries information system should cover the needs of the Ministry of the Environment and its subordinated institutions in processing and submitting of data: - complementary assessment of the fisheries information system – first half of 2002; - Public procurement to identify company implementing IT solutions identified in the complementary assessment – second half of 2002; - Introduction of additional IT solutions in the fisheries information system – beginning of 2003.
Establishment of the fishing vessel register as a state register of the Ministry of the Environment – second half of 2002	Regulation of the Government of the Republic on the establishment of fishing vessel register	State budget		Establishment of legal basis for state fishing vessel register, specification of data and characteristics of the register
Further installation of satellite monitoring system on fishing vessels in 2002 - 2003	Fishing Act, Strategy of optimal exploitation of fishery resources	State budget		Additional installation of satellite system on Estonian fishing vessels operating in the Estonian waters in the Baltic
Development of strategic development plan of the Environmental Inspectorate in 2002		State budget		
Establishing of data processing and analysing centre in the Environmental Inspectorate in 2002	Strategic development plan of the Environmental Inspectorate	State budget		

Identification of priorities of environmental inspection	Strategic development plan of the Environmental Inspectorate	State budget		
Audit of the post of inspector - 2003	Strategic development plan of the Environmental Inspectorate	State budget		
Preparation of list of standards for the Environmental Inspectorate and preparation of necessary standards – 2003	Strategic development plan of the Environmental Inspectorate	State budget		
Development of training plan of the Environmental Inspectorate 2003 – in 2003	Strategic development plan of the Environmental Inspectorate	State budget		
Training of staff of Fishery Resources Department in EU legislation	Work plan of Fishery Resources Department of 2002	State budget		
Advanced training of staff of Fishery Resources Department in English	Training plan of the Ministry of Environment	State budget		
Disseminate information on the common fisheries policy through media	Work plan of Fishery Resources Department	State budget		Articles in the press, interviews and presentations in radio and TV
*Compile and publish “Yearbook of fisheries of 2002”	NPAA 2001	Centre of Environmental Investments		In cooperation with the Marine Institute
Promote and update the web page of fisheries sector on the Internet	Work plan of Fishery Resources Department of 2002	State budget		
Organise information days and seminars for the staff engaged in fisheries sector	Work plan of Fishery Resources Department of 2002	State budget, Centre of Environmental Investments		Oriented to the fishery specialists of environmental services and fishermen
Advanced training of the Environmental Inspectorate in law-making process - 2002, 2003	Environment Supervision Act, training plan of the Environmental Inspectorate	State budget		
Training of fishery control inspectors - 2002	Environmental Supervision Act, training plan of the Environmental Inspectorate	State budget		

Training on trawling control - 2002	Environment Supervision Act, training plan of the Environmental Inspectorate		EU	
Procurement of sea scooter - 2002		Centre of Environmental Investments		

## 9. TRANSPORT

### 9.1. Subjects covering the whole transport sector (horizontal issues)

The main tasks for the nearest future are the development of transport corridors of Pan-European Network passing through Estonia, the increase of the quality of the whole transport infrastructure, the development of public transport, making traffic more safe and environment friendly and guaranteeing order and legality in traffic and the whole transport process. The implementation of pre-accession development strategy of transport sector will continue and the necessary legal and institutional framework will be continuously supplemented and harmonized with the *acquis*.

Proceeding from the White Paper on European Transport Policy (COM (2001) 370) and considering the necessity for modernization of the Estonian transport policy, it is planned to make supplements to the Development Plan of Transport, approved by the Government in 1999. A new and supplemented development plan of transport for the years 2002+ will be elaborated during 2002.

According to the development plan of transport for the years 1999-2006, the transport corridors belonging to the Pan-European Network are identified in the scope of TINA program as priority development directions for future and consultations with EU Commission to connect the specified transport network components to Annex I of the Decision of the EU Parliament and the Council 1692/96/EU have started. Consultations between EU Commission and Estonia in this field have begun and Estonia is interested in active participation in this process.

Proceeding from the *Public Transport Act*, enforced on 1 October 2001, and the necessity for sustainable development and environmental protection, the drafting of the long-term development plan of public transport is planned to start under the direction of the Ministry of Transport and Communications in 2002.

Preparations for the use of structural funds started under the co-ordination of the Ministry of Finance in 2001, and following the principle of partnership, drafting of the project of the single programming document was initiated.

In order to strengthen the administrative capacity in the transport sector, it is planned to activate co-operation projects in the fields of maritime and aviation within the framework of Phare national program and bilateral programs by the end of 2002, concentrating on the aspects of safety and environmental protection.

#### Development of infrastructure

Proceeding from the Development Plan of Transport for the years 1999-2006 and the Single Programming Document, the development of transport infrastructure in recent years and in longer perspective will be based on public investments, own resources of enterprises, loans from international financial institutions (EIB, WB, NIB) and EU assistance (ISPA). Estonia has submitted to the European Commission new supplemented national transport sector strategy of ISPA, which will be the basis for the commencement of the use of EU ISPA facilities.



**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
Regulation (EEC) No 1191/69 of the Council of 26 June 1969 on action by Member States concerning the obligations inherent in the concept of a public service in transport by rail, road and inland waterway	Amendment of the MOTC Regulation No 51 of 21 June 2000 on "Calculation methods of the scope of work and service of public transport"	October 2002, January 2003	-
Regulation (EEC) No 1191/69 of the Council of 26 June 1969 on action by Member States concerning the obligations inherent in the concept of a public service in transport by rail, road and inland waterway	Amendment of the MOTC Regulation No 52 of 21 June 2000 on "Rules for subsidizing public transport and for refunding the subsidy"	October 2002, January 2003	-

**Implementation and administrative capacity**

1.	2.	3.	4.	5.
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
Ministry of Transport and Communications (MOTC); The Development Plan of Transport for the years 2002+; end of 2002		MOTC budget	-	The principles of the new White Paper on European Transport Policy (COM (2001) 370) will be considered.
MOTC; Drafting the long-term development plan of public transport; in 2003	<i>Public Transport Act</i>	MOTC budget	-	-

## 9.2. Road Transport

The fields of road traffic and road transport are regulated by the *Traffic Act*, *Public Transport Act*, *Road Transport Act*, *Roads Act* and *Heavy Goods Vehicle Tax Act* adopted in 2000 and 2001. All these acts and secondary legislation based on them are harmonized with relevant EU legislation. The main tasks in 2002 are implementation of the mentioned legal acts, monitoring the implementation and amending the relevant Estonian legislation on the basis of EU legal acts or their amendments adopted in 2000 and 2001.

The main tasks in the field of road traffic are the elaboration and implementation of the Demerit System and the National Programme for Traffic Safety necessary for ensuring traffic safety. Another goal is the elaboration of the new *Traffic Act* and amending of other legal acts proceeding from it, to bring these acts into conformity with the amendments of the UN 1968 Viennese Road Traffic Convention that will enter into force in 2003.

In the area of the technical requirements for vehicles (based on the *Traffic Act*) the most voluminous task will be the elaboration of the regulation of the Minister of Transport and Communications "Rules for the inspection of the roadworthiness of wheeled tractors, non-road mobile machinery and their trailers and requirements for their roadworthiness and equipment", which will harmonize Estonian legislation with more than 20 relevant EU directives.

Proceeding from the *Public Transport Act* and *Road Transport Act*, the main task in 2002 will be the step-by-step implementation according to the time-schedule stipulated in these acts, of the haulage financial condition requirement, established as one condition for accession to the occupations of passenger and haulage operators. For the implementation of these laws and with the purpose of increasing the administrative capacity, a number of seminars and training courses for the county and city governments implementing these acts, relevant specialists of non-profit associations engaged in the implementation of the acts, as well as for the hauliers, are planned in 2002. In order to supervise the implementation of these acts, a digital database for passenger and haulage carriers' activity licenses will be developed and all the institutions implementing the laws will be given access to this database.

In order to bring Estonian legislation into conformity with the year 2001 version of the European Agreement Concerning the Carriage of Dangerous Goods by Road (ADR) and several EU legal acts enforced on the basis of it, relevant Estonian legal acts will be revised, drafted and implemented in 2002.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
Strategy Plan for Traffic Safety of European Union for the Years 1997-2010	Government Regulation on "The Rules for Application of the Demerit System"	March 2002, July 2002	-
Commission Decision 2000/275/EC on equivalences between certain categories of driving licences	Drafting the new <i>Traffic Act</i> of Estonia	October 2003, December 2003	-
The 3 <sup>rd</sup> Activity Plan for Traffic Safety of European Union for the Years 2002-2010 (TREN/E/3 D(2001) Detailed Version S:\3 <sup>rd</sup> RS Action Plan\Outline 05)	National Program for Traffic Safety of Estonia for the Years 2002-2010	entry into force: March 2002	The draft has been approved by the Government on December 18, 2001
The common conclusion of the conference of European Council and the representatives of the Member States in 21.06.91 on implementation of the Program for Traffic Safety of Union (49IY0709(021))	Drafting the new <i>Traffic Act</i> of Estonia	October 2003, December 2003	The term is connected with the supplements of the UN 1968 Viennese Road Traffic Convention in 2003.
	Government Regulation on "Traffic Rules"	October 2003, December 2003	
Commission Directive 2000/56/EC amending Council Directive 91/439/EEC on driving licences	Amendment Act of the <i>Traffic Act</i> associated with the <i>Penal Code</i> in connection with establishing the Demerit System.	January 2002, July 2002	-
	MOTC Regulation on "Qualification Requirements for the Examiner of the Driver of Motor Vehicle"	December 2002, January 2003	-
	Order of National Motor Vehicle Registration Centre on "Amendment of the concise test questionnaire for drivers of motor vehicle and motorcycles"	December 2002, January 2003	-
Directive 96/26/EC on admission to the occupation of road haulage operator and road passenger transport operator and mutual recognition of diplomas, certificates and other evidence of formal qualifications intended to facilitate for these operators the right to freedom of establishment in national and international transport operations (amendment directive 98/76/EC)	Amendment Act of the <i>Public Transport Act</i>	March 2002, October 2002	-

Directive 2000/18/EC of the European Parliament and of the Council on minimum examination requirements for safety advisers for the transport of dangerous goods by road, rail or inland waterway	MOTC Regulation on “Rules for training the safety adviser”	July 2002 July 2002	The regulation can enter into force only after the adoption of the amendment act of the <i>Chemicals Act</i> in the 1st quarter of 2002.
Commission Directive 2000/7/EC on Council Directive 94/55/EC on the third time approximation of the laws of the Member States with regard to the transport of dangerous goods by road (amendment directive 2000/61/EC)	MOTC Regulation on “Rules for domestic transport of dangerous goods by road”	December 2001 entry into force: July 2002	The draft was submitted in December 2001
Directive 2001/26/EC of the European Parliament and of the Council amending Council Directive 95/50/EC on uniform procedures for checks on the transport of dangerous goods by road			
Directive 1999/62/EC of the European Parliament and of the Council of 17 June 1999 on the charging of heavy goods vehicles for the use of certain infrastructures	Order of the Government on “Plan of road management for years 2001-2010	April 2002 April 2002	Requirement for drafting the legislation: The Road Act section 16 paragraph 4
	MOTC Regulation on “Requirements for road conditions”	September 2002 January 2003	Requirement for drafting the legislation: The Road Act section 39 paragraph 2
	Order of Government on “Plan of road management for years 2003-2005”	October 2002 January 2003	Requirement for drafting the legislation: The Road Act section 16 paragraph 4

**Implementation and administrative capacity**

1.	2.	3.	4.	5.
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
MOTC; Organizing of seminars, conferences and trainings proceeding from the <i>Public Transport Act</i> ; in 2002	<i>Public Transport Act</i> <i>Road Transport Act</i>	Budget of MOTC	-	-
MOTC, Association of Estonian International Road Carriers, Union of Estonian Automobile Enterprises, the county and city governments which issue the licenses for public transport, database for activity licenses, 2003	<i>Road Transport Act</i> , <i>Public Transport Act</i>	Budget of MOTC 1 million EEK	-	-
MOTC, Estonian National Road Administration; starting the traffic safety programme for the years 2002-2010 in 2002	Decision of the Parliament ( <i>Riigikogu</i> )	State budget, 4 million EEK	-	-
Estonian Motor Vehicle Registration Centre; establishing the slippery lane	<i>Traffic Act</i>	State budget, 5 million EEK	-	-
Estonian Motor Vehicle Registration Centre (MVRC); training for the examiners of the drivers of motor vehicle	The MOTC Regulation on “Qualification Requirements for the examiners of the driver of motor vehicle”	State budget, 250 000.- EEK	-	-
Starting-up the demerit system in 2002-2003 - Creation of the demerit system application department in MVRC; - Creation of the database of the demerit points	<i>Traffic Act</i> ; The Government Regulation on “The Rules for Application of the Demerit System”	State budget, 5 million EEK	-	

### 9.3. Railway Transport

One of the main goals for 2002 in the field of railway transport is the elaboration of the new *Railways Act*, and the relevant secondary legislation, in which principles of the new directives regulating railway transport will be taken into consideration.

In the first half of 2002 meetings between EU Commission DG TREN and Estonian specialists have planned to discuss problems related to the implementation of the principles introduced by the new railway package. Estonian specialists will also participate in different training courses and seminars where these issues will be dealt with.

In the framework of technical consultations held within the negotiations with EU and based on the railway network included in the Final Report of the TINA programme, it is important to identify the Trans-European Rail Freight Network that will cross in the Estonian territory in the future.

In the field of railway transport, other substantial steps in 2002-2003 include:

- Harmonizing the rules and conditions on access to the market of haulage for the entrepreneurs;
- Increasing traffic safety;
- Harmonization and improvement of the transport regulation with EU standards and rules;
- Systematic improvement of infrastructure by modernizations and construction works;
- Creating a partnership between public and private property for further development of Estonian transit function.

One of the most important aims in 2002 is the accession to the Intergovernmental Organisation for International Carriage by Rail (OTIF) and the Convention concerning International Carriage by Rail (COTIF) and its parts CIM, CIV and RID. The procedures connected with the accession will be accomplished at the beginning of 2002.

Much attention is paid to the preparation and implementation of ISPA projects in the field of railway transport. Setting up and testing of laboratory equipment obtained with PHARE resources and the training of the users of the equipment will also continue.

Another important course of action in 2002 is the elaboration of the strategic development plan of the Estonian Railway Administration. The introduction of the quality management system for strengthening the administrative capacity, which began in 2001, will continue.

**Approximation of legislation**

<b>1.</b>	<b>2.</b>	<b>3.</b>	<b>4.</b>
<b>EU legal act</b>	<b>Estonian legal act</b>	<b>Deadline for submission, indicative date of entry into force</b>	<b>Remarks</b>
COTIF + annexes: CIM-rules for international carriage of goods (common rules), CIV-rules for international carriage of passengers and baggage (common rules) RID-rules for carriage of dangerous goods	<i>Act of the Accession to the Convention concerning International Carriage by Rail (COTIF)</i>	March 2002 October 2002	
	<i>Act of the Accession to the Intergovernmental Organisation for the International Carriage by Rail (OTIF)</i>	May 2002 October 2002	
Council Directive 96/48/EC on the "Interoperability of the trans-European high-speed rail system"	<i>new Railways Act</i>	September 2002 January 2003	New <i>Railways Act</i> under elaboration will replace the <i>Railways Act</i> adopted on February 23,1999
Council Directive 96/49/EC on the "Approximation of the laws of the Member States with regard to the transport of dangerous goods by rail"	<i>new Railways Act</i>	September 2002 January 2003	-
Directive 2000/62/EC amending Council Directive 96/49/EC on the approximation of the laws of the Member States with regard to the transport of dangerous goods by rail	<i>new Railways Act</i>	September 2002 January 2003	-
Directive 2000/18/EC on minimum examination requirements for safety advisers for the transport of dangerous goods by road, rail or inland waterway	<i>new Railways Act</i>	September 2002 January 2003	-
Directive 2001/13/EC amending Council Directive 95/18/EC on the licensing of railway undertakings	<i>new Railways Act</i>	September 2002 January 2003	-
Directive 2001/12/EC amending Council Directive 91/440/EEC on the development of the Community's railways	<i>new Railways Act</i>	September 2002 January 2003	-
Directive 2001/14/EC of the European Parliament and of the Council on the allocation of railway infrastructure capacity and the levying of charges for the use of railway infrastructure and safety certification	<i>new Railways Act</i>	September 2002 January 2003	-



Council Directive 96/48/EC on the “Interoperability of the trans-European high-speed rail system”	Secondary legislation proceeding from the <i>Railways Act</i>	February 2003 March 2003	-
Council Directive 96/49/EC on the “Approximation of the laws of the Member States with regard to the transport of dangerous goods by rail”	Secondary legislation proceeding from the <i>Railways Act</i>	February 2003 March 2003	-
Directive 2000/62/EC amending Council Directive 96/49/EC on the approximation of the laws of the Member States with regard to the transport of dangerous goods by rail	Secondary legislation proceeding from the <i>Railways Act</i>	February 2003 March 2003	-
Directive 2000/18/EC on minimum examination requirements for safety advisers for the transport of dangerous goods by road, rail or inland waterway	Secondary legislation proceeding from the <i>Railways Act</i>	February 2003 March 2003	-
Directive 2001/13/EC amending Council Directive 95/18/EC on the licensing of railway undertakings	Secondary legislation proceeding from the <i>Railways Act</i>	February 2003 March 2003	-
Directive 2001/12/EC amending Council Directive 91/440/EEC on the development of the Community's railways	Secondary legislation proceeding from the <i>Railways Act</i>	February 2003 March 2003	-
Directive 2001/14/EC of the European Parliament and of the Council on the allocation of railway infrastructure capacity and the levying of charges for the use of railway infrastructure and safety certification	Secondary legislation proceeding from the <i>Railways Act</i>	February 2003 March 2003	-

**Implementation and administrative capacity**

<b>1.</b>	<b>2.</b>	<b>3.</b>	<b>4.</b>	<b>5.</b>
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
Estonian Railway Administration, implementation of the common rules of transport regulations proceeding from the accession to the COTIF, continuous	CIM, CIF, RID	State budget 142.68.	consultations	consultations
Estonian Railway Administration, employment of new officials, continuous	Statutes of the Railway Administration	State budget 142.68	-	-
Estonian Railway Administration, improvement the technical laboratory for railway surveys, September 2002	Statutes of the Railway Administration	EU PHARE Programme Obtained 138899 EUR	-	-
Estonian Railway Administration, development of the national register of rail vehicles, continuous	Statutes of the Railway Administration	State budget 142.68 and 142.98	-	-
Estonian Railway Administration, development of the national register of railway, continuous	Statutes of the Railway Administration	State budget 142.68 and 142.98	-	-
Estonian Railway Administration, training of the officials, continuous			-	-
Estonian Railway Administration, elaboration of the strategic development plan for the Administration, October 2002		State budget 142.68	-	-
Estonian Railway Administration, putting into practise the quality management system, training of the officials, continuous		State budget 142.68	-	-
Estonian Railway Administration, linking the standards of the railway to the national standardization plan, continuous	Statutes of the Railway Administration	State budget 142.68 and 142.98	-	-
Estonian Railway Administration, adjusting the structure of the Administration, new structure since 2003	Statutes of the Railway Administration	State budget 142.68	-	-

Estonian Railway Administration, organizing the statistical surveys, training of the officials, continuous	Statutes of the Railway Administration	State budget 142.68 and 142.98	-	-
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#### 9.4. Maritime transport

All national maritime legislation will be harmonized with EU legal acts by 2003. Most of the secondary legislation to be elaborated is based on the *Maritime Safety Act*. The *Maritime Safety Act* was adopted on 12 December 2001 and it will enter into force on 1 January 2003. Secondary legislation, which will take effect at the same time with the law, will be prepared during the year 2002. Most of the implementing acts have already been elaborated and are waiting for the entry into force of the *Maritime Safety Act*.

In 2002 and 2003 the main priority in strengthening the administrative capacity of the Estonian Maritime Administration will be the adjustment of the management system of the organization with international quality standards. This need proceeds from the fact that an institution carrying out supervision over enterprises with certified quality management should also have a certificate. For example, the Maritime Administration will have the duty to audit classification societies in the future. At first the quality management will be implemented in the departments related to the training of mariners and certification because it is required by the international convention STCW 95. The next step will be the implementation of the ISO 2000 quality management principles in every structure and division of the Maritime Administration.

The aim of the Maritime Administration is to become a full member of the Paris MOU that is also an important step in the integration to EU. The membership of the Paris MOU will increase Estonian reputation in the maritime circles and will ensure better information flow with other countries in ship inspection issues. It will also increase maritime safety and marine environment protection in Estonian coastal waters and in the whole Baltic Sea. In spring 2002, the Paris MOU high-level delegation will be expected to Estonia to examine the conformity of the work of ship control inspectors of the Maritime Administration with the MOU criteria. Pursuing the membership of the Paris MOU will increase the duties of the Maritime Administration:

Ship control inspectors will ensure the control of the ships visiting Estonia in every Estonian port according to the standards of the MOU.

- 25% of foreign ships visiting Estonia will be controlled.
- Special emphasis will be put on the inspection of tanker vessels, bulk carriers, passenger ships and chemical tankers.
- More attention will be paid to the ships whose certificates have been issued by class societies not approved by EU.
- Attention is paid to the inspection of the ships registered in the countries where the three-year-average percentage of interceptions exceeds the average percentage allowed by the Paris MOU.
- Supervision of ships is exercised according to Directive 95/21/EC.
- The data concerning interceptions will be shared with other countries of the Paris MOU.

Within the framework of the EU Phare programme, a co-operation project for establishing an in-service training unit will start in co-operation with the Estonian Maritime Academy in 2003. The aim of the project is to establish the in-service

training unit on the basis of the Maritime Academy for the employees of the Maritime Administration (first and foremost for the inspectors of the ship inspection and for the ISM code auditors) to keep them well-informed about EU legislation and technical requirements concerning the marine.

In the scope of the Phare training programme it is also planned to train VTS (vessel traffic service operators) who must start working in 2004 the latest.

Estonia has agreed with other countries on the Gulf of Finland to begin the covering of the whole Gulf of Finland with VTS-network in 2002 and 2003. This decision is conditioned by the increase of the ship traffic activity and turnover of haulage of goods by sea in this region. The Gulf of Finland and the mouth of it will be divided into ship traffic zones. This means that all the ships coming to the ports of the Gulf of Finland, may it be in Estonia, Russia or Finland, can use the shipping lane near the north coast of Hiiumaa and Estonia. Establishing of the VTS system will help to avoid ship collisions and groundings and environmental pollution following it. In co-operation with the Estonian Border Guard and using the state budget funds, it is planned to establish the management centers of VTS to Tallinn, thereafter to Kunda, Kärdla or Kuressaare. At the same time preparatory work for the creation of VTS projects to the Gulf of Pärnu and Riga and to the Väinameri will start.

In September 2001, by signing the Copenhagen declaration of HELCOM, Estonia made a commitment to start establishing the system of AIS (Automatic Identification System), which must be in working order by 1 June 2005. In 2002 and 2003 the Maritime Administration will buy the first equipment and will begin with the testing of the system in ships. The rest of the commitments mentioned in the Copenhagen declaration to join the Paris MOU and to establish the system of VTS are mentioned in the previous paragraphs.

Since winter 2000, rendering ice-breaking services is the duty of the Maritime Administration. As the icebreaker called "Tarmo" does not conform to the current requirements and the maintenance of it is not economically feasible, the Maritime Administration will start internal preparatory work for purchasing a new ship of several functions. The new ship should be suitable for ice breaking, sea rescue and towing and therefore it should satisfy the needs of several different national institutions.

In 2002 and 2003 much attention will be paid to the matters concerning maritime safety of the ships under the Estonian flag so that Estonia would not fall into the "black list" of the Paris MOU. In the long perspective the aim is to turn the Estonian flag into the so-called flag of quality and to be in the "white list". To achieve these goals the work of FSC (supervision of Estonian ships) inspectors will be intensified and optimized during the coming years.

In 2002 and 2003 it is planned to continue solving the problems concerning maritime safety related to the establishment of the Emajõgi-Peipsi shipping-lane. The measurement works will be carried out in the areas that are not measured yet. This will be followed by the marking of the Tartu-Peipsi-Pihkva shipping-lane with navigation marks according to international requirements.

In addition to the above-mentioned projects the Maritime Administration will continue its everyday work, such as:

- Training of both the PSC (inspection of the foreign ships) and the FSC inspectors, as well as the auditors of the ISM code in the seminars and courses organized by IMO, EU and Paris MOU will continue;
- In co-operation with the Ministry of Transport and Communications the harmonization of Estonian legislation with EU legal acts will continue. The Maritime Administration will participate in preparation of the maritime legislation;
- In co-operation with EU and IMO the process to stop the activity of single-hull tankers will begin in 2003.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
Council Directive 95/21/EC of 19 June 1995 concerning the enforcement, in respect of shipping using Community ports and sailing in the waters under the jurisdiction of the Member States, of international standards for ship safety, pollution prevention and shipboard living and working conditions (port State control)	<i>Maritime Safety Act</i>	The act will enter into force on 1 January 2003	Adopted 12.12.2001
Council Directive 93/75/EEC concerning minimum requirements for vessels bound for or leaving Community ports and carrying dangerous or polluting goods amended with the Commission Directive 96/39 of 19 June 1996 and Directive 97/34 of 6 June 1997	<i>Maritime Safety Act</i> ; MOTC regulation "Establishing the form of declaration for dangerous cargo"	November 2002 January 2003	-
Council Directive 94/57/EEC on common rules and standards for ship inspection and survey organizations and for the relevant activities of maritime administrations, amended by the Commission Directive 97/58 of 26 September 1997	<i>Maritime Safety Act</i>	The act will enter into force on 1 January 2003	Adopted 12.12.2001
Commission Directive 96/40/EC establishing a common model for an identity card for inspectors carrying out port State control	<i>Maritime Safety Act</i>	The act will enter into force on 1 January 2003	Adopted 12.12.2001
Council Directive 98/18/EC on safety rules and standards for passenger ships	- <i>Maritime Safety Act</i> ; - Government regulation on "Rules for listing the ship passengers", - MOTC regulation "Establishing the certificate form for the passenger transport", - MOTC regulation "Establishing the safety requirements for passenger coasting vessels"	directives: November 2002 January 2003	-
Council Directive 97/70/EC setting up a harmonised safety regime for fishing vessels of 24 metres in length and over	<i>Maritime Safety Act</i> ; MOTC regulation "Establishing the safety requirements for fishing vessels sailing in Estonian waters"	November 2002 January 2003	-

Council Directive 96/98/EC of 20 December 1996 on marine equipment, amended with the Commission Directive 2001/53/EC	<i>Maritime Safety Act;</i> MOTC regulation “Establishing the requirements for safety equipment of the ships”	November 2002 January 2003	-
Directive 94/25/EC on the approximation of the laws, regulations and administrative provisions relating to recreational craft	<i>Maritime Safety Act;</i> The government regulation on “Quality requirements for small craft”	November 2002 January 2003	-
Council Directive 94/58/EC on the minimum level of training of seafarers	<i>Maritime Safety Act;</i> Government regulation on “Quality requirements for training of the crew members, the rules for certifying and forms of seafarer’s certificates and diplomas”	November 2002 January 2003	-
	<i>Accession Act of the Convention on Law of the Sea</i>	November 2002	-
	<i>International Convention for the Safety of Life at Sea, Protocol of 1988, Accession Act in 1974.</i>	March 2002	-
	MOTC regulation on “Conditions for issuing the tonnage certificate to the ships with overall length less than 24 metres”	November 2002 January 2003	-
	MOTC regulation on “Rules for additional inspection of the ro-ro passenger ferries and high speed passenger craft”	November 2002 January 2003	-
	MOTC regulation on “Rules and quality requirements for training of the crew members of the inland vessel, rules for certifying and forms of seafarer’s certificates and diplomas”	November 2002 January 2003	-
	MOTC regulation on “Requirements for installation and supply of unclassified ships”	November 2002 January 2003	-



## 9.5. Aviation

On the basis of the *Aviation Act Amendment Act*, passed on 18 October 2001, an independent and permanent structural unit will be formed in the Ministry of Transport and Communications in 2002 to organize the investigation of aircraft accidents and aircraft incidents, which occur on Estonian territory and in Estonian airspace. The corresponding structural unit in Civil Aviation Administration will be liquidated and the harmonization of the Council Directive 94/56/EC will thus be completed.

Until now the main priority has been the harmonization of Estonian legal acts concerning aviation safety with aviation safety requirements of Joint Aviation Authorities (JAA). In the first half of 2002 the focus will shift to the full implementation of all the mentioned acts in the Estonian legal system. Becoming a full member of JAA will be decided in the session of JAA Committee either in June or October 2002.

Estonia will participate in the establishment process of European Aviation Safety Agency (EASA) continuing to look for options to participate in the work of EASA on an equal footing with the Member States of European Union. As far as participation of third states in the specified institution depends on the foundation of European Common Aviation Area (ECAA) and as the draft agreement is in European Court of Justice for legal evaluation, Estonian aviation authorities use the time for raising administrative capacity and trying to anticipate questions that might arise in applying legal acts.

As for training, in 2002 there will be planned 4 full-training sessions of Safety Assessment of Foreign Aircraft (SAFA) inspectors, full-training of an aviation safety specialist and training of a medical inspector starting full-time work in the beginning of 2002. Additionally, extensive raising of professional level of Estonian aviation officers on the basis of the best aviation experts of Estonia will continue.

On 20 April 2001 the president of the European air navigation and aviation safety organization EUROCONTROL visited Estonia. During that visit an agreement about offering consulting services between EUROCONTROL and the Air Traffic Services Ltd was signed. Both sides stressed the need of negotiations in order to become a full member of that organization. Being a member gives Estonia an opportunity to participate in the decision-making process in organizing air traffic in Europe, to participate in all technical work groups in applying specific projects and to extend relations as regards organizing air traffic with other European states.

An important landmark in considering environmental protection aspects while developing aviation in Estonia will be the noise-monitoring project of Tallinn airport, starting in 2002. It will be financed from the Central and Eastern Europe sectoral programme resources of the Ministry of Transport of Denmark.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
Council Regulation (EEC) No 3922/91 on the harmonization of technical requirements and administrative procedures in the field of civil aviation, amended with the Regulations 2176/96,1069/1999 and 2871/2000	<i>Aviation Act Amendment Act</i> adopted in 18.10.2001	Enters into force in January 2002.	
	MOTC regulation for implementation of the requirements proceeding from the “Chicago Convention on international civil aviation and the 1990 Arrangements Concerning the Development, the Acceptance and the Implementation of Joint Aviation Requirements (Cyprus Arrangements)” proceeding from the section 7, paragraph 2 of the Aviation Act.	January 2002 January 2002	
	Amendment of the MOTC regulation on “Conditions for issue of certificates for construction, manufacture and maintenance of aircraft”	September 2002 October 2002	Implementation of the requirements of JAR 21 and JAR 145
Council Directive 94/56/EEC establishing the fundamental principles governing the investigation of civil aviation accidents and incidents	<i>Aviation Act Amendment Act</i> adopted in 18.10.2001	Enters into force in 2002.a January	-
	MOTC order for creating the independent, permanent structural unit (investigation unit) and establishing the statutes according to section 48, paragraph 3 of Aviation Act	Enters into force in 2002.a January	-
	Changing of the statutes of the Estonian Civil Aviation Administration	Enters into force in 2002.a January	-

Council Regulation (EC) No 2027/97 on air carrier liability in the event of accidents	Convention for the Unification of Certain Rules for International Carriage by Air , Montreal 28 May 1999	The ratification at least by 30 countries is necessary for entering into force.	Government in May 22, 2001 with the order no 325-k approved the convention. Authorities for signing are given to Sulev Rooster (in 5.12.2001), the temporary chargé d'affaires of Estonia in Canada. The convention will be submitted to <i>Riigikogu</i> for ratification after it has been signed.
	<i>Next Amendment Act of the Aviation Act</i>	Presumable entering into force in December 2003	
Council Directive 91/670/EEC on mutual acceptance of personnel licences for the exercise of functions in civil aviation	<i>Aviation Act Amendment Act</i> adopted in 18.10.2001	Enters into force in 2002.a January	-
	Amendment of the MTOC Regulation on "Requirements for age and qualification, training and examination of aviation specialists and issue of licenses to aviation specialists and the recognition of foreign countries aviation licenses"	January 2002 January 2002	
Commission Regulation (EC) No 2082/2000 adopting Eurocontrol standards and amending Directive 97/15/EC, adopting Eurocontrol standards and amending Council Directive 93/65/EEC	Amendment to the MOTC regulation on "Rules for the certification of air navigation services"	April 2002 May 2002	-

**Implementation and administrative capacity**

1.	2.	3.	4.	5.
Institution, planned measures (incl training), deadline	Legal basis, implemented legal act	Financing (State budget line, other sources)	Technical assistance needs	Remarks
<p>MOTC; Proceeding from harmonizing of the Council Directive 94/56 the creation of the independent and permanent unit in MOTC to investigate the accidents and incidents of aviation ; supplementary training for two persons in the field of aviation accidents; January 2002</p>	<p><i>Aviation Act Amendment Act</i>; MOTC order for creating the independent, permanent structural unit (investigation unit) according to section 48, paragraph 3 of Aviation Act. Establishing the statutes of the investigation unit with the order of the MOTC; Changing the statues of the Estonian National Civil Aviation Administration</p>	<p>State budget</p>	<p>Procurement of hardware (2 computers, digital video and photo camera, VHF Air Band Transceiver ICOM, Dictaphone, mobile telephone, microscope, tape-recorder, set of quality tools, binoculars, Emergency Locator Transmitter Direction Finder, furniture for two workstation, operative vehicle)</p>	<p>-</p>
<p><i>Riigikogu</i>; Harmonization of the minimal extent insurance compensations with the minimal extent provided in the decision of ECAC 13.12.00 for the damage caused to third persons, in accordance with Council directive 2027/97;</p> <p>Deadline: after the ratification of the convention in <i>Riigikogu</i>. Presumably in December 2003.</p>	<p>Convention for the Unification of Certain Rules for International Carriage by Air, Montreal 1999; <i>Aviation Act Amendment Act</i>.</p>	<p>State budget</p>	<p>Consultations from foreign experts. Supplementary training.</p>	<p>-</p>

<p>Estonian Civil Aviation Administration (ECAA); Council Directive 91/670/EEC on mutual acceptance of personnel licences for the exercise of functions in civil aviation. Licensing the aviation specialists and elaborating of the supervision system according to the requirements of EU and JAA; December 2003.</p>	<p><i>Aviation Act Amendment Act</i>; MOTC Regulation on “Requirements for age and qualification, training and examination of aviation specialists and issue of licenses to aviation specialists and the recognition of foreign countries aviation licenses”</p>	<p>State budget; EL PHARE 2002-2003 Programme</p>	<p>-</p>	<p>-</p>
<p>MOTC ECAA; Monitoring of the noise in the airport of Tallinn, proceeding from Council directive 80/51 and amendment directive 83/206; December 2003</p>	<p>The government regulation on “Requirements for environmental eligibility of powered aircraft ”</p>	<p>State budget; The Sector programme of the Kingdom of Denmark for CEE</p>	<p>-</p>	<p>-</p>
<p>Government of the Republic; Becoming the full member of the JAA proceeding from the Council Regulation 3922/91 amended by Regulations 2176/96,1069/1999 2871/2000. Proceeding from the mentioned regulations, the implementation of the European aviation requirements by air operators of Estonia and organizing the supervision of aviation safety; December 2002.</p>	<p><i>Aviation Act Amendment Act</i>; Necessary MOTC regulations for section 7, paragraph 2 of Aviation Act.</p>	<p>State budget; EL PHARE 2002-2003 Programme for training of the air safety specialists and implementing the inspection.</p>	<p>Juridical consultations for implementation of Council directives in legal system of Estonian</p>	<p>-</p>
<p>MOTC; Implementation of the II part of the European Civil Aviation Conference ECAC Doc. “Flight Security” – elaboration of the “Civil Aviation Security Programme” and proceeding from this establishing the committee for coordinating of the activities on flight security; December 2003.</p>	<p><i>Aviation Act</i></p>	<p>State budget</p>	<p>-</p>	<p>In the end of 2001 ICAO will decide amending the Annex 17 concerning the flight security and will elaborate new measure of security that will also amend the part II of ECAC Doc. “Flight Security”</p>

ECAA; Training of aviation medicine inspector and supplementary training of aviation doctors proceeding from the harmonization of requirements for aviation medicine and harmonization of the Council Regulation 3922/91 amended by regulations 2176/96,1069/1999 and 2871/2000. Participation in medicine committee of JAA; December 2002	<i>Aviation Act Amendment Act</i> ; Ministry of Social Affairs regulation on "Requirements for aviation specialists health, list of the health examinations and volume and medical examination, the frequency of it and rules for decision making of medical specialist"	State budget	Training and supplementary training	State budget does not finance participation in necessary meetings of medicine committee of JAA (4 times a year) and in conference of aviation doctors (once a year) neither the supplementary training for medicine inspectors and aviation doctors.
Government of the Republic Preparations for accession of Single Sky and Eurocontrol. Rooting of the standards proceeding from ATM 2000+, ESARR, EATMP, Local GIP. Improving the civil and military cooperation ATMI, December 2003	Cooperation agreement between Eurocontrol and MOTC; Cooperation memoranda between MOTC and Ministry of Defense; Accession treaty with Eurocontrol; Government regulation on "Rules of the use of Estonian airspace and for ensuring <u>Air Traffic Services</u> "	State budget  Foreign assistance of the Kingdom of Sweden	-	-
Government of the Republic; Participation in creation of European Common Aviation Area: December 2003	Association Treaty between EU and the Member States and Government of Estonia; Accession Treaty with ECAA	State budget	-	At the moment the draft contract is submitted to the European Court for juridical for its opinion.
ECAA; Participation in process of work of European Aviation Safety Agency that will be created with Council regulation. Presumably in December 2002.	Accession Treaty with EASA and secondary legislation proceeding from the treaty.	State budget	-	Participation possibilities in EASA for the third countries are not finally decided yet.
ACAA; Implementation of the activity plan of ACAA 2002, development plan of ACAA for the years 2002-2004, national development plan of Estonian aviation 2006 and development plan of regional airports for the years 2000-2006.	Government decision of 27 June 2000; Government protocolled decision of 2 August 2000; Director General of NCAA directives	State budget	-	-

<p>NCAA;                  Training of the four inspector of the supervision of the airworthiness of foreign aircraft and air safety (SAFA). Full training of air safety specialists and practical training of inspection of air operator, proceeding from harmonization of the Council Regulation 3922/91, amended by regulations 2176/96, 1069/1999 and 2871/2000.</p>	<p><i>Aviation Act</i></p>	<p>State budget;                  Bilateral assistance of EU Member States</p>	<p>Training</p>	<p>-</p>
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## 10. TAXATION

### 10.1. Direct taxation

Since the Estonian *Income Tax Act* complies with all principles of the EU *acquis*, there is no need for further amendments. In order to avoid possible discrimination of non-resident investors, the Parliament adopted the Amendment of the *Income Tax Act* that will enter into force in 2003. According to the amendment, the income of an Estonian company is taxed at the moment of distribution regardless of the dividend receiver (resident or non-resident). The Act does not contain any provisions, which could be interpreted as in conflict with the EU *acquis*.

### 10.2. Indirect Taxation

#### VAT

On 13 July 2001 the Parliament adopted the new *VAT Act*, which entered into force on 1 January 2002. Together with the new *VAT Act* also the new VAT implementing provisions entered into force. The new *VAT Act* is in main aspects in compliance with the European Union *acquis* and the full harmonisation can be achieved right before accession to the European Union. The VAT Act has to be adjusted with the EU *acquis* in the area regulating the taxation of trade between the member states. The implementation of those articles is conceivable only after accession to the EU, and harmonisation can take place right before the accession.

In addition, Estonia has applied for the EU transitional periods regarding certain conditions.

#### Excise duties

The main difference between the EU excise *acquis* and the Estonian legislation is the absence of the excise warehouse system. Also, the excise duty rates have to be harmonized. The *Alcohol Excise Duty Act* in force since 1 January 2001 has introduced the system of excise warehouses into the Estonian tax legislation. A new *Alcohol, Tobacco and Fuel Excise Duty Act* is being drafted, which brings the administration of excise duties into compliance with the EU *acquis*. The *Alcohol, Tobacco and Fuel Excise Duty Act* is planned to enter into force on 1 January 2003.

#### ***Main steps in improving administrative capacity***

Based on the Blueprints elaborated by the European Commission and IOTA, the Tax Board has analysed and compared its system and procedures against the key indicators set by the European Commission. As a result of the analysis, the Tax Board completed its *Business Change Management Plan (BCMP)* by 1 July 2000. The implementation of the BCMP takes place from 2001 to 2003.

As the main objectives of the Tax Board in the forthcoming years, the plan sets out the compiling and implementation of the general strategy of the Tax Board and its specific area strategies. Enhancement of the internal control function, preparations for setting up the *Central Liaison Office* and preparations for joining the *VIÉS* are some of the tasks lying ahead. Equally important is to increase the number of electronic services provided for the clients as well as to ensure the IT support for the development of the Tax Board.



The Phare 2001 Twinning project to increase the administrative capacity of the Tax Board is mainly focusing on the strengthening of the area of tax enforcement. This includes assistance to the areas of tax assessment, tax audit and recovery functions in bringing them into conformity with the EU standards, and also support to the development of the Tax Fraud Investigation Centre and its activities.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
Council Directive 69/169/EEC of 28 May 1969 on the harmonisation of provisions laid down by Law, Regulation or Administrative Action relating to exemption from turnover tax and excise duty on imports in international travel	Alcohol, Tobacco and Fuel Excise Duty Act  VAT Act Amendment Act	31 March 2002; 1 Jan. 2003  15 Dec. 2002; 1 Jan. 2004	The VAT Act is in main aspects in compliance with the EU <i>acquis</i> . The VAT Act has to be adjusted with the EU <i>acquis</i> in the area regulating the taxation of trade between the member states. The implementation of those articles is conceivable only at accession to the EU and harmonization can take place right before the accession.
Council Directive 77/388/EEC: Sixth Council Directive of 17 May 1977 on the harmonisation of the laws of the Member States relating to turnover taxes - Common system of value added tax: uniform basis of assessment	VAT Act Amendment Act	15 Dec. 2002; 1 Jan. 2004	The VAT Act is in main aspects in compliance with the EU <i>acquis</i> . The VAT Act has to be adjusted with the EU <i>acquis</i> in the area regulating the taxation of trade between the member states. The implementation of those articles is conceivable only at accession to the EU and harmonization can take place right before the accession.
Council Directive 78/1035/EEC of 19 December 1978 on the exemption from taxes of imports of small consignments of goods of a non-commercial character from third countries	Alcohol, Tobacco and Fuel Excise Duty Act	31 March 2002; 1 Jan. 2003	
Eighth Council Directive 79/1072/EEC of 6 December 1979 on the harmonisation of the laws of the Member States relating to turnover taxes - Arrangements for the refund of value added tax to taxable persons not established in the territory of the country	VAT Act Amendment Act	15 Dec. 2002; 1 Jan. 2004	The VAT Act is in main aspects in compliance with the EU <i>acquis</i> . The VAT Act has to be adjusted with the EU <i>acquis</i> in the area regulating the taxation of trade between the member states. The implementation of those articles is conceivable only at accession to the EU and harmonization can take place right before the accession.

Council Directive 83/183/EEC of 28 March 1983 on tax exemptions applicable to permanent imports from a Member State of the personal property of individuals	Customs Duty Exemption Act	31 March 2002; 1 Jan. 2003	The act will also regulate VAT exemptions on importation.
Council Directive 92/12/EEC of 25 February 1992 on the general arrangements for products subject to excise duty and on the holding, movement and monitoring of such products	Alcohol, Tobacco and Fuel Excise Duty Act	31 March 2002; 1 Jan. 2003	
Council Directive 92/79/EEC of 19 October 1992 on the approximation of taxes on cigarettes	Alcohol, Tobacco and Fuel Excise Duty Act	31 March 2002; 1 Jan. 2003	
Council Directive 92/80/EEC of 19 October 1992 on the approximation of taxes on manufactured tobacco other than cigarettes	Alcohol, Tobacco and Fuel Excise Duty Act	31 March 2002; 1 Jan. 2003	
Council Directive 92/81/EEC of 19 October 1992 on the harmonisation of the structures of excise duties on mineral oils	Alcohol, Tobacco and Fuel Excise Duty Act	31 March 2002; 1 Jan. 2003	
Council Directive 92/82/EEC of 19 October 1992 on the approximation of the rates of excise duties on mineral oils	Alcohol, Tobacco and Fuel Excise Duty Act	31 March 2002; 1 Jan. 2003	
Council Directive 92/83/EEC of 19 October 1992 on the harmonisation of the structures of excise duties on alcohol and alcoholic beverages	Alcohol, Tobacco and Fuel Excise Duty Act	31 March 2002; 1 Jan. 2003	
Council Directive 92/84/EEC of 19 October 1992 on the approximation of the rates of excise duty on alcohol and alcoholic beverages	Alcohol, Tobacco and Fuel Excise Duty Act	31 March 2002; 1 Jan. 2003	
Commission Regulation (EEC) No 2719/92 of 11 September 1992 on the accompanying administrative document for the movement under duty-suspension arrangements of products subject to excise duty	Alcohol, Tobacco and Fuel Excise Duty Act	31 March 2002; 1 Jan. 2003	
Commission Regulation (EEC) No 3649/92 of 17 December 1992 on a simplified accompanying document for the intra-Community movement of products subject to excise duty which have been released for consumption in the Member State of dispatch	Alcohol, Tobacco and Fuel Excise Duty Act	31 March 2002; 1 Jan. 2003	
Commission Regulation (EC) No 3199/93 of 22 November 1993 on the mutual recognition of procedures for the complete denaturing of alcohol for the purposes of exemption from excise duty	Alcohol, Tobacco and Fuel Excise Duty Act	31 March 2002; 1 Jan. 2003	
Council Directive 95/59/EC of 27 November 1995 on taxes other than turnover taxes which affect the consumption of manufactured tobacco	Alcohol, Tobacco and Fuel Excise Duty Act	31 March 2002; 1 Jan. 2003	
Commission Regulation (EC) No 31/96 of 10 January 1996 on the excise duty exemption certificate	Alcohol, Tobacco and Fuel Excise Duty Act	31 March 2002; 1 Jan. 2003	

**Financing:**

1. Section 139 of the MoF's budget, chapter 01, lines 10 and 21

**Implementation and administrative capacity**

1. Institution, planned measures (incl training), deadline	2. Legal basis, implemented legal act	3. Financing (State budget line, other sources)	4. Technical assistance needs	5. Remarks
<b>1. Organisation and management (incl. personnel management and internal audit)</b>				
1.1. Development of the Business Strategy of the Tax Board; internal training		Section 139 of the budget, chapter 41 (Tax Board) Danish-Estonian FEU program	Expert assistance	
1.2. Elaboration and implementation of the Performance Measurement System; internal and external training		Section 139 of the budget, chapter 41 (Tax Board) Danish-Estonian FEU program	Expert assistance	
1.3. Elaboration and implementation of the Personnel Management Strategy and Policy; internal training		Section 139 of the budget, chapter 41 (Tax Board) Danish-Estonian FEU program	Expert assistance	
1.4. Elaboration and implementation of the Strategic Business Planning System; internal and external training		Section 139 of the budget, chapter 41 (Tax Board) Danish-Estonian FEU program	Expert assistance	
1.5. Elaboration and implementation of the Risk Assessment Strategy; internal and external training		Section 139 of the budget, chapter 41 (Tax Board) Danish-Estonian FEU program	Expert assistance	
<b>2. Tax fraud investigation</b>				
2.1. Development of the organisation and management concept of the Tax Fraud Investigation Centre (TAFIC); additional training of the investigators and auditors	Development and implementation of the evaluation requirements for the main groups of officials who work in the TAFIC; The new Code of Criminal Procedure and Penal Code	Section 139 of the budget, chapter 41 (Tax Board) Phare 2001 Twinning	External assistance, depending on the extent to which the required facilities and equipment for TAFIC have been ensured	Development of the methodology, which would enable to assess the workload and performance of the investigators-auditors as well as the cost and economic purposefulness of their activity. Bring the reporting of the TAFIC into compliance with the above methodology.
2.2. Implementation of the performance management principles		Section 139 of the budget, chapter 41 (Tax Board) Phare 2001 Twinning		

2.3. Development of the Performance Measurement System		Section 139 of the budget, chapter 41 (Tax Board) Phare 2001 Twinning		
<b>3. Training</b>				
3.1. Updating and implementation of the Training Strategy; internal training		Section 139 of the budget, chapter 41 (Tax Board) Phare 2001 Twinning	Expert assistance	
<b>4. Control</b>				
4.1. Improvement and implementation of the Control Strategy; Internal and external training		Section 139 of the budget, chapter 41 (Tax Board) Phare 2001 Twinning	Expert assistance Technical assistance	
<b>5. Tax collection, enforcement and inter-agency co-operation</b>				
5.1. Establishment of an operational Central Liaison Office (CLO); internal training; restructuring when necessary		Section 139 of the budget, chapter 41 (Tax Board) Danish-Estonian FEU program	Expert assistance Technical assistance according to the identified needs	
5.2. Analysing the work in the area of tax collection and enforcement across different processes; internal and external training; restructuring		Section 139 of the budget, chapter 41 (Tax Board) Phare 2001 Twinning	Expert assistance Technical assistance	
5.3. Development of the Performance Measurement System to be used with regard to the officials dealing with tax collection and enforcement; internal training; restructuring when needed		Section 139 of the budget, chapter 41 (Tax Board) Phare 2001 Twinning	Expert assistance	
5.4. Improvement of the Risk Assessment System in the area of tax collection and enforcement; external training; restructuring when needed		Section 139 of the budget, chapter 41 (Tax Board) Phare 2001 Twinning	Expert assistance Technical assistance	
5.5. Improvement of the Tax Collection Strategy; internal training; restructuring when needed		Section 139 of the budget, chapter 41 (Tax Board) Phare 2001 Twinning	Expert assistance	
5.6. Improvement of the electronic communication with other state agencies		Section 139 of the budget, chapter 41 (Tax Board) art 10, 21, 30		

<b>6. Taxpayer service, ethics and communication</b>				
6.1. Development of the Public Services Standards		Section 139 of the budget, chapter 41 (Tax Board) art 10, 21, 30		
6.2. Development of the internal Code of Conduct and the relevant supervision system		Section 139 of the budget, chapter 41 (Tax Board) art 10, 21, 30		
6.3. Development of the Information Exchange Strategy		Section 139 of the budget, chapter 41 (Tax Board) art 10, 21, 30		
6.4. Conducting the Customer Satisfaction Survey		Section 139 of the budget, chapter 41 (Tax Board) Danish-Estonian FEU program		
<b>7. Information technology</b>				
7.1. Integration with the EU IT systems; testing; internal training		Section 139 of the budget, chapter 98, art 37	Will be determined by the results of the analysis	
7.2. IT support to the Business Strategy of the Tax Board		Section 139 of the budget, chapter 98, art 37. Phare 2001 Twinning		

**\* General note:**

Technical assistance needs, financing and deadlines: Phare 2001 Twinning project will start according to the preliminary assessment not before April 2002. The timetable for activities will be clarified according to the Twinning project timetable. Up to this moment, the Tax Board has received external training from the following sources: OECD general and Baltic tax training programmes, IOTA (Intra-European Organisation of Tax Administrations) and the EC Fiscalis programme, and this training will continue in the coming years.

## 11. ECONOMIC AND MONETARY UNION

The principles and legislation of Estonian economic and monetary policy largely comply with the EMU *acquis*. Estonia is ready to adopt the *acquis* of this chapter on accession to the European Union in the scope enabling Estonia to participate in the European Economic and Monetary Union as a Member State outside the euro area.

One of the main priorities of 2002 is the adoption of amendments of the Central Bank Act. In 2002 the Bank of Estonia will analyse options enabling for the Bank of Estonia to operate as a full member of the European System of Central Banks.

The Bank of Estonia possesses administrative capacity needed for the implementation of the amended Act. The Bank continues professional training for its employees.

According to the envisaged plans the Bank of Estonia continues to carry out the next stage of monetary policy framework reform, taking into account the ongoing developments of economy and financial system. The steps taken during the reform are mapped by the beginning of 2002.

/For payment and settlement systems DNS (Designated Time Net Settlement System) and RTGS (Real Time Gross Settlement System) see Chapter 4 Free Movement of Capital /



**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
1. Title VII of the Treaty establishing the EU (articles regarding activity of central banks)	Act amending the Bank of Estonia Act and amendments in secondary legislation as needed	Submitted in June 2002. Indicative entry into force in the beginning of 2003 at the latest.	1. Draft act was analysed in cooperation with legal experts of the ECB and CEC in 2001 2. EU legal acts will be harmonised to the extent required for accession to the EU

## 12. STATISTICS

### *Implementation of the acquis in 2002-2003*

The Statistical Office will realise the goal, which is set to bring the production of statistics into line with the requirements of the Statistical Office of the European Communities (Eurostat) mainly by the year 2002. In drawing up an annual list of official statistical surveys, the EU and other international requirements are taken into account. In this process, an international organisations to whom the Statistical Office imparts statistical information – Eurostat, OECD, IMF, Economic Commission for Europe, World Bank, ILO, FAO, WHO, UNICEF, etc.– play an important role.

The National Programme for Adapting the *Acquis* (NPAA) for 1999-2002, which was updated and submitted to the Eurostat in 1999, serves as the basis for the European integration related work at the Statistical Office. The programme was drawn up on the basis of the Eurostat's "Compendium of statistical requirements". The Compendium contains the requirements of the *acquis*, EU and other international organisations by different fields of statistics. The NPAA is supplemented annually by the work programmes for the Eurostat. The annual work programme for 2002 will be submitted to the Eurostat in early 2002.

The main tasks of the Statistical Office in 2002 will be:

- to implement the *acquis*; to switch to an international (incl. EU) methodologies, classifications and standards
- to develop official statistical surveys by taking into account the EU requirements
- to translate the methodological materials and new versions of classifications, to adapt them for Estonia's conditions

An overview of the different fields of statistics will follow:

### **1. Implementation of classifications**

- The Classification of Products and Services (TTK) worked out on the basis of the Classification of Products by Activities (CPA) and the List of Products worked out on the basis of the List of Products of the European Community (PRODCOM List) will be entirely implemented by 2002. Data on the basis of the PRODCOM list have been collected since 2001 and will be published in July 2002.
- During 2002, a new version of the Estonian Classification of Economic Activities 2002 (EMTAK), based on the EU classification NACE Rev.1.1, and a new version of TTK, TTK 2002, based on the EU CPA 2002, will be worked out. Both of the classifications will be implemented in the EU from 1 January 2003, likewise the other international counterparts.
- A new, 1998 version of the Classification of the Functions of the Government (COFOG) is being published and will be introduced in 2002. Based on this classification a budget classification is being worked out by the Ministry of Finance.

### **2. National accounts and macroeconomic statistics**

- The *acquis* is planned to be fully implemented by 2002.
- The implementation of the ESA95 (European System of National and Regional Accounts) and EU directives will be continued.

- The development of financial accounts in co-operation with the Bank of Estonia will be continued in 2002–2003.
- The input-output tables for the year 1998 will be published in October 2002.
- Further development of seasonal adjustment to working days and moving holidays accounting will be continued.
- Preparations are being made to observe timeliness in publication of GDP to meet the requirements of the European Monetary Union (EMU).

### **3. Foreign trade statistics**

- In foreign trade statistics, in parallel with the general trade system, the special trade system has also been fully implemented.
- The intra-Community trade statistics are collected by the so-called INTRASTAT system that is common for the EU Member States. The INTRASTAT administration and development related undertakings are financed by the European Union (Edicom programme). After accession to the EU the Statistical Office will start to collect and process data by INTRASTAT. Within the frame of Eurostat pilot projects the preparations for implementing INTRASTAT will continue in 2002–2003. In 2002–2003, in addition to these projects, the Statistical Office intends to develop the methodology of INTRASTAT, create the necessary environment for data collection and procession, train and support respondents, create the enterprise database, experimentally collect data from a selected group of enterprises and transmit the collected data to the Eurostat.
- To create within the framework of the Eurostat pilot projects an experimental register of declarants.
- In 2000, the Statistical Office got a direct contact and rights to use the foreign trade statistics database COMEXT. The database contains detailed monthly statistical information of Estonia's special foreign trade system from 1995. It is planned to continue the transmission of monthly data to the COMEXT database and also in co-operation with the Customs Board transmit annual data of the customs tariffs.

### **4. Price statistics**

Since January 2001, in accordance with the Eurostat's timetable of implementing harmonised indices of consumer prices, the calculation of the latter has taken place on the same basis as in the EU Member States.

It's planned to improve the calculation of the services sector price indices in 2002. Attention will be paid continuously to find the best solutions for defining the structure of expenditures made by tourists in Estonia.

In the Producer Price Statistics Section the introduction of additional indices will be undertaken to meet the needs of GDP.

### **5. Business statistics and business register for statistical purposes**

- The *acquis* in business statistics is planned to be fully implemented in 2002. The EU legal acts, concerning short-term and annual business statistics, have been translated by now. The short-term enterprise statistics and a comprehensive annual enterprise report have been introduced.
- As regards transport statistics, the maritime transport statistics is currently being brought into accordance with the EU requirements.

Considering the huge amount of data, which is required by the legislation, Estonia is planning to develop in co-operation with the ports, an electronic data transmission system, which will be implemented in maritime transport statistics by the end of 2002.

- Harmonisation in statistics of the other kinds of transport has taken place as follows:
  - in road, rail and maritime transport statistics the European Standard Goods Classification for Transport Statistics (NST/R) is currently in use;
  - the vessels register and ship accidents statistics exists;
  - the quality of the motor vehicle register will improve by the end of 2002 after the re-registration of motor vehicles has been completed and the motor vehicles, which are not re-registered have been removed from the main register.
  - in accordance with legal acts, a separate table for data on transportation of dangerous goods, departure and destination countries, etc., has been included in the rail transport questionnaires. It is expected that a new law concerning rail transport statistics will be adopted soon, but the requirements of the draft law have already been taken into account.
- The business register for statistical purposes or the statistical profile will be brought into compliance with the EU requirements in 2002.

A business register for statistical purposes or the statistical profile has been drawn up by now following the principles, which are laid down in the Council Regulation (EEC) No 2186/93 on Community co-ordination in drawing up business registers for statistical purposes.

The structure of the database of statistical profile was been updated in 2001 by using the ORACLE software. A statistical database, which complies with the Council Regulation No 2186/93 and contains data relating to legal units, enterprises, local units, kind-of activity units and local kind-of-activity units or establishments, was created. Within the statistical database, it is planned to develop the systems of answering inquiries and analysing data.

## 6. Population and social statistics

- The publication of the 2000 Population and Housing Census data will continue (through the Internet and other publications).
- A methodological overview and tables of the Time Use Survey were published in 2001. An analytical publication, based on the results of the Time Use Survey, is being compiled.
- An individual database of the EU Institutional Adult Education Survey has been sent to the Eurostat. It will be published in Estonian in autumn 2002.
- Preparations for the panel Survey of Household Income and Living Conditions (in Estonian *Sotsiaaluuring*), which is co-ordinated by the Eurostat, are taking place. By conducting the survey the draft EU regulation "Income and living conditions" will be observed. A pilot survey will be carried out in 2002, the basic survey will start in 2003.
- The development of foreign workers' statistics, based on the administrative data sources (work and residence permits databases), will be continued.
- The results of the Population Census of 2000 create the basis for the production of population size and sex-age structure data.
- The programme of thorough recalculations of the data for the inter-censal period between 1989 and 2000 is being carried out. Data on population sex-age structure,

as well as other socio-economic indicators, will be recalculated. The recalculations will be made at the municipality level (on a “bottom-top” principle) and are planned to be completed in early 2003 to enable publishing similar data for the previous period.

- An analysis of the quality of the population register will be undertaken in 2002 to consider possibilities of making different databases compatible and start to produce unified population size in Estonia.
- It is planned to complete the systems of labour force, household work load and social accountings, which will enable to produce higher quality indicators at the macro level and to associate different fields.
- The compilation of the publications *Living Conditions* and *Social Trends* will continue.

#### **7. Agricultural statistics**

- Based on the 2001 Agricultural Census data an agricultural holdings database for statistical purposes has been created at the Statistical Office. It enables more representative samples to be extracted and thus more accurate agricultural statistics to be produced to comply with the EU legal acts.
- Preparations for the conduct of the Agricultural Structure Survey are underway.
- The Statistical Office harmonises in co-operation with the Ministry of Agriculture the periodicity, timeliness and indicators of agricultural statistical surveys and the definitions of indicators with the EU requirements.
- The results of the Agricultural Census of 2001 will be published in June and December 2002.
- The Agricultural Census data serve as the basis for bringing the quality of agricultural statistics into compliance with the requirements of the EU legal acts.

#### **8. Wages statistics**

- A pilot project on labour cost index was completed in summer 2001. The questionnaire “Wages” for the year 2002 is being currently improved.
- No Survey on Structure of Earnings in Estonia is being conducted at the moment. Since 1992, the Statistical Office has been carrying out an additional survey within the Wages Survey through which the data about wages have been collected by major groups of occupations. The Survey conforms to the International Standard Classification of Occupations, ISCO-88. The EU conducts the survey every four years. The Eurostat launched a pilot survey in 2001, which will end in June 2002. In connection with this survey a pilot survey for the year 2002 is intended to be carried out in Estonia in 2003. The EU survey cycle will be joined in 2006 and the data will be published in 2008. The development of a pertinent questionnaire will start in 2002.

#### **9. Environmental statistics**

- The *acquis* will be implemented in three major fields of statistics: waste management, environmental protection expenditure and wastewater treatment, and pollution load.

Emphasis will be laid on the production of quality statistical indicators that could be used to carry out the environmental policy.

As from 2003, the Eurostat has included in its list of structural indicators also five major environmental indicators of the candidate countries. In the waste

management statistics it means an assessment of the quantities of municipal waste in Estonia, which will cover all generation categories. This will assume making an expertise. This will be obtained also to the other pertinent indicators.

- The indicators of sustainable development are produced and published (from January to July 2002) in accordance with the methodology of the UN Commission on Sustainable Development and the Eurostat.

### **Training, technical assistance, financing**

The Statistical Office has a possibility of receiving professional training in statistics within the Phare Multi-Country Statistical Programme. Technical assistance is also received from the OECD in GDP and price indices statistics and the Statistics Sweden within the SIDA Baltic States Statistical Programme. Assistance is also received from the Statistics Finland and within the NOMESCO and NOSOSCO co-operation programmes in social statistics.

Within the co-operation programmes of Phare, SIDA and the Statistics Finland representatives of the Eurostat, the EU, statistical offices of the EFTA countries and international statistical organisations have consulted specialists of the Statistical Office and introduced the know-how and working methods of the EU Member States and the Eurostat. Thanks to the Phare Multi-Country Co-operation Programme the staff members of the Statistical Office have the possibility to participate in seminars, courses and meetings, to receive training and to attend the meetings of the Eurostat working groups. The participation in the Phare Multi-Country Co-operation Programme has enabled to establish relationships and develop close and useful co-operation also with the other candidate countries. The assistance received within Phare and other programmes is highly necessary since there is no training about statistics available in Estonia and the financial resources are limited.

In 2001, six staff members of the Statistical Office attended the TES courses (Training of European Statisticians). The participants were trained in business cycle statistics, statistical disclosure control, use of additional information in sample surveys, labour costs statistics, statistical products and service marketing and main principles of dissemination, and publishing of statistical publications. The Statistical Office intends to continue with the training of its staff members at the TES Institute in 2002.

Several staff members of the Statistical Office have passed either a 6- or 5.5-month traineeship at different directorates of the Eurostat. Two specialists of the Statistical Office were trained at the Eurostat from September 2001 to February 2002 in data publication and non-financial national accounts, and data aggregation. Another specialist will attend traineeship in national accounts from March 2002.

The Statistical Office has participated and is participating in several pilot projects of the Eurostat in the following fields: foreign trade statistics, education statistics, exhaustiveness, regional accounts, labour cost, labour force survey, agricultural input and output indices, agri-monetary statistics, structural business statistics, adult education, agricultural statistics, price statistics, labour force, and employment statistics.

The pilot projects to prepare for surveys on agriculture, price statistics, wages, labour costs, and farms structure were launched in 2001. The Eurostat pilot project with the candidate countries "Use of HBS data for estimating Household Final Consumption" and the second stage of the pilot project on small enterprise demography started as well.

In 2002–2003, the co-operation within the Phare Multi-Country Programme will continue. It enables the Statistical Office to take part in the international meetings on statistics and attend the TES courses. Until autumn 2002, the participation will be financed from Phare Stat 99 Programme. EURO 230,000 has been allocated for this purpose.

The second stage of the SIDA-supported Baltic States Statistical Programme, which started in October 2001, will continue till March 2002. In the framework of SIDA, the Statistics Sweden will consult the Statistical Office on the following fields: population census, gender statistics, foreign trade statistics, wages statistics, market research, prices statistics, agricultural, environment, research and development statistics, databases and electronic data dissemination, financial accounts, implementation of ICD-10, business statistics, dissemination of statistics, and national accounts.

A contract between the Statistical Office and the Statistics Sweden was signed in 2001. Under this contract the Statistical Office's specialists in macroeconomic and business statistics in co-operation with their Swedish colleagues will consulting the staff members of the respective fields at the Albanian Institute of Statistics.

In 2001, technical assistance was received from the Statistics Finland in the following fields: statistics dissemination and publishing, data transmission, maritime transport statistics, macroeconomics, price statistics, interviewer training, regional statistics, labour force statistics, labour cost index and structure of earnings, and quality of population census data.

The Statistical Office has forwarded a request to the Statistics Finland for co-operation during the years 2002–2003. The Finnish Ministry of Foreign Affairs will make the financing decision of the programme.

The conduct of official statistical surveys is financed from the state budget. The expenses relating to the translation and adaptation of methodological materials and classifications and preparations for their implementation are covered by the state budget.

To perform the tasks arising from the EU legal acts the Statistical Office needs to recruit ten people to the Foreign Trade Statistics Section of the Macroeconomic Statistics Division to implement INTRASTAT in 2002 - 2003.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
Council Regulation (EC) No 2223/96 of 25 June 1996 on the European system of national and regional accounts in the Community	Government Order "Approval of the list of official statistical surveys for 2003"	October 2002	
Council Regulation (EC) No 530/1999 of 9 March 1999 concerning structural statistics on earnings and on labour costs	Government Order "Approval of the list of official statistical surveys for 2003"	October 2002	
Commission Regulation (EC) No 1726/1999 of 27 July 1999 implementing Council Regulation (EC) No 530/1999 concerning structural statistics on earnings and on labour costs as regards the definition and transmission of information on labour costs	Government Order "Approval of the list of official statistical surveys for 2003"	October 2002	
Council Regulation (EC) No 577/98 of 9 March 1998 on the organisation of a labour force sample survey in the Community	Government Order "Approval of the list of official statistical surveys for 2003"	October 2002	
Commission Regulation (EC) No 1924/99 of 8 September 1999 implementing Council Regulation (EC) No 577/98 on the organisation of a labour force sample survey in the Community as regards the 2000 to 2002 programme of ad hoc modules to the labour force survey	Government Order "Approval of the list of official statistical surveys for 2003"	October 2002	
Commission Regulation (EC) No 1925/99 of 8 September 1999 implementing Council Regulation (EC) No 577/98 on the organisation of a labour force sample survey in the Community concerning the specification of the 2000 ad hoc module on transition from school to working life	Government Order "Approval of the list of official statistical surveys for 2003"	October 2002	
Council Regulation (EC) No 58/97 of 20 December 1996 concerning structural business statistics	Government Order "Approval of the list of official statistical surveys for 2003"	October 2002	
Commission Regulation (EC) No 270/98 of 30 January 1998 fixing agricultural conversion rates	Government Order "Approval of the list of official statistical surveys for 2003"	October 2002	
Council Regulation (EC) No 571/88 of 29 February 1988 on the organisation of Community surveys on the structure of agricultural holdings between 1988 and 1997	Government Order "Approval of the list of official statistical surveys for 2003"	October 2002	



98/377/EC: Commission Decision of 18 May 1998 adapting Annex I to Council Regulation (EEC) No 571/88 in view of the organisation of the Community surveys on the structure of agricultural holdings between 1988 and 1997	Government Order "Approval of the list of official statistical surveys for 2003"	October 2002	
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**Implementation and administrative capacity**

<b>1.</b>	<b>2.</b>	<b>3.</b>	<b>4.</b>	<b>5.</b>
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
Statistical Office Conduct of the 2003 official statistical surveys	Government Order 758-k of 14 November 2001 Government Order of October 2002	State budget 139 Statistical Office's part 62, lines 10, 21, 44; ~ EEK 35 million to conduct surveys	Assistance within the Phare Multi-Country Statistical Programme	
Implementation of INTRASTAT, recruitment of a further ten people	Council Regulation (EC) No 3330/91, Commission regulations (EC) 1901/2000, 3590/92	State budget 139 Statistical Office's part 62, line 10: ~ EEK 0.5 million annually to recruit staff	Assistance within the framework of Phare Multi- Country Statistical Programme	

## **Plans of the Bank of Estonia**

### ***Introduction***

The main goal in the field of statistics collected by the Bank of Estonia is to continue to harmonise the collection and publication of statistics with the evolving good practice as well as requirements and recommendations of international organisations. The importance of the day to day co-operation with the European Central Bank and the International Monetary Fund is continuously increasing.

### ***Harmonisation of legislation***

Amendments to legislative acts continue to be on the everyday agenda with the aim to give more profound rights to the Bank of Estonia for collecting monetary and financial, as well as balance of payments statistics. In June 2002 a Draft of the Amendment Act of the Bank of Estonia Act shall be submitted to the *Riigikogu*. The Draft Act among other things includes the extension of statistics collection rights. The adoption of the Act by the *Riigikogu* shall be followed by the issue of the relevant decrees of the Bank of Estonia.

### ***Administrative capacity***

#### **Banking statistics**

In 2002-2003 a joint project of the EU accession countries and the ECB regarding analysis of the monetary and banking statistics compilation methodology in accession countries will continue. The project was launched in 2000 and by now two parts of the handbook describing the respective methodologies have been completed. Next year the third part of the handbook shall be ready. The third part comprises the practices of collection and compilation of statistics on interest rates, securities and other financial institutions by candidate countries.

Defining the monetary financial institutions as of end of each year and forwarding this information to the ECB is becoming regular. The first list of such institutions as of 2000 was forwarded to the ECB in March 2001. In future this will be done regularly in the beginning of each year up to the accession with the EU.

Up to 2001 the co-operation with the ECB was concentrated more on mutual getting to know the financial statistics compilation methodology, though, in October 2001 for the first time the candidate countries sent actual financial statistical data to the ECB. With the approval of candidate countries, the ECB will publish these data in a regular statistical publication *Monthly Statistical Series*. This will mark a new phase in the co-operation of the ECB and candidate countries, i.e. communication with the ECB turns more intense and regular in order to prepare the future accession.

On 22 November 2002, the ECB replaced the Regulation 2819/98, tackling the collection of statistics of the consolidated balance sheet of monetary financial institutions, with a new one. The Bank of Estonia keeps harmonising the statistics proceeding from the changes and amendments made in the Regulation.

The employees of the Bank of Estonia participate 1 to 2 times a year in financial and banking statistics workshops organised by the ECB for candidate countries.

***Plans for 2002-2003***

The harmonisation of the Estonian legislation with the above-mentioned and possible new requirements of the ECB will continue in order to enable Estonia to meet, for the moment of the accession to the EU, the requirements set for non-euro area countries.

**Balance of payments statistics**

The main aim in the development of balance of payments statistics in the following three years is to guarantee that the EU statistics standards are met. The requirements established by the ECB and EUROSTAT presume the diversification of outputs, which in turn establish requirements for the modernisation of the balance of payments compilation system.

One of the major tasks in the following years is to work out the Estonian model of balance of payments statistics compilation methodology that conforms the standards of the EU. This task is supported by the preparations initiated in 2000 for the transition to the integrated balance of payments compilation information system in order to enhance the efficiency, quality and flexibility of the balance of payments statistics collected and disseminated according to the EU requirements. The existing databases are to be integrated into one system. The existing reporting system will be reorganised too, i.e. in order to simplify the collection of balance of payments statistics the framework of data collection is made more precise, questionnaire forms are harmonised with the modified methodology in line with the requirements of the EU and EUROSTAT, and transition to electronic data exchange channels will take place step by step.

## 13. SOCIAL POLICY AND EMPLOYMENT

### 13.1. Labour law

Requirements concerning regulation of labour relations between the representatives of employees and employers by means of concluding collective agreements and collective labour dispute resolutions in the event of failure to comply with the obligations provided for in the agreement will be set out in the legislation in 2002. The rights of employees` and employers` associations, unions and central unions to form labour relations have to be achieved. The necessity for drafting of these rights results from the actual need for establishing the procedure of providing employees with information, consultation and advice.

Government of the Republic approved the draft *Employment Contract Act* on May 29, 2001 and the Riigikogu initiated legislative proceedings of the draft act on June 6, 2001. The new Employment Contract Act shall provide, *inter alia*, for the principle of equal treatment for men and women concerning equal treatment and pay for men and women, an employer's obligation to inform employees of the conditions applicable to the contract or employment relations, principles of safety and health of young people at work, employees' rights in the event of transfers of undertakings, businesses or parts of businesses.

For the purposes of informing and consulting employees about labour acts and studying the implications of these acts Labour Law Council has been established at the Labour Inspectorate by the decree of the Minister of Social Affairs. The Council comprises of the representatives of employers and employees as well as the state (mainly legal advisers specialized in labour law). The purpose of the work of the Council is to provide interpretation on the application of labour acts and propose possible solutions as regards the implementation of these acts.

### Social dialogue

Financial resources of the PHARE project "Social Dialogue on the Level of Sub-unions" will be allocated for the covering of the costs of drafting relevant legal acts and training in 2002-2003. 180 000 EEK has been applied from the state budget of 2002 for the co-financing of the project, 4,794 million EEK has been allocated as a foreign grant.

**Labour Law****Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
<b>76/207/EEC</b> Council Directive <b>76/207/EEC</b> of 9 February 1976 on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions	* <i>Employment Contract Act</i>	Is being read in the Riigikogu; January 2003	
	* <i>Gender Equality Act</i>	Submitted to the Riigikogu; June 2002	
<b>75/117/EEC</b> Council Directive <b>75/117/EEC</b> of 10 February 1975 on the approximation of the laws of the Member States relating to the application of the principle of equal pay for men and women	* <i>Employment Contract Act</i>	Is being read in the Riigikogu; January 2003	
	* <i>Gender Equality Act</i>	Submitted to the Riigikogu; June 2002	
<b>91/533/EEC</b> Council Directive <b>91/533/EEC</b> of 14 October 1991 on an employer's obligation to inform employees of the conditions applicable to the contract or employment relationship	* <i>Employment Contract Act</i>	Is being read in the Riigikogu; January 2003	
<b>94/33/EC</b> Council Directive <b>94/33/EC</b> of 22 June 1994 on the protection of young people at work	* <i>Employment Contract Act</i>	Is being read in the Riigikogu; January 2003	
	<i>Government Regulation "Safety and Health Requirements for Young People at Work"</i>	September 2002; January 2003	
	* <i>Amendments to the Working and Rest Time Act</i>	February 2002 January 2003	
	* <i>Amendments to the Occupational health and safety act</i>	June 2002 January 2003	

<p><b>92/85/EEC</b> Council Directive <b>92/85/EEC</b> of 19 October 1992 on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding (tenth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC)</p>	* <i>Employment Contract Act</i>	Is being read in the Riigikogu; January 2003	
<p><b>75/129/EEC</b> Council Directive <b>75/129/EEC</b> of 17 February 1975 on the approximation of the laws of the Member States relating to collective redundancies</p>	* <i>Employment Contract Act</i>	Is being read in the Riigikogu; January 2003	
<p><b>98/59/EC</b> Council Directive <b>98/59/EC</b> of 20 July 1998 on the approximation of the laws of the Member States relating to collective redundancies</p>	* <i>Employment Contract Act</i>	Is being read in the Riigikogu; January 2003	
<p><b>92/56/EEC</b> Council Directive <b>92/56/EEC</b> of 24 June 1992 amending Directive 75/129/EEC on the approximation of the laws of the Member States relating to collective redundancies</p>	* <i>Employment Contract Act</i>	Is being read in the Riigikogu; January 2003	
<p><b>77/187/EEC</b> Council Directive <b>77/187/EEC</b> of 14 February 1977 on the approximation of the laws of the Member States relating to the safeguarding of employees' rights in the event of transfers of undertakings, businesses or parts of businesses</p>	* <i>Employment Contract Act</i>	Is being read in the Riigikogu; January 2003	
<p><b>98/50/EC</b> Council Directive <b>98/50/EC</b> of 29 June 1998 amending Directive 77/187/EEC on the approximation of the laws of the Member States relating to the safeguarding of employees' rights in the event of transfers of undertakings, businesses or parts of businesses</p>	* <i>Employment Contract Act</i>	Is being read in the Riigikogu; January 2003	
<p><b>2001/23/EC</b> Council Directive <b>2001/23/EC</b> of 12 March 2001 on the approximation of the laws of the Member States relating to the safeguarding of employees' rights in the event of transfers of undertakings, businesses or parts of undertakings or businesses</p>	* <i>Employment Contract Act</i>	Is being read in the Riigikogu; January 2003	

<b>97/80/EC</b> Council Directive <b>97/80/EC</b> of 15 December 1997 on the burden of proof in cases of discrimination based on sex	<i>*Employment Contract Act</i>	Is being read in the Riigikogu; January 2003	
	<i>* Gender Equality Act</i>	Submitted to the Riigikogu; June 2002	
<b>1999/70/EC</b> Council Directive <b>1999/70/EC</b> of 28 June 1999 concerning the framework agreement on fixed-term work concluded by ETUC, UNICE and CEEP	<i>*Employment Contract Act</i>	Is being read in the Riigikogu; January 2003	
<b>2000/78/EC</b> Council Directive <b>2000/78/EC</b> of 27 November 2000 establishing a general framework for equal treatment in employment and occupation	<i>*Employment Contract Act</i>	Is being read in the Riigikogu; January 2003	
<b>94/45/EC</b> Council Directive <b>94/45/EC</b> of 22 September 1994 on the establishment of a European Works Council or a procedure in Community-scale undertakings and Community-scale groups of undertakings for the purposes of informing and consulting employees	<i>Draft Rights of the Employees` and Employers` Associations, Unions and Central Unions in Establishing Work Relations Act</i>	December 2002; July 2003	Preparations for the draft act will be made within the framework of PHARE project 2001 "Social Dialogue at the Level of Affiliate Unions".
<b>96/71/EC</b> Directive <b>96/71/EC</b> of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services	<i>Draft Posted Workers Act</i>	June 2003; January 2004	
<b>80/987/EEC</b> Council Directive <b>80/987/EEC</b> of 20 October 1980 on the approximation of the laws of the member states relating to the protection of employees in the event of the insolvency of their employer.	<i>* Draft Health Insurance Act</i>	Is being read in the Riigikogu; April 2002	
	<i>Draft Collective Labour Dispute Resolution Act</i>	December 2002; July 2003	The draft act will be outlined within the framework of PHARE project 2001.
	Government Regulation: <i>List of Undertakings and Institutions Satisfying the Basic needs of the Population and Economy</i>	May 2003; July 2003	



	<i>Employers Unions Act</i>	December 2002; July 2003	The draft act will be outlined within the framework of PHARE project 2001 "Social Dialogues at the Level of Sub- unions."
	<i>Amendments to the Collective Agreements Act</i>	December 2002; March 2003	The Act needs an amendment within the framework of PHARE project "Social Dialogues at the Level of Sub-Unions".

**Labour Law****Implementation and administrative capacity**

1.	2.	3.	4.	5.
Institution, planned measures (incl training), deadline	Legal basis, implemented legal act	Financing (State budget line, other sources)	Technical assistance needs	Remarks
<p><b>Labour Inspectorate</b> 4 posts of a legal adviser will be set up in the Legal Department of the Labour inspectorate in relation to the implementation of new labour law acts, harmonizing of the EU directives, counselling of employers as well as employees and drafting of necessary information materials. In addition, these legal advisers will be responsible for the training of labour inspectors and members of Labour Dispute Committees.</p> <p>July 2002</p>	<ul style="list-style-type: none"> <li>• <i>Employment Contract Act</i></li> <li>• <i>Working and Rest Time Act (RT I 2001, 17, 78)</i></li> <li>• <i>The Holiday Act (RT I 2001, 42, 233)</i></li> <li>• <i>Collective Agreements Act (RT I 1993, 20, 353)</i></li> <li>• <i>Draft Rights of the Employees` and Employers` Associations, Unions and Central Unions in Establishing Work Relations Act</i></li> <li>• <i>Draft Collective Labour Dispute Resolution Act</i></li> <li>• <i>Draft Posted Workers Act</i></li> </ul>	<p>Part 141 Chapter 80 600 000 EEK for setting up 4 posts and 300 000 EEK for the preparation and printing of information material</p>		
<p>Training of 100 representatives of employers and 100 representatives of employees in regulating labour relations by means of collective agreements will be carried out within the framework of PHARE 2001 project "Collective Negotiations at the Level of Sub-Unions"</p> <p>December 2002</p>			<p>From the budget of PHARE project 2001 "Social Dialogue at the Level of Sub-Unions."</p>	

<p><b>Labour Inspectorate</b></p> <ul style="list-style-type: none"> <li>• Development of information system</li> <li>• Training of trainers –training of 15 labour inspectors in labour legislation and the requirements of occupational health</li> </ul> <p>July 2002</p>	<p>90/270/EEC 75/129/EEC 80/987/EEC</p>		<p>Sub-component of Phare Consensus III project “Development of the Information System of the Labour Market Board” 224 923 EEK</p> <p>Involvement of foreign experts regarding: a) drafting of information materials b) setting up 4 computer workplaces</p>	<p>Phare Consensus III project "Support to Institutional Development for Implementing Social <i>Acquis</i> " 1,97 MEUR Twinning Covenant is being prepared. Budget according to our proposal</p>
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## 13.2. Employment

### European Social Fund

An administration scheme of the European Social Fund (ESF), necessary guides for the managers and applicants of the Fund will be drawn up, training of the civil servants of the ministries participating in the implementation of the Fund will be carried out and a training plan regarding training of the civil servants participating in the implementation of the ESF in regions will be drafted within the framework of Phare Consensus III project by the end of 2002.

In addition to the civil servants of the Ministry of Social Affairs, representatives of the Ministry of Education, Ministry of Economic Affairs, Ministry of Financial Affairs, Ministry of Internal Affairs, Ministry of Agriculture, Employers` Central Union, Central Federation of Trade Unions, TALO, Foundation Vocational Education Reform and Labour Market Board are participating in the preparation of ESF. The task of the working group of the representatives of different organizations is to monitor the implementation of the project and inform relevant organizations about the progress of the preparations concerning the ESF. Another working group consisting mostly of the representatives of the Ministry of Social Affairs, Labour Market Board, Ministry of Education and Foundation Vocational Education Reform is participating in the immediate implementation of the project like drafting the material necessary for the implementation of the ESF.

The Ministry of Social Affairs is preparing the relevant field of activity of the SPD – *Single Programming Document*. The Ministry of Financial Affairs is co-ordinating the preparations for the SPD.

Republic of Estonia Employment Action Plan 2002 was approved by the Government of the Republic on July 24, 2001. The Action Plan has been prepared by the Ministry of Social Affairs and it has been agreed with relevant ministries, county governments, Employers` Central Union, Central Federation of Trade Unions, Labour Market Board, Chamber of Disabled and Association of Estonian Cities. The Action Plan has been drawn up in accordance with the EU Employment Strategy and Employment Guidelines 2001. The Action Plan consists of four priority areas: increasing of employment, development of entrepreneurship, supporting the adaption of undertakings and their workers, enforcement of the policy ensuring equal opportunities for men and women. Assessment of the implementation of the previous Employment Action Plan (IV quarter 2000 – 2001) is provided in the introduction of this Action Plan. An Employment Action Plan is drafted annually.

National programme “Increasing Employment, Avoiding Long-term Unemployment and Preventing Exclusion of the Persons Belonging to the Risk Groups from Employment” will be carried out in 2001 to implement the Employment Action Plan. Financing of the programme will be applied from the resources of the non-budgetary reserve capital of the Government of the Republic.

As a result of the entry into force of the *Labour Market Services Act* and the *Social Protection of the Unemployed Act* on October 1, 2000, the Labour Market Board started with the elaboration of a new information system based on cross-usage of data

basis in 2000, the indicative deadline of the completion of the system is September 2002. Together with the new information system, national register of job-seekers and labour market services provided in the *Labour Market Services Act* will be set up in 2002.

The Labour Market Board will continue the development and implementation of the software of national labour market institutions within the period of 2001-2002. In 2002 the Labour Market Board will prepare the Estonian database of job-seekers and vacancies for joining the European Employment Services (EURES).

**Employment**  
**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
EU Employment strategy	National Employment Action Plan 2003	June 2002 January 2003	Employment Action Plan is drafted annually.
<b>1612/68/EMÜ</b> Regulation (EEC) No 1612/68 of the Council of 15 October 1968 on freedom of movement for workers within the Community Council Regulation (EEC) No 2434/92 of 27 July 1992 amending Part II of Regulation (EEC) No 1612/68 on freedom of movement for workers within the Community	<i>*Implementing Act of the Labour Market Services Act Government Regulation "Setting up the National Register of Job-seekers and Labour Market Services and Approval of the Statutes"</i>	January 2002 January 2003	
<b>93/569/EEC</b> <b>93/569/EEC:</b> Commission Decision of 22 October 1993 on the implementing of Council Regulation (EEC) No 1612/68 on freedom of movement for workers within the Community as regards, in particular, a network entitled Eures (European Employment Services)	<i>*Implementing Act of the Labour Market Services Act Government Regulation "Setting up the National Register of Job-seekers and Labour Market Services and Approval of the Statutes"</i>	January 2002 January 2003	

**Employment****Implementation and administrative capacity**

1.	2.	3.	4.	5.
Institution, planned measures (incl training), deadline	Legal basis, implemented legal act	Financing (State budget line, other sources)	Technical assistance needs	Remarks
<b>Labour Market Department of the MoSA Labour Market Board Public Employment Services</b> Implementation of the Employment Action Plan 2002  December 2002	National Employment Action Plan 2002	LMB Part 141 Chapter 71; National programme (receipts from privatization); bilateral co-operation projects	Phare 2001 project "Support to the Development of the Employment of Young People" has been approved by the EC	
<b>MoSA, LMB (MoF, MoEd, MoEc, MoIA)</b> Preparations for the implementation of the European Social Fund  December 2002	1260/1999/EC	MoSA Part 141 Chapter 01 art 10	A sub-component of Phare Consensus III project "Preparations for the Administration Scheme and Action Plans regarding Joining the European Social Fund"	Phare Consensus III project "Support to Institutional Development for Implementing Social <i>Acquis</i> ". <i>Twinning Covenant</i> was signed 14.06.2001
<b>Labour Market Department of the MoSA</b> Preparations for the report on the implementation of the JAP  March 2002	<i>JAP - Joint assessment of Employment Priorities in Estonia</i>	MoSA Part 141 Chapter 01 art 10		JAP was signed 19.03.2001. The purpose of drafting the document and the implementing report thereof is to prepare Estonia for the participation in the EU employment strategy.

<p><b>Labour Market Board</b> Recruiting of a ESF specialist</p> <p>February 2002</p>	1260/1999EC	MoSA Part 141 Chapter 71	Phare 2000 project "Support to the Balanced Development of Labour Market Services" Phare Consensus III	Structural position starting from 01.01.2002
<p><b>Labour Market Board</b> <b>Public employment service</b> Increasing of the administrative capacity in the context of the EU accession within the framework of Phare 2000 project "Support to the Balanced Development of Labour Market Services": drafting of the guide to/information material of the EU employment guidelines</p> <p>August 2002</p>	1260/1999/EC 1612/68/EEC 93/ 569/ EC	MoSA Part 141, Chapter 71 Phare 2000 project "Support to the Balanced Development of Labour Market Services"	Phare 2000 project "Support to the Balanced Development of Labour Market Services"	
<p><b>Labour Market Board</b> <b>Public Employment Services</b> Increasing of the administrative capacity in the context of the EU accession within the framework of Phare 2000 project "Support to the Balanced Development of Labour Market Services": Training of the staff of Public Employment Services in issues concerning the European Social Fund.</p> <p>August 2002</p>	1260/1999/EC 1612/68/EEC 93/ 569/ EC	MoSA Part 141, Chapter 71 Phare 2000 project "Support to the Balanced Development of Labour Market Services"	Phare 2000 project "Support to the Balanced Development of Labour Market Services"	



<p><b>Labour Market Board</b> <b>Public Employment Services</b> Increasing of the administrative capacity in the context of the EU accession within the framework of Phare 2000 project “Support to the Balanced Development of Labour Market Services”: assessment of legal, institutional and financial – economic framework in the context of joining the EURES network and finding out the best possible solutions pursuant to the EU standards for setting up info technological network</p> <p>October - November 2002</p>	<p>1260/1999/EC 1612/68/ EEC 93/569/ EC</p>	<p>MoSA Part 141, Chapter 71 Phare 2000 project “Support to the Balanced Development of Labour Market Services</p>	<p>Phare 2000 project “Support to the Balanced Development of Labour Market Services”</p>	
<p><b>Labour Market Board</b> <b>Public Employment Services</b> Increasing of the administrative capacity in the context of the EU accession within the framework of Phare 2000 project “Support to the Balanced Development of Labour Market Services”: organization of a seminar for the civil servants of the Labour Market Board in issues concerning the field of the EU labour market</p> <p>January 2002</p>	<p>1260/1999/EC 1612/68/EEC 93/569/EC</p>	<p>MoSA Part 141, Chapter 71 Phare 2000 project “Support to the Balanced Development of Labour Market Services</p>	<p>Phare 2000 project “Support to the Balanced Development of Labour Market Services”</p>	
<p><b>Labour Market Board</b> <b>Public Employment Services</b> Establishment of a self-serving system within the framework of Phare 2000 project “Support to the Balanced Development of Labour Market Services</p> <p>February 2002 – February 2003</p>	<p>1612/68/EEC 93/569/EC</p>	<p>Phare 2000 project “Support to the Balanced Development of Labour Market Services</p>	<p>Phare 2000 project “Support to the Balanced Development of Labour Market Services”</p>	

<p><b>Labour Market Board</b>  <b>Public Employment Services</b>          Within the framework of Phare 2000 project “Support to the Balanced Development of Labour Market Services”: training of the members of tripartite employment councils with the purpose of providing them with information about their role in the implementation of labour market policy at regional level and drafting of a guide for the members of councils</p> <p>April 2002</p>	<p>1612/68/EEC          93/569/EC</p>	<p>MoSA Part 141, Chapter 71          Phare 2000 project “Support to the Balanced Development of Labour Market Services</p>	<p>Phare 2000 project “Support to the Balanced Development of Labour Market Services”</p>	
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### 13.3. Social Security

In 2002 the field of social security will be fully harmonized with the EU requirements.

In 2002 basic acts necessary for the social security reform will be adopted and implemented - *Accidents at Work and Occupational Diseases Insurance Act* and *Old Age Pensions on Favourable Conditions Act* and *Superannuated Pensions Act Amendment Act*.

Riigikogu adopted the *Unemployment Insurance Act* in June 2001, the act entered into force on January 1, 2002.

*State Pension Insurance Act* was adopted in December 2001 and entered into force on January 1, 2002. The main purpose of the act is to improve the structure of the act and the comprehensibility of its provisions and make amendments to the act pursuant to the implementation of the funded pension scheme.

December 12, 2001 the *Disability Benefit Act Amendment Act* was adopted. The act is providing for the basis for linking social benefits of the disabled with rehabilitation ensuring purpose-oriented use of benefits. The act will also set out a requirement for drafting rehabilitation plans for adults prior to defining the degree of disability. Another purpose of the act is to enhance the system of defining the degree of disability and the procedure of providing benefits and elaborating the criteria of eligibility of allocation of benefits. The act entered into force on January 1, 2002.

New version of the *Disability Benefit Act* will be drafted to improve the comprehensibility and interpretation and logical structure of the act taking into consideration possible amendments proposed in the course of practical implementation of this act.

European Code of Social Security will be ratified in 2002 to ensure compliance with the European standards of social security. An inception report on the implementation of the standards of the Code of Social Security will be drafted.

In 2002 an additional expertise will be made to assess the necessity of joining the Collective Complaints Scheme Protocol to European Social Charter.

## Social Security

### Approximation of legislation

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
<b>1408/71/EEC</b> Council regulation <b>1408/71/EEC</b> on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community	* <i>Unemployment Insurance Act</i>	January 2002	Approved on 14.06.2001
	* <i>State Pension Insurance Act</i>	January 2002	
	* <i>Accidents at Work and Occupational Diseases Insurance Act</i>	May 2002	Is being read in the Riigikogu
	* <i>Draft Health Insurance Act</i>	April 2002	Is being read in the Riigikogu
<b>80/987/EEC</b> Council Directive <b>80/987/EEC</b> of 20 October 1980 on the approximation of the laws of the Member States relating to the protection of employees in the event of the insolvency of their employer	* <i>Unemployment Insurance Act</i>	January 2002	Approved on 14.06.2001
<b>79/7/EEC</b> Council Directive <b>79/7/EEC</b> of 19 December 1978 on the progressive implementation of the principle of equal treatment for men and women in matters of social security	* <i>Unemployment Insurance Act</i>	January 2002	Approved on 14.06.2001
	* <i>Old Age Pensions on Favourable Conditions Act and Superannuated Pensions Act Amendment Act</i>	August 2002	A prerequisite of the adoption of this act is the entry into force of the Accidents at Work and Occupational Diseases Insurance Act
<b>Art 13</b> of the Social Charter The right to social and medical assistance	<i>Disability Benefit Act Amendment Act</i>	Entered into force on January 2002	
	<i>Disability Benefit Act new redaction</i>	Oktoober 2002	It will be drafted with the purpose of improving the structure of the act and the comprehensibility of the provisions
<b>Art 15</b> of the Social Charter The right of persons with disabilities to independence, social integration and participation in the life of the community	<i>Disability Benefit Act Amendment Act</i>	Entered into force on January 2002	

<b>Art 136</b> of the EC Treaty IX part Social policy, education, vocational education and youth	<i>* European Code of Social Security Ratification Act</i>	April 2002	It is necessary to carry out a prior expert assessment on the situation. 0-report has to be outlined before drawing up the draft (mapping and analysing of the situation prior to the ratification)
	<i>*Draft Ratification of Collective Complaints Scheme Protocol to the European Social Charter Act</i>	September 2002	It is necessary to carry out a prior expert assessment on the situation

**Social Security****Implementation and administrative capacity**

1.	2.	3.	4.	5.
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
<b>Social Security and Benefits Department of the MoSA</b> 2 workplaces will be set up  December 2002	Statute of MoSA	MoSA budget		2 new workplaces at the expense of reorganization of workers within the administration of MoSA
<b>Ministry of Social Affairs</b> Drafting of an inception report on the implementation of the standards of the Social Charter  May 2003	Ammended and supplemented European Social Charter	MoSA budget Part 141 chapter 01 art 44	Council of Europe 60 000 EEK	
<b>Ministry of Social Affairs</b> Expert Commission (representatives of ministries, employers and employees)  <b>January 2002</b>	Ammended and supplemented European Social Charter	MoSA budget Part 141 chapter 01 art 44		
<b>Ministry of Social Affairs</b> <b>Social Insurance Board</b> <b>Labour Market Board</b> <b>Central Sick Fund</b> Drafting of an inception report on the implementation of the standards of the Code of Social Security  March 2002	The European Code of Social Security	MoSA budget Part 141 chapter 01 art 44	Council of Europe	

## **13.4. Social Protection**

### **Amended European Social Charter**

In 2002 a working group of representatives of relevant ministries as well as social partners will be set up by the decree of the Minister of Social Affairs. The purpose of the working group is to draw up a national inception report on the implementation of the basic articles of the Social Charter. The deadline for the submission of the report is June 30, 2003. At the same time, collection and analysing of data on other articles will be initiated. The report has to provide information on the Estonian legislation, statistics and case law. The legislative part will be completed by September 2002. In 2002 the legislation will be amended with the purpose of harmonizing the legislation with the requirements of the Social Charter.

Collection of case-law of the European Committee of Social Rights will be translated and disseminated.

Collection of data for the next reporting period will begin in 2003. Amendments to the administrative and national standard reporting forms of statistics will be made, if necessary.

Study of the standards of the Social Charter will be included in the curricula of higher schools teaching international law and social work in case the higher schools are interested in it.

### **Strategy and Framework Action Plan of Decreasing Poverty and Social Exclusion**

Framework action plan of the alleviation of poverty and social exclusion will be drawn up in 2002. The purpose of drafting the framework action plan is to co-ordinate the measures taken to prevent and decrease poverty and social exclusion in different policy fields. Instead of single problems major key spheres will be concentrated on (employment, education and information society, regional development, health care, social protection).

The objectives of the strategy of social cohesion of the European Union approved by the European Union Summit in Nice form the basis for the action plan of decreasing poverty and social exclusion:

- to increase employment, ensure all people exercising of the rights, access to the resources, goods and services
  - eg. enhancement of social protection: everyone must have resources for the life worth living; working must pay off financially;
  - dwelling policy: ensure proper accommodation;
  - health care: access to medical care according to the need and situation etc;
- to prevent risks of social exclusion;
- to help the most vulnerable people in the society;
- to concentrate all relevant interest groups.

### **State Social Benefits**

*Social Welfare Act Amendment Act* specifying the requirements concerning the terms, procedure and extent of granting subsistence benefits was adopted in October 2001. The Riigikogu makes a decision on the amount of subsistence pursuant to the law. The act provides that any person staying in Estonia has got the right to emergency social benefit, i.e. a person with insufficient means of subsistence is entitled to receive basic assistance of social welfare ensuring at least the provision of food, cloths and temporary accommodation. *Amendments to the Social Welfare Act* will be implemented in 2002.

### **Protection of Children`s Rights**

Implementation of PRIDE programme (programme for preparing and training of foster parents) will continue until the end of 2002. Local governments will be supported in finding, preparing and supporting foster parents within the framework of this programme.

Reorganization and development of child welfare sector will be carried on within the period of 2002 – 2003. An action plan of the national strategy of child protection will be drawn up within the year 2002.

### **Elderly Care**

Implementation of the concept of “Principles of Elderly Policy in Estonia” will be continued within the period of 2002-2005.

“National Programme for the Implementation of the Principles of Elderly Policy in Estonia 2002-2005” will be launched to ensure efficient implementation of the above mentioned priorities.

### **Equal Opportunities for the Disabled**

An action plan for the implementation of the general concept of the disabled policy of the Republic of Estonia “Standard Rules for the Provision of the Disabled with Equal Opportunities” forms the basis for ensuring equal opportunities for the disabled. The action plan provides necessary measures and deadlines for granting equal opportunities for the disabled in different spheres.

Preparations for the ratification of ILO Convention no 159 on vocational rehabilitation and employment will begin in 2003.



**Social Protection**  
**Approximation of legislation**

<b>1.</b>	<b>2.</b>	<b>3.</b>	<b>4.</b>
<b>EU legal act</b>	<b>Estonian legal act</b>	<b>Deadline for submission, indicative date of entry into force</b>	<b>Remarks</b>
EU Strategy on social inclusion	Strategy and framework action plan of decreasing poverty and social exclusion	June 2002	

### 13.5. Equal Opportunities for Men and Women

The indicative date of the entry into force of the *Gender Equality Act* approved by the Government of the Republic in 2001 is II quarter of 2002. Establishment of the necessary support structure will be continued in 2002 - legal advisers, experts and civil servants will be prepared for working as equality experts in order to ensure efficient implementation of the act. Training of civil servants and legal advisers will be organized within the framework of international co-operation projects. In the first half-year of 2002 implementing acts of the Gender Equality Act will be drafted.

Monitoring systems and methods will be developed pursuant to international standards (for submission of annual reports to the European Commission, drafting of other national reports and monitoring of social development and planning of activities). A monitoring system for measuring the development of equality will be elaborated. 500 000 EEK will be applied for from the state budget.

An Estonian report on the UN Convention regarding liquidation of all forms of discrimination against women will be published (supported by the UNDP project).

In the second half-year of 2002 the inter-ministerial working group will draw up a national programme and specific sub-programmes to integrate the principles of equality of men and women into all spheres of life pursuant to the Amsterdam Treaty. Organization of trainings and seminars for different target groups – labour inspectors, equality experts, social partners, women` organizations - will be continued.

Implementation of the ILO international programme “More and Better Jobs for Women” will continue, focusing on identification of problems and provision of target groups with training and information in Viljandi county. An internet page in the Estonian language will be drawn up providing an overview of the main definitions of the issue of gender equality, introducing the activities and participation of Estonia in international programmes and projects and giving an overview of legal databasis and information material regarding equality issues. The relevant data base will partly be accessible via the information system of public information that will be set up by the State Department of Information Systems of the Ministry of Transport and Communications.

Within the framework of ILO ongoing project “More and Better Jobs for Women” provision of micro credits will be initiated and establishment of marketing and business advisory centre for women will be supported in Valga county.

Co-operation projects with international organisations (Swedish International Development Agency; Nordic Council of Ministers) will be carried on focusing on increasing the activity of women, training of civil servants, extensive integration of the principle of equality into various socio-economic fields.

Strategy and methods of integrating the principles of equality into the field of employment and working life will be developed. Training and technical assistance will be focused on readiness of integrating the principle of equality into measures financed by the European Union Structural Funds.

Strategy of decreasing the acts of violence against women will be agreed upon and organization of campaigns against women trade will be co-ordinated, legislation will be improved, policemen, social workers and physicians will be trained, necessary support structures will be developed. Nordic Council of Ministers and International Migration Board will allocate 2 million EEK to support the named activities. These two-year programmes will be launched in 2002.

In 2002 preparations for the III International Conference of Women of the Baltic Sea States organized in 2003 will begin. Preparations will be made in co-operation with the Ministry of Foreign Affairs. An International Steering Committee and Programme Committee will be set up. 95 000 EEK have been applied from the state budget 2002 and 700 000 EEK from the state budget 2003 for the organization of the conference. The Nordic Council of Ministers and the USA will support the conference as well.

As a result of adoption of the Gender Equality Act inspectors of the Labour Inspectorate have to fulfil additional obligations and relevant training of inspectors will be arranged. Training costs will be covered from budget of foreign co-operation projects.

The Finnish Ministry of Social Affairs and the Danish Foreign Ministry provide support to the raising of public awareness, increasing of administrative capacity in the field of gender equality by publishing information materials and booklets introducing the principles of equality and methods of promotion of equality and improving the internet home page of the Equality Bureau

## Equal Opportunities for Men and Women

### Approximation of legislation

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
<p><b>Treaty Establishing the European Community</b></p> <p><b>Art 2</b> (Introduces promotion of equality between men and women in all parts of the Community as one of the tasks to be undertaken by the Community)</p> <p><b>Art 3</b> (In all activities it is necessary to eliminate inequalities and promote equality between men and women to achieve the aim of the Community)</p> <p><b>Art 13</b> (The Council may take appropriate action to combat discrimination)</p> <p><b>Art 137</b> (The Community shall, among others, support and complement the activities of the Member States in the field of equality between men and women with regard to labour market opportunities and treatment at work)</p> <p><b>Art 140</b> (The Commission shall facilitate coordination of cooperation between the Member States and actions in all social policy fields)</p> <p><b>Art 141</b> (Provides the obligation to ensure that the principle of equal pay for equal work or work of equal value is applied)</p> <p><b>Art 142</b> (Member States shall endeavour to maintain the existing equivalence between paid holiday schemes)</p> <p><b>Art 143</b> (An annual report of the Commission on progress made in achieving the objectives of social provisions)</p>	* <i>Draft Gender Equality Act</i>	Is being read in the Riigikogu; June 2002	Delayed due to normtechnical reasons
<p><b>75/117/EEC</b></p> <p>Council Directive <b>75/117/EEC</b> of 10 February 1975 on the approximation of the laws of the Member States relating to the application of the principle of equal pay for men and women</p>	* <i>Draft Gender Equality Act</i>	Is being read in the Riigikogu; June 2002	
	* <i>Employment Contract Act</i>	Is being read in the Riigikogu; January 2003	

<p><b>76/207/EEC</b> Council Directive <b>76/207/EEC</b> of 9 February 1976 on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions</p>	<p><i>* Draft Gender Equality Act</i></p>	<p>Is being read in the Riigikogu; June 2002</p>	
	<p><i>*Employment Contract Act</i></p>	<p>Is being read in the Riigikogu; January 2003</p>	
<p><b>79/7/EEC</b> Council Directive <b>79/7/EEC</b> of 19 December 1978 on the progressive implementation of the principle of equal treatment for men and women in matters of social security</p>	<p><i>* Draft Gender Equality Act</i></p>	<p>Is being read in the Riigikogu; June 2002</p>	
<p><b>86/378/EEC</b> Council Directive <b>86/378/EEC</b> of 24 July 1986 on the implementation of the principle of equal treatment for men and women in occupational social security schemes</p>	<p><i>* Draft Gender Equality Act</i></p>	<p>Is being read in the Riigikogu; June 2002</p>	
<p><b>86/613/EEC</b> Council Directive <b>86/613/EEC</b> of 11 December 1986 on the application of the principle of equal treatment between men and women engaged in an activity, including agriculture, in a self-employed capacity, and on the protection of self-employed women during pregnancy and motherhood</p>	<p><i>* Draft Gender Equality Act</i></p>	<p>Is being read in the Riigikogu; June 2002</p>	
<p><b>96/97/EC</b> Council Directive <b>96/97/EC</b> of 20 December 1996 amending Directive 86/378/EEC on the implementation of the principle of equal treatment for men and women in occupational social security schemes</p>	<p><i>* Draft Gender Equality Act</i></p>	<p>Is being read in the Riigikogu; June 2002</p>	
<p><b>97/80/EC</b> Council Directive <b>97/80/EC</b> of 15 December 1997 on the burden of proof in cases of discrimination based on sex</p>	<p><i>* Draft Gender Equality Act</i></p>	<p>Is being read in the Riigikogu; June 2002</p>	
	<p><i>*Employment Contract Act</i></p>	<p>Is being read in the Riigikogu; January 2003</p>	

### Equal Opportunities for Men and Women Implementation and administrative capacity

1.	2.	3.	4.	5.
Institution, planned measures (incl training), deadline	Legal basis, implemented legal act	Financing (State budget line, other sources)	Technical assistance needs	Remarks
<b>Ministry of Social Affairs</b> Training in the EU law, research, informing the public, training of social partners  I quarter of 2002	<i>Draft Gender Equality Act</i>	Part 144 chapter 01 Art. 44  114 700 EEK	Phare National programme 1999 "Support to the Development of the System of Occupational Health and Safety" 374 000 EEK	
<b>Ministry of Social Affairs</b> Setting up the Gender Equality Commission  III quarter of 2002	<i>Draft Gender Equality Act Statutes of the Gender Equality Commission</i>	State budget 1 500 000 EEK		<ul style="list-style-type: none"> <li>• Finances will be allocated pursuant to the Gender Equality Act either independently from the state budget or the budget of the MoSA</li> <li>• The final sum is related to the date of the implementation of the Gender Equality Act</li> <li>• The institution will be defined upon the adoption of the act</li> </ul>
<b>Ministry of Social Affairs</b> Setting up the Gender Equality Council	<i>Draft Gender Equality Act Statutes of the Gender Equality Council</i>	<ul style="list-style-type: none"> <li>• State budget (MoSA)</li> </ul>		<ul style="list-style-type: none"> <li>• Finances will be allocated pursuant to the Gender Equality Act either independently from the state budget or the budget of the MoSA</li> <li>• Institutions will be defined upon the adoption of the act</li> </ul>
<b>Ministry of Social Affairs</b> Training of experts of gender equality institutions  I, III quarter of 2002	<i>Draft Gender Equality Act</i>		Nordic Council of Ministers 35000 EEK	

<b>Ministry of Social Affairs</b> <b>Labour Inspectorate</b> Training of equality experts, representatives of county and local governments, members of labour dispute committees, trade unions, employers` unions, senior civil servants. Training of tripartite employment councils  Starting from II quarter 2002	Draft Gender Equality Act		Danish Foreign Ministry, FEU programme  500 000 EEK	Training and technical assistance have to be targeted at the readiness of integrating the principle of equality into all action plans and policies.
<b>Ministry of Social Affairs</b> Training of the members of inter-ministerial working group in integration methods of the principle of equality, relations between equality and socio-economic issues *  II quarter of 2002			Nordic Council of Ministers 50 000 EEK  Foreign lecturers and experts. Training materials and study aids	As a result of changes in the timeschedule of foreign lecturers, training will take place in January 2002
<b>Ministry of Social Affairs</b> Monitoring of the situation of gender equality and analysis of the results.  II quarter of 2002	<i>Amsterdam Treaty</i>	State budget 500 000 EEK	Foreign experts (Danish National Equality Centre, Finnish equality experts of ESF etc.)	No resources allocated yet.
<b>Ministry of Social Affairs</b> Guides of legal, analytical and implementing aspects of developing gender equality (translation, publication)  III quarter of 2002	<i>Amsterdam Treaty</i> <i>Regulations of the EU</i> <i>Structural Funds</i> <i>Gender Equality Act</i>	Part 141 chapter 01 art. 44 100 000 EEK	Danish National Equality Centre  Phare Consensus III horizontal component* 3 412 800 EEK	*project " <i>Institution building for the Social Acquis with Denmark</i> "
<b>Ministry of Social Affairs</b> Training of representatives of local governments and female entrepreneurs	<i>National Employment Action Plan</i>	ILO programme "More and Better Jobs for Women"  1,2 million EEK		

<b>Ministry of Social Affairs</b> Training of social partners and representatives of local governments  IV quarter of 2002	<i>The Government Act §67 seg 1</i>		Swedish support programme SIDA (Gender in companies) 1 000 000 EEK	
<b>Ministry of Social Affairs</b> Joining the EU strategic framework programme of gender equality  2002	Phare 2001 V framework programme "Towards a Community Framework Strategy on Gender Equality 2001-2005"	Part 141 chapter 01 art 44  178 400 EEK	Phare 2001 V framework programme "Towards a Community Framework Strategy on Gender Equality 2001-2005" 156 500 EEK	



### **13.6. Combating racism**

The Ministry of Justice is responsible for harmonizing the Estonian law with the Council Directive 2000/43/EC on implementing the principle of equal treatment between persons irrespective of racial or ethnic origin. The deadline for the submission of the act is 2003. A general equality act will be drafted to prohibit discrimination on grounds of racial and ethnic origin as well as age, disability, sexual orientation, religion or political belief.

The act will provide definitions of different terms taking into account relevant formulations provided in Estonian, European and International Law and stipulate the obligation of co-operation and promotion between different institutions. The most important objective of the act is drafting of a functioning, uncomplicated and efficient protection mechanism of the rights of people. A strong authority of comprehensive competence will be established taking into consideration the necessity of finding efficient arguments for combined cases of discrimination.

**Combating racism**  
**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
<b>2000/43/EC</b> Council Directive <b>2000/43/EC</b> of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin	<i>Equality Act</i>	January 2003 October 2003	A general equality act will be drafted to prohibit discrimination on grounds of racial and ethnic origin as well as age, disability, sexual orientation, religion, belief or political views.

### 13.7. Occupational Health and Safety

In 2002 the field of occupational health and safety will be fully harmonized with the requirements of the EU.

The main guidelines envisaged for the promotion of the field of occupational health and safety in 2002 include improving the implementation of the regulations pursuant to the *Occupational Health and Safety Act* and drafting of relevant Estonian legal acts with the view to legal approximation. Significant amendments will be made to the *Occupational Health and Safety Act*.

Intensive integration of the field of occupational health and safety into the field of labour relations, employment and public health will continue. Joining the Labour Relations and the Working Environment Departments of the Ministry of Social Affairs in one Labour Department on January 1, 2002 could be considered as a step towards the above named integration.

In 2002 implementation of the Occupational Health Action Plan (2003-2010) will be initiated with the purpose of improving the accessibility and quality of occupational health services, strengthening the administrative capacity of the providers of occupational health services (concentrating mainly on the Occupational Health Centre that started to operate in 2000) and increasing vocational skills of occupational health specialists. Implementation of the ongoing PHARE Twinning COP '99 project "Support to the Occupational Health Sector of Estonia" plays an important role in it. After the completion of the project in summer 2002 a short-term so-called *Twinning light* project "EU PHARE Support to Increasing the Coverage and Efficiency of Occupational Health Services in Estonia" will be initiated. The main purpose of the project is to increase the knowledge of family physicians in the field of occupational health and improve occupational health in agricultural sector.

Implementation of Chemicals Safety Action Plan (2003 – 2010) will be initiated in 2002. It provides essential and fundamental changes in the national policy of chemicals safety, including changes in co-ordination of the implementation of the policy.

Participation in the programme "Working Life and Enlargement of the EU" financed by the Swedish Government will be continued together with 12 accession countries of the EU. An international workshop "Demography of the Estonian Labour Market – Development of Working Capacity and Employability" will be organized within the framework of this programme in January 2002. It will form a basis for the development and implementation of a project named after the workshop. The main purpose of the project is to enhance the development of the cohesion of the working environment, labour relations and employment policy and provide recommendations for increasing the working capacity and employability of workers taking into account the aging of the population.

Guidelines of the Occupational Health Centre in 2002:

- training of non-physician occupational health specialists;

- improving the quality of the activities and administrative capacity of occupational health services;
- establishing a data base of health certificates of salesmen;
- editing the magazine "Estonian Occupational Health"

Guidelines of the Labour Inspectorate in 2002:

- selective assessment of the state of the working environment in new and reconstructed buildings;
- assessment of biological, physiological and psychological risk factors in undertakings of food industry;
- implementation of the Working and Rest Time Act and the Employment Contract Act in construction undertakings;
- provision of employers with information and counselling about new legal acts in the field of occupational health and safety.

### **Ratification of Conventions of International Labour Organization (ILO)**

An expertise on ILO conventions regarding the field of occupational health will be made at the beginning of 2002 and the results will be submitted to the ILO Estonian Council.

Joining the ILO conventions will be decided as a result of consultations with social partners in the ILO Estonian Council. An important prerequisite is the existence of relevant acts and the conformity of the acts to the requirements of the conventions.

## Occupational Health and Safety

### Approximation of legislation

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
<b>1999/92/EC</b> Directive <b>1999/92/EC</b> of the European Parliament and of the Council of 16 December 1999 on minimum requirements for improving the safety and health protection of workers potentially at risk from explosive atmospheres (15th individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC)	<i>Government Regulation "Requirements of Occupational Health and Safety Concerning Working with Potential Risk from Explosive Atmospheres"</i>	December 2002 July 2003	
<b>92/29/EEC</b> Council Directive <b>92/29/EEC</b> of 31 March 1992 on the minimum safety and health requirements for improved medical treatment on board vessels	<i>* Regulation of the Minister of Social Affairs "Organization of Medical Treatment and Medical Supplies on Board Vessels"</i>	March 2002 July 2002	
	<i>* Regulation of the Minister of Social Affairs "Procedure of Training of Ship Crew in Medical Treatment"</i>	September 2002 January 2003	
<b>94/33/EC</b> Council Directive <b>94/33/EC</b> of 22 June 1994 on the protection of young people at work	<i>*Employment Contract Act</i>	Is being read in the Riigikogu; January 2003	
	<i>Government Regulation "Safety and Health Requirements for Young People at Work"</i>	September 2002 January 2003	
	<i>*Amendments to the Working and Rest Time Act</i>	February 2002 January 2003	
	<i>*Amendments to the Occupational health and safety act</i>	June 2002 January 2003	
<b>86/188/EEC</b> Council Directive <b>86/188/EEC</b> of 12 May 1986 on the protection of workers from the risks related to exposure to noise at work	<i>* Occupational Health and Safety limits of physical hazards and procedures for measuring them</i>	December 2001 July 2002	

## Occupational Health and Safety Implementation and administrative capacity

1.	2.	3.	4.	5.
Institution, planned measures (incl training), deadline	Legal basis, implemented legal act	Financing (State budget line, other sources)	Technical assistance needs	Remarks
<p><b>Working Environment Department of the Ministry of Social Affairs</b>            Consultations by the Finnish Occupational Health Institute and planning of follow-up activities of the implementation of the TWINNING project and training of the secretary of the National Occupational Health and Safety Network</p> <p>May 2002</p>	<p><i>Occupational Health and Safety Act (RT I 1999, 60, 616)</i></p>		<p>“TWINNING-project EE99/IB/OT/04 support to Estonian Occupational Health Sector“</p> <p>Budget of the project 524 000 EEK</p>	<p>Allocation of finances according to the time-schedule and budget of the project</p>
<p><b>Occupational Health Centre</b></p> <ul style="list-style-type: none"> <li>• Training of employees in working environment risk factors</li> <li>• Support of the Finnish Occupational Health Institute to the strategic and activity planning of occupational health and implementation of plans</li> <li>• Competence training of trainers in occupational health</li> <li>• Complex support to the training organized by the centre</li> <li>• Support to the publishing of the magazine “Estonian Occupational Health”</li> </ul> <p>May 2002</p>	<p><i>Occupational Health and Safety Act (RT I 1999, 60, 616)</i></p>		<p>“TWINNING-project EE99/IB/OT/04 Support to Estonian Occupational Health Sector “</p> <p>Budget of the project 750 000 EEK</p>	<p>Allocation of finances according to the time-schedule and budget of the project</p>

<p><b>Occupational Health Centre</b> Implementation of the Occupational Health Development Plan (institutional development of the centre)</p> <p>II half-year of 2002 – 2003</p>	<p>“Estonian Occupational Health Development Plan (up to 2003 and 2010)”</p>	<p>2003.aasta riigieelarvest 150 000 EEK</p>		<p>The development plan has not been officially approved yet;</p>
<p><b>Labour Inspectorate</b> Development of the information system of accidents at work and occupational diseases to elaborate the training system of information support staff Training in directives – training of 15 labour inspectors and training of trainers of these 15 and other inspectors</p> <p>July 2002</p>	<p>75/117/EEC 76/207/EEC 75/129/EEC 80/987/EEC 89/654/EEC 93/104/EEC 90/270/EEC 90/679/EEC 82/606/EEC 90/394/EEC</p>		<p>Sub-component of PHARE Consensus project "Development of the Information System of the Labour Inspectorate" 230 000 EEK 211 047 EEK Involvement of foreign experts:</p> <ul style="list-style-type: none"> <li>• Setting up 4 standard computer workplaces in local labour inspectorates;</li> <li>• Drafting and publishing of the above named information material.</li> </ul>	<p>Phare Consensus III project "Support to Institutional Development for Implementing Social <i>Acquis</i> " 1,97 million EUR Twinning Covenant is being prepared. The budget will be drawn up according to our proposal.</p>

### 13.8. Public Health

In 2002 the field of public health will be fully harmonized with the requirements of the EU.

Pursuant to Article 152 of the Amsterdam Treaty the activities of public health are targeted at the prevention of diseases and decreasing of environmental risk factors dangerous to the health of people. "Public Health Policy" and "Health Protection Development Plan" outlined in the Ministry of Social Affairs in 2001 forms the basis for the planned activities.

Implementation of the following national programmes of health care will continue:

- National Programme on the Health of Children and Adolescents until 2005
- Prevention of Alcoholism and Drug Addiction 1997-2007
- Prevention of Tuberculosis 1998-2002
- National Development Programme of Public Health 1999-2009
- A new programme concerning HIV has been developed: "National Programme of Prevention of HIV/AIDS 2002-2006".

By November 2002 amendments to the *Tobacco Act* will be made pursuant to the WHO Tobacco Declaration to be adopted in February 2002 and the decision of the European Commission B5-0701/2001 and the Directive 2001/37/EC of the European Parliament and of the Council of the European Union on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco products.

The Government approved the *Draft Prevention of Communicable Diseases Act* on January 2, 2001. The Riigikogu started the legislative proceedings of the draft act on January 22, 2001. The Prevention of Communicable Diseases Act has been drafted pursuant to the Decisions No 2119/98 and 2000/57 of the Council of the European Union on setting up a network for the epidemiological surveillance and control of communicable diseases and on the early warning and response system for the prevention and control of communicable diseases. In 2002 two regulations of the Minister of Social Affairs will be drafted providing the procedure of keeping a register of communicable diseases and a warning system of communicable diseases.

The Health Protection Inspectorate exercises control over the implementation of the prevention of communicable diseases. In the course of adopting measures for the control of communicable diseases monitoring of communicable diseases and the procedure for the exchange of information will be improved, immunization of the public will be organized and measures concerning the procedure of the early warning and response to the carrying into the country of communicable diseases or when there is a risk of propagation of these diseases.

Riigikogu will adopt the *Blood Act* by March 2002 (II reading) and by September 2002 *implementation acts of the Blood Act* will be drafted harmonizing the following legal acts of the European Union: 89/381/EEC, 91/356/EEC, 91/507/EEC, 93/42/EEC.



**Public Health**  
**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
<p><b>2000/57/EC</b>  <b>2000/57/EC:</b>Commission Decision of 22 December 1999 on the early warning and response system for the prevention and control of communicable diseases under Decision No 2119/98/EC of the European Parliament and of the Council (notified under document number C(1999) 4016)</p>	<p><i>* Prevention of Communicable Diseases Act</i></p>	<p>Is being read in the Riigikogu</p> <p>Deadline of the entry into force of the entire act – September 2002, entry into force of the sub-acts harmonizing the named EU acts – January 2003</p>	<p>This act shall provide:</p> <ol style="list-style-type: none"> <li>1. Statutes and Procedure of Keeping a Register of Communicable Diseases.</li> <li>2. Procedure of Warning of Communicable Diseases incl. the procedure of informing the Commission and the EU member states)</li> </ol>
<p><b>2119/98/EC</b>  Decision No <b>2119/98/EC</b> of the European Parliament and of the Council of 24 September 1998 setting up a network for the epidemiological surveillance and control of communicable diseases in the Community</p>	<p><i>* Prevention of Communicable Diseases Act</i></p>	<p>Is being read in the Riigikogu;  September 2002</p>	
	<p>Regulation of the Minister of Social Affairs  “Statutes and Procedure of Keeping a Register of Communicable Diseases”</p>	<p>September 2002  January 2003</p>	
	<p>Regulation of the Minister of Social Affairs  “Procedure of Warning of Communicable Diseases”</p>	<p>September 2002  January 2003</p>	
<p><b>2001/37/EC</b>  Directive <b>2001/37/EC</b> of the European Parliament and of the Council of 5 June 2001 on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco products - Commission statement</p>	<p><i>Amending Act of the Tobacco Act</i></p>	<p>November 2002  January 2003</p>	<p>Amendments to the act provide maximum tar, nicotine and carbon monoxide yields, texts of warning of the health risk and the proportion of texts on the package</p>

<b>2000/57/EC</b> <b>2000/57/EC:</b> Commission Decision of 22 December 1999 on the early warning and response system for the prevention and control of communicable diseases under Decision No 2119/98/EC of the European Parliament and of the Council (notified under document number C(1999) 4016)	* <i>Prevention of Communicable Diseases Act</i>	Is being read in the Riigikogu; September 2002	
	Regulation of the Minister of Social Affairs "Statutes and Procedure of Keeping a Register of Communicable Diseases"	September 2002 January 2003	
	Regulation of the Minister of Social Affairs "Procedure of Warning of Communicable Diseases"	September 2002 January 2003	

**Public Health****Implementation and administrative capacity**

1.	2.	3.	4.	5.
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
<b>Ministry of Social Affairs</b> Recruiting and training of 5 new civil servants in the Department of Registries and Activity Licences of the Health Care Board  October 2002	<i>Health Services Organisation Act (RT I 2001, 50, 284)</i>	Health Care Board 2002 Part 141 Chapter 0175 Art 60	Experts help from Phare	Application for Phare support of 150 000 ECU for the provision of expert opinion about the training of civil servants and the system of registration of health care workers has been submitted
<b>Ministry of Social Affairs</b> Recruiting and training of 8 new civil servants in the Inspection Department of the Health Care Board  December 2002	<i>Health Services Organisation Act ((RT I 2001, 50, 284)</i>	Sub-component B "Health Care Board" of the Estonian Health Care Project 2002 Part 141 Chapter 0175 Art 59	Experts help from Phare	Application for Phare support of 150 000 ECU for the provision of expert opinion about the training of civil servants and the system of registration of health care workers has been submitted
<b>Ministry of Social Affairs</b> Blood Centre of Northern Estonia Conservation and replenishment of the security stock of national stockpiles of blood products  Starting from September 2002	<i>Blood Act</i>	Part 141 Chapter 0175 Art 42,44		Conservation and replenishment of the security stock of national stockpiles of blood products in the amount proposed in the budget will be completed in 3-4 years starting from 2002
<b>Blood Centre of Northern Estonia</b> "National Programme of Blood Donation " will be drafted within the framework of the Estonian Health Care Project.  Starting from September 2002	<i>Blood Act</i>	Estonian Health Care Project Part 141 Chapter 0175 Art 59 500 000 EEK		The aim of the programme is to train health care workers and the public as potential donors

<p><b>State Agency of Medicines</b> Carrying out inspection over the handling of blood</p> <p>Starting from September 2002</p>	<p><i>Blood Act</i></p>	<p>Health Care Board Part 141 Chapter 0175 Art 60 State Agency of Medicines Part 141 Chapter 0175 Art 60</p>		<p>According to the draft control over the handling of blood is carried out by the Health Care Board and the State Agency of Medicines as a regular responsibility</p>
<p><b>Ministry of Social Affairs</b> Termination of the activities of the Blood Centre of Northern Estonia and establishment of the foundation Blood Centre</p> <p>September 2002</p>	<p><i>Blood Act</i></p>	<p>Other sources Blood Centre of Northern Estonia, foundation Tartu University Clinics etc.</p>		<p>Establishment of the Blood Centre does not bring along additional costs for the state, establishment costs of the foundation will be covered by the founders of the Blood Centre (Blood Centre of Northern Estonia, foundation Tartu University Clinics of and other possible partners eg. Central Sick Fund)</p>
<p><b>Health Protection Inspectorate</b> Setting up a register of communicable diseases</p> <p>January 2003</p>	<p><i>Communicable Diseases Prevention Act</i></p>	<p>From 2003 state budget</p>		<p>Allocation of Swedish support is still under negotiation (so far on the initiative of HPI)</p>
<p><b>Health Protection Inspection</b> Procurement of missing laboratory equipment and renovation of the laboratory of dangerous infectious diseases is necessary for being prepared to act in an emergency situation and threat of bioterrorism</p> <p>July 2002</p>	<p>Emergency Situation Act (RTI 1996,8,164)</p>	<p>State budget 5,5 million EEK</p>		<p>The sum is not allocated yet</p>

## 14. ENERGY

### *Introduction*

Approximation of Estonian legal acts on energy with the respective EU legal acts will be completed by the end of 2002, except for these legal acts of the EU with regard to which Estonia has applied for a transitional period. These two directives are Council Directive 68/414/EEC imposing an obligation on Member States to maintain minimum stocks of crude oil and/or petroleum products and Directive of the European Parliament and of the Council 96/92/EC concerning common rules for the internal market in electricity.

### *Approximation of legislation*

With regard to the organisation of the Estonian electricity market, Estonia wishes to reach an agreement on a temporary exemption from the full implementation of Council Directive 96/92/EC.

The main targets in 2002 in the field of energy are related to the development of two draft acts regulating the market and secondary legislation based on these draft acts that will replace the *Energy Act*. The drafts of the *Electricity Market Act* and the *Natural Gas and District Heating Act* are being elaborated taking into account the requirements for the liberalisation of the internal market of electricity and natural gas laid down in directives 96/92/EC and 98/30/EC. The draft acts also take into consideration directives 90/377/EEC and 90/653/EEC on the requirements for improving the transparency of gas and electricity prices and Commission Directive 95/49/EC updating the list of entities covered by Directive 91/296/EEC on the transit of natural gas through grids.

Although Estonia does not have any physical connections with the electricity and natural gas networks of the EU member states, there are no problems on the legislative level to regulate the transit in compliance with directives 90/547/EEC, 98/75/EC, 91/296/EEC and 95/49/EC. The necessary transit rules will also be laid down in the new draft acts.

Among energy policy goals, the main attention is paid to the better use of renewable energy sources and to improving energy conservation measures which is also one of the priorities of the EU energy policy in the coming years. Four new regulations of the Minister of Economic Affairs will be issued as secondary legislation under the *Energy Efficiency of Equipment Act*:

- Energy efficiency requirements for hot water boilers,
- Labelling energy consumption of household lamps,
- Energy efficiency requirements for ballasts for fluorescent lighting,
- Performance and isolation of installations for heating purposes and for producing water in non-industry buildings.

With these secondary legal acts, approximation of Council Directives 92/42/EEC, 92/75/EEC, 78/179/EEC, 82/885/EEC and Commission Directives 98/11/EC and 2000/55/EC will be completed.

Estonia lacks nuclear energy and no implementation of nuclear energy is foreseen for the near future. Therefore, for the approximation of the sector (according to

regulations 17/66/Euratom and 3227/75/Euratom) Estonia is preparing to accede to two conventions on nuclear energy by the end of 2003:

- Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management;
- Additional Protocol to the Agreement Between the Government of the Republic of Estonia and the International Atomic Energy Agency for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons

***Implementation of legislation and administrative capacity***

To implement the new legal acts, the Energy Market Inspectorate needs to be strengthened and developed for which financial and human resources are needed. In the framework of Phare Twinning Project 2002 it is planned to enhance the administrative capacity of the Energy Market Inspectorate. The project includes activities such as an analysis of legislation, elaboration of the tariff policy and quality criteria, making proposals for amendments and organisation of training activities and study visits.

Minimum liquid fuel stocks are being established in compliance with the time schedule set out in the *Minimum Stocks of Liquid Fuels Act*. In 2002, preparations will be started to establish a unit for the administration of the minimum liquid fuel stocks; the unit will be established in 2003. Co-operation projects in the field of minimum liquid fuel stocks will be continued with Dutch and Finnish counterparts. Negotiations with regard to a possibility to keep the minimum liquid fuel stocks in Finland will also continue.

The Development Plan for the Estonian Power Engineering Sector will be drawn up.

In order to enhance generation of energy from renewable sources in the internal electricity market, a programme will be developed to take into use renewable energy sources. Implementation of projects under the Target Programme on Energy Conservation will be continued, among which the programme to implement the potential of cogeneration and certification of buildings are the most important.

Estonia will continue to participate in:

- TAIEX seminars dealing with the EU legislation;
- Training events organised by the Nordic Council of Ministers;
- Various assistance projects offered by the EU member states.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
Council Directive 96/92/EEC concerning common rules for the internal market in electricity Council Directive 90/547/EEC on the transit of electricity through transmission grids Commission Directive 98/75/EC updating the list of entities covered by Directive 90/547/EEC on the transit of electricity through transmission grids Council Directive 90/377/EEC concerning a Community procedure to improve the transparency of gas and electricity prices charged to industrial end-users	<i>The Electricity Market Act*</i>  Secondary legislation based on <i>the Electricity Market Act</i>	July 2002 January 2003  November 2002 January 2003	
Council Directive 98/30/EEC on the common rules for establishment of an internal market in natural gas Council Directive 91/296/EEC on the transit of natural gas through grids Commission Directive 95/49/EC updating the list of entities covered by Directive 91/296/EEC on the transit of natural gas through grids Council Directive 90/377/EEC concerning a Community procedure to improve the transparency of gas and electricity prices charged to industrial end-users	<i>Natural Gas and District Heating Act*</i>  Secondary legislation based on <i>the Natural Gas and District Heating Act</i>	July 2002 January 2003  November 2002 January 2003	Entry into force will depend on the entry into force on the draft <i>Electricity Market Act</i> .
Council Directive 92/42/EEC on efficiency requirements for new hot-water boilers fired with liquid or gaseous fuels	Regulation of the Minister of Economic Affairs on the energy efficiency requirements for hot-water boilers	December 2002 January 2003	
Commission Directive 98/11/EC implementing Council Directive 92/75/EEC with regard to energy labelling of household lamps	Regulation of the Minister of Economic Affairs on the requirements for labelling energy consumption of household lamps	December 2002 January 2003	
Directive 2000/55/EC of the European Parliament and of the Council on energy efficiency requirements for ballasts for fluorescent lighting	Regulation of the Minister of Economic Affairs on the energy efficiency requirements for ballasts for fluorescent lighting	December 2002 January 2003	

Council Directive 78/170/EEC on the performance of heat generators for space heating and the production of hot water in new or existing non-industrial buildings and on the insulation of heat and domestic hot-water distribution on new non-industrial buildings	Regulation of the Minister of Economic Affairs on the performance and isolation of installations for heating purposes and for producing water in non-industry buildings	December 2002 January 2003	
Council Directive 82/885/EEC amending Directive 78/170/EEC			



**Implementation of legislation and administrative capacity**

1.	2.	3.	4.	5.
Institution, planned measures (incl training), deadline	Legal basis, implemented legal act	Financing (State budget line, other sources)	Technical assistance needs	Remarks
<u>Ministry of Economic Affairs and Eesti Energia AS (the Estonian Energy Company):</u>				
Drawing up the Development Plan for the Estonian Power Engineering Sector (1 January 2004)	Draft <i>Electricity Market Act</i>	Own funds of Eesti Energia AS	Expert assistance	Twinning light expert assistance under the Phare 2001 project 'Support for accelerating Estonian accession to EU' is planned to be carried out during the 2 <sup>nd</sup> half of 2002.
<u>Ministry of Economic Affairs:</u>				
Establishment of an oil stock administration unit (1 January 2003)	<i>The Minimum Stocks of Liquid Fuel Act</i>	State budget		A project in the framework of Phare 2003 is under preparation
Drawing up the Renewable Energy Programme (1 August 2002)	The Long-term National Development Plan for Fuel and Energy Management; Council Directive 93/76/EEC (SAVE)	State budget		
Development of a programme to streamline heat supply systems and to implement the potential of heat and power cogeneration (1 September 2003)	The National Energy Conservation Programme; Council Directive 93/76/EEC (SAVE)	State budget	Expert assistance	Ensuring the optimal development of heat supply and implementing the potential of heat and power cogeneration. An application for expertise has been submitted to the Danish Energy Agency.
International cooperation and participation in energy conservation programmes (January 2002 – January 2004)	The rules of the 5th EU Framework Programme, legislation of partner countries with regard to foreign assistance	State budget; funding sources of international cooperation projects		Support to the participation of Estonian agencies, enterprises and non-profit associations in international cooperation projects.

Development of a methodology for the energy certification of buildings (1 December 2003)	The National Energy Conservation Programme; Council Directive 93/76/EEC (SAVE)	State budget; apartment and dwelling associations, funds of local governments; support of the Danish Energy Agency by 1 million DDK		
Continuation of the development of energy development plans and feasibility studies for counties and local governments (January 2002 – January 2004)	The National Energy Conservation Programme	State budget; funds of local governments		Creating conditions for energy conservation, for a planned and optimal development of energy supply and optimal planning of investments.
Training activities in the field of energy conservation (January 2002 – January 2004)	The National Energy Conservation Programme	State budget; international cooperation projects		On-site implementation of the national energy conservation policy.
Launching energy conservation campaigns (January 2002 – January 2004)	The National Energy Conservation Programme	State budget; international cooperation projects		On-site implementation of the national energy conservation policy.

## 15. INDUSTRIAL POLICY

### *Introduction*

The Estonian legislation, industrial policy principles and measures implemented to date, characterised by the minimum state intervention in the economic life and ensuring a favourable entrepreneurial environment, are in line with the industrial policy principles of the EU.

### *Plans for 2002*

#### **Industrial policy of Estonia**

At the end of 2001, drafting the basic concept of the *Estonian Economic Development Strategy* was completed. The *Economic Development Strategy* is a long-term strategic document determining the state policy in shaping the enterprise environment and going beyond the traditional industrial policy. The *Economic Development Strategy* reflects a social agreement on the long-term development trends of economy and on the mobilisation of fragmented resources to achieve specific goals, and gives signals to economic actors about the priorities, plans and fields of activity of the state.

The *Economic Development Strategy* focuses on the following main key areas:

- Development of export, the image and competitiveness of Estonian products and services in foreign markets;
- Raising the competitiveness of companies through technological development and innovation;
- Development of human resources;
- Regulative and institutional framework of entrepreneurship, quality of public sector services;
- Support to fair competition;
- Access to capital.

In developing human resources, the emphasis is laid on the management of technological changes and raising the innovation capacity. The *Economic Development Strategy* document underlines the importance of enhanced awareness and competence in strategic management (including product development and innovation, knowledge and technology, quality and design). Introduction of new technologies to increase the competitiveness of the traditional industry is also emphasized.

Taking into account the factors that have a direct influence on the economic development, the strategy proposes a common and coordinated framework concept for many sectoral development plans (the *Education Strategy*, the *Vocational Training Development Action Plan*, the *R&D and Technology Strategy*, the *Export Policy*, the *Enterprise Policy*, etc.).

In drafting the *Estonian Economic Development Strategy*, the Ministry of Economic Affairs is being advised by a consultant from Denmark. The final version of the document will be submitted to the Government by the end of 2002.

## **Innovation and technology**

Considering that research and innovation based on research are the main factors ensuring long-term real economic growth in a knowledge-based economy, and supporting the efforts of the EU in achieving the strategic goal set during the Lisbon summit, supporting R&D and enhancing innovation is the development priority of the Government. From the viewpoint of the expansion of the EU, it would be important to ensure Estonia's capacity to resist the competitive pressure and market forces of the EU after the accession.

In 2002, in designing the technology and innovation policy, the Ministry of Economic Affairs will focus on ensuring the professional and uninhibited implementation of measures that support R&D and innovation. The Ministry will also pay extensive attention to the development of national programmes needed to enhance the key areas (user-friendly information society technologies, biomedicine, material processing technologies) listed in the Estonian R&D strategy document for the years 2001-2006 "*Knowledge based Estonia*" adopted by the *Riigikogu* on 6 December 2001, as well as to the development of cooperation networks between research institutions and undertakings and to the analysis of the empiric data obtained as a result of Community Innovation Survey III. In addition to the above, preliminary activities have been undertaken to develop additional measures to increase the competitiveness of undertakings and, through that, the social and economic well-being of the society. A survey on the situation of industrial design in Estonia is currently being prepared. The survey aims to identify any possible national activities in order to ensure a more professional and extensive application of design as an important component in product development in the spheres of industry and services.

The main instrument of the Ministry of Economic Affairs in implementing the innovation and technology policy is the Estonian Technology Agency (ESTAG) established in 2001. ESTAG implements the national technology and innovation policy measures by co-financing R&D projects and technology projects directed to the market and by implementing measures that support innovation. In order to finance these measures, state funds provided for development activities in the R&D strategy documents are channelled through ESTAG. In addition to the implementation of state resources, ESTAG also takes part in the development of additional measures, above all as a professional partner of the Ministry of Economic Affairs and as an intermediate link, and communicates the gathered information on the needs of undertakings and the factors hindering their development.

The successful implementation of technology and innovation policy measures designed to achieve the strategic goals and the development of new measures depend to a great extent on increasing the capacity and transfer of knowledge through bilateral cooperation projects, as well as on the financial support from the EU pre-structural and structural funds.

The Phare 2000 North-East Estonia and South-Estonia economic and social cohesion projects include enhancing the efficiency of the innovation system through the development of incubation and development centres. The emphasis of Phare 2001 economic and social cohesion projects in the field of innovation is on preparations to start using the EU structural funds, including developing the relevant administrative

structures in order to be prepared after the accession for increasing the involvement of EU structural funds in reaching the goals of the national R&D and innovation policy.

The development and effective implementation of R&D, technology and innovation policy in Estonia are supported by the following bilateral cooperation projects:

- 1) project “Technology and innovation policy in the context of joining the European Union”, conducted within the framework of the FEU programme in cooperation with the Danish Ministry of Foreign Affairs, that has successfully reached its final phase and on the basis of which a handbook will be completed in April 2002 by the consultancy firm managing the project;
- 2) project “Strengthening the Estonian Technology Agency” in cooperation with the Finnish Ministry of Foreign Affairs and Technology Agency Tekes within the framework of the programme “Co-operation with the Neighbouring Areas in Finland”. The project was completed successfully in autumn 2001 and the final report was published at the end of 2001. As the results of the project were very good, the Ministry of Economic Affairs has made a proposal to continue this cooperation with new projects.
- 3) Four bilateral projects are being prepared, three in cooperation with Denmark and one with Finland:
  - “Building Up Science-Industry Mobility Scheme” – in cooperation with the Danish Ministry of Trade and Industry;
  - “Building Up a STI (science, technology, innovation) focused network to improve related policy-making in Estonia” – in cooperation with the Danish Ministry of Trade and Industry;
  - “Creating the Basis for Elaboration and Application of Design Policy Measures in Estonia” – in cooperation with the Danish Ministry of Trade and Industry;
  - “Favouring technology policy planning through co-operation at the ministerial level” – in cooperation with the Finnish Ministry of Trade and Industry.

### **Quality promotion**

The *Quality Promotion Strategy* in Estonia is a part of the *Estonian Economic Development Strategy* that is currently being developed. The *Quality Promotion Strategy* is a political foundation document presenting the national quality related goals in Estonia and the main actions and methods to achieve them.

The goals of the *Quality Promotion Strategy* are:

- Raising the competitiveness of Estonian goods and services as a result of the application of international requirements, foremost the EU requirements;
- Raising the reputation of Estonian enterprises as credible business partners thanks to the existence of high quality work and management culture;
- Increasing the consumers’ trust in the internal market resulting in increased domestic demand.

The elaboration of the quality policy is based on the quality policy of the European Union, taking example from the quality policy decisions and quality policy documents of the EU countries and associated countries.

Quality policy as a part of industrial policy is directed towards enterprises and is implemented through a quality infrastructure, training activities and awareness raising campaigns for enterprises and the legislation created within the competency of the Ministry of Economic Affairs for various branches of industry.

In 2002, the Ministry of Economic Affairs has to ensure successful implementation of the Estonian Quality Award project together with its partners (the Entrepreneurship Development Foundation, the Estonian Employers' Confederation, the Estonian Quality Association). The project aims to increase the competitiveness of Estonian undertakings and public sector organisations. This will be achieved through short-term objectives – introducing the modern management concept successfully implemented in Europe and elsewhere in the world in Estonian organisations and highlighting the organisations who are the most successful in management. In 2000/2001a pilot Quality Award project was carried out successfully. The project aimed to introduce the idea and model of the quality award in Estonia and to establish a knowledge base from which the organisers of the project, the assessors of organisations and the organisations themselves could learn. When the project was completed, all the enterprises and assessors participating in the project were recognised and the first official competition for the Estonian Quality Award was announced.

As the Centre of Excellence as an institution actively supporting quality related awareness would be an appropriate instrument for promoting and implementing the quality policy, the Ministry of Economic Affairs has initiated a project in the framework of the Danish bilateral programme to design a Centre of Excellence, under which international cooperation was developed in 2001 and experience was acquired by study visits to similar centres of excellence in the Czech Republic, Finland and Denmark. By the end of January 2002 a report *Design of the Centre of Excellence* will be completed, giving an overview of all the necessary actions for launching the Centre of Excellence. The main activity for 2002 is to implement this report, i.e. establishing the Centre of Excellence. To ensure a smoother establishment of the centre, an application for a follow-up project will be submitted to the Danish Ministry of Trade and Industry.

## 16. SMALL AND MEDIUM-SIZED ENTERPRISES

### *Introduction*

“*Enterprising Estonia*”, national policy for the development of small and medium-sized enterprises (SMEs) for 2002-2006, was adopted by the Government in January 2002. Enterprise Estonia (hereinafter referred to as enterprise policy) determines the framework, aims and support measures of the business development activities of the state till 2006.<sup>1</sup>

The enterprise policy aims at facilitating the enterprising spirit and the creation of new jobs and at raising the competitiveness of Estonian companies. These goals are to be achieved by following the principles of a balanced regional development.

In 2002, implementation of the support measures designed to develop the priority fields in enterprise policy (development of human resources, improvement of access to finance, development of the business support structure, dissemination of business information, and reduction of administrative burden) will be continued according to the elaborated *Enterprise policy action plan*.

### *Plans for 2002*

I To develop the business support foundation with required administrative and programme capacity to apply the EU structural funds:<sup>2</sup>

- Accreditation of the working process of Enterprise Estonia in conformity with the requirements established for the implementing agency of the EU structural funds.

Taking into account the increasing importance of the EU structural funds in business support and in a wider sense also the social-economic development and Estonia's wish to be ready for accession to the EU by the beginning of 2003, Estonia will have to ensure its readiness in the coming years to receive the EU structural instruments. The objective set for 2002 is to develop the relevant competence in Enterprise Estonia and to bring the support structures that so far were based only on the Estonian national requirements, in compliance with the requirements established for the implementation of EU structural instruments. As a result of this activity a high efficiency of Enterprise Estonia should be achieved, ensuring the high quality of services offered by the foundation.

II To conduct an enterprise survey:

- To analyse the current and foreseeable performance and behaviour of SMEs in Estonia, i.e. to identify the main bottlenecks as well as the success factors of the development of SME-s.
- To discover the entrepreneurs' opinion on the public business support services, the need for additional measures as well as their capacity to co-finance the measures.

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<sup>1</sup> The definition of small and medium-sized enterprises is given in Regulation no. 156 of the Government of the Republic established on the basis of the *Competition Act*, and is in compliance with Commission Regulation 96/28/EC of 3 April 1996.

<sup>2</sup> See also Chapter 21: Regional Policy and Co-ordination of Structural Instruments

- To collect internationally comparable data on the development of SME-s in Estonia.

The results will be used by the designers of the enterprise policy as one of the basic sources when developing business support measures.

### III Enhancement of communication channels for transferring the entrepreneurial information

- A SME Forum, an informative meeting of public and private institutions that support or represent businesses, will be organised.
- The active part of an information and service portal ([www.aktiva.ee](http://www.aktiva.ee)) meant for entrepreneurs will be launched, making it possible to provide, in addition to information, also services to entrepreneurs.
- The establishment and development of new communication channels in order to improve enterprise-related communication and cooperation on the national and county levels will be supported.

The aim is to achieve a quick and efficient distribution of enterprise-related information from the state level to the entrepreneurs and to improve the communication between the state and business organisations. These communication channels are also one of the sources of adequate information on the problems and bottlenecks of enterprises that will be taken into account in the development of a national enterprise policy.

#### ***Plans for 2003-2004***

The implementation of support measures for enterprises will be continued. Moreover, the development of institutions will be continued to bring them to the required level for receiving the EU structural funds. This will be achieved by involving pre-structural instruments (see under foreign assistance projects). Support measures for enterprises will be further elaborated on the basis of the results of analyses of the current situation and the best practice in the EU member states. Active participation is taken in the European Union Multi-annual Programme for Enterprise and Entrepreneurship 2001-2005.

#### **Foreign assistance projects**

##### *Phare 2000 North-East Estonian and South-Estonian economic and social development projects*

Integrated development projects of two target regions based on the Phare 1998 SPP industrial pilot project, with the following common topics:

- Establishment of Enterprise Estonia regional bureaus in South-Estonia and North-East Estonia;
- A system offering incubation and innovation services;
- Creation of a technical know-how system for regional industries;
- Development of tourism infrastructure;
- Human resources development system.

The financing memorandum for the project was signed in November 2000. The project was launched in 2001: preparation of procurement, procurement procedures and conclusion of agreements. The main activities of the project will be carried out in 2002-2003. The total cost of the project amounts to 140 million EEK.



Phare 2001 project for elaboration and testing of structures and instruments for implementation of business support measures

The project aims at raising the competence of the Enterprise Estonia to implement the measures meeting the requirements of the EU structural funds according to the priorities of the *National Development Plan* (support to the development of industry infrastructure, to the tourism development, to R&D and innovation, to training of staff).

The investments of the project go into two groups of measures:

- Support scheme for the tourism infrastructure;
- Pilot projects for the industry infrastructure.

The working period of the project will be 2001-2004. The Phare Steering Committee approved the project in July 2001 and a financing memorandum was signed in November 2001. The total cost of the project will be 64 million EEK.

Phare 2002 project for elaboration and testing of structures and instruments for implementation of business support measures

The project will be based on the results of Phare 2001 project for elaboration and testing of structures and instruments for implementation of business support measures – the elaborated support schemes to support the development of tourism infrastructure, industry infrastructure and the training of staff. Investments will be made into all three support schemes within the project.

In addition, a project to develop enterprise organisation and professional associations is under preparation. The project will be implemented in 2003, aimed at increasing the competitiveness of SMEs through the strengthening of these organisations.

The working period of the project will be 2002-2005. It was approved by the Committee of Ministers for Foreign Assistance Instruments in October 2001 and was submitted to the European Commission in November 2001. The total cost of the project will be 84 million EEK.

European Union Multi-annual Programme for Enterprise and Entrepreneurship 2001-2005

Within the framework of this programme there are over 40 projects designed under the *2002 Action Plan* composed for reaching objectives. It is planned that Estonia will cover 2,6 million EEK of the total cost of the programme.

The Danish assistance project 2002 to raise Estonian regional administrative capacity

Based on the Danish assistance project in 2001 on regional administrative capacity (main focus on North-East-Estonia and South-Estonia) to prepare the regional bureaus of the Enterprise Estonia for receiving the EU pre-structural instruments. The main focus of the project is on raising the administrative capacity in West-Estonia and Central Estonia.

The main topics of the project are the following:

- Development of administrative capacity of the regional bureaus;
- Development of necessary framework for programming, implementing and monitoring regional projects;

- Training for local governments, county governments and social partners with the purpose to raise the level of preparatory work of the projects.

The project starts in 2002 and the total cost of the project will be about 3 million EEK.

*The Danish assistance project to develop the network of enterprise centres*

The project aims to develop enterprise centres with regard to the following fields:

- Training for the managers, staff and consultants of enterprise centres;
- Analysing the services of enterprise centres and improving the quality of services;
- Development of marketing activities of enterprise centres and raising the awareness of entrepreneurs as to the services offered by the centres;
- Improving cooperation between local governments and enterprise centres to identify the local factors inhibiting the development of entrepreneurship.

The project will be launched in March 2002 and the results will be analysed in 2003.

**Implementation of legislation and administrative capacity**

1.	2.	3.	4.	5.
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
Enhancement of communication <ul style="list-style-type: none"> <li>• <u>Ministry of Economic Affairs</u>: organisation of the SME Forum (term: October 2002)</li> <li>• <u>Enterprise Estonia</u>: launching the active part of the information and services portal (term: August 2002)</li> <li>• <u>KredEx</u>: seminars dealing with the problems of financing SMEs in counties (term: April 2002)</li> </ul>	"Enterprising Estonia" (the national policy for the development of SMEs for 2002-2006)	State budget part 137, chapter 0139, art. 59		
<u>Ministry of Economic Affairs:</u>				
Development of the Enterprise Estonia (term: end of 2002)	<ol style="list-style-type: none"> <li>1) Statutes of the Ministry of Economic Affairs;</li> <li>2) Decision of the Government on the distribution of work between ministries with regard to the implementation of structural funds and the action plan of the Government to prepare for the use of assistance from the structural funds</li> </ol>	State budget part 137, chapter 0101, art 44; Phare 2001	Technical assistance 0.35 MEUR	
Enterprise survey (term: August 2002)	Statutes of the Ministry of Economic Affairs		An application for expertise assistance has been submitted in the framework of Phare <i>Project Preparation Facility</i>	

<p>Preparation and implementation of Phare economic and social cohesion (ESC) projects:</p> <ul style="list-style-type: none"> <li>• Phare 2000 ESC projects in North-East Estonia and South-Estonia (term: December 2003)</li> <li>• Phare 2001 ESC project (term: December 2004)</li> <li>• Phare 2002 ESC project (term: December 2005)</li> </ul>	<ol style="list-style-type: none"> <li>1) Sectoral strategies of the Ministry of Economic Affairs (Enterprising Estonia, Tourism Development Plan, R&amp;D Development Plan);</li> <li>2) Phare financing memorandums (FM 2000, FM 2001, FM 2002);</li> <li>3) Regulation of the Government on foreign assistance</li> </ol>	<ol style="list-style-type: none"> <li>1) State budget: <ul style="list-style-type: none"> <li>• part 137, chapter 0101, art. 44</li> <li>• part 137, chapter 0139, art. 59</li> </ul> </li> <li>2) Phare 2000 ESC 3.75 MEUR, Phare 2001 ESC 2.8 MEUR</li> </ol>	<p>Technical assistance 0.6 MEUR, Investments 3.4 MEUR</p>	
<p>Preparation of the Danish assistance project to develop the network of enterprise centres (term: end of 2002)</p>	<p>“Enterprising Estonia” (the national development policy for SMEs for 2001-2006)</p>	<p>State budget</p>	<p>An application for foreign assistance has been submitted within the programme “Danish Business Sector Programme for the Baltic Sea Region 2002-2006”</p>	
<p>Implementation of the Danish FEU programme to increase the administrative capacity in the regional structures of the Enterprise Estonia</p>	<ol style="list-style-type: none"> <li>1) Statutes of the Ministry of Economic Affairs</li> <li>2) The Danish-Estonian bilateral cooperation agreement in the field of European integration (FEU programme)</li> </ol>	<p>State budget</p>	<p>Technical assistance 0.2 MEUR</p>	
<p>Coordination of the participation of Estonia in the European Union Multi-annual Programme for Enterprise and Entrepreneurship in 2001-2005</p>	<p>Decision of the Association Council</p>	<p>State budget part 137, chapter 0101, art. 44; Phare</p>		

## 17. RESEARCH

### *Plans for 2002-2003*

Pursuant to the *Estonian Strategy for Research and Development, 2001-2006*, approved by the Parliament on 6 December 2001, national action plans and programmes will be elaborated in priority fields for research activities. Funding schemes for research will be extended, and an Estonian network for centres of excellence in research will be developed.

### Participation in the 5th Framework Programme

Estonian researchers and engineers will continue to actively participate in the EU research and technological development Fifth Framework Programme (FP5) – taking part in the last year of competitions, and working to implement projects approved earlier by the European Commission. Estonia will also strive to maintain its status, as one of the most successful candidate countries, during the last year of the project.

The Ministry of Education is responsible for Estonian participation in FP5, the EU Innovation Centre within the Archimedes Foundation – being the Programme's national contact point – ensures dissemination of information related to FP5, consultations and required training. Estonian representatives will continue to participate as observers in the European Commission's committees and working groups, which are related to the Framework Programme.

The FP5 participation fee for Estonia, calculated according to the Association Agreement, is approximately 34.1 million kroons in 2002. This sum is covered from the PHARE national programme - 13.5 million kroons - and from the state budget - 20.6 million kroons (according to the Agreement, the participation fee will be adjusted each year).

### Participation in the formation of the European Research Area and in preparatory work for the next Framework Programme

Estonian representatives take active part in the work of expert groups and committees which are preparing the next Framework Programme as the main instrument for developing the European Research Area. Led by the Research and Development Council, Estonia is elaborating its positions regarding European research cooperation. For the better representation of Estonian research within the European Union and in order to intensify the exchange of information, the Government has dispatched an attaché for education and research to Brussels.

## 18. EDUCATION, TRAINING AND YOUTH

Estonia has fully adopted the European Union *acquis* regarding education, training and youth. Reforms in these fields are carried out in accordance with the general principles and orientations of the European Union, and have in part been implemented in cooperation with current Member States.

### 18.1. General Education

[See also Part I, Chapter 2.2. Protection of Minorities]

#### Education for children of migrant workers

This field is regulated by the *Education Act* (1992), *Basic and Upper-Secondary Schools Act* (1993) and the *Cultural Autonomy of Minorities Act* (1993). Moreover, the activities for 2002–2003 are also based on the Government's National Integration Programme "*Integration in Estonian Society 2000–2007*".

The objective is to guarantee the right to education for all and everyone's right to maintain their ethnic background, cultural traditions, mother tongue and religion. On Estonian territory, the state and the local governments guarantee everyone the right to acquire Estonian-language education at all educational levels in public educational establishments and universities. The opportunities to acquire education in the mother tongue and to preserve their own culture are also guaranteed to ethnic minorities. Primary, basic and secondary education in public education establishments is provided free of charge. Children of foreign citizens and stateless persons living in Estonia, except for children of representatives of foreign countries, are also bound by the compulsory education obligation (primary and basic education).

The following actions have been planned in order to promote the education of non-Estonian speaking children:

- 1) The development of teaching Estonian as a second language will continue in non-Estonian medium schools (see the following subsection on language teaching in non-Estonian medium schools)
- 2) Pursuant to the *Basic and Upper-Secondary Schools Act* amendment, conditions will be created, taking into account regional features and a school's curricula, for those pupils of Estonian-medium schools whose mother tongue is not Estonian, in order to learn their own mother tongue and to get to know their own ethnic culture, aimed at maintaining their ethnic identity. Such regulations will be enacted by the Government by 1 January 2002.
- 3) According to the needs of pupils, educational institutions have the right to use the following forms of learning: day and distance learning, external studies, home and individual study. The guidelines for individual curriculum implementation will be drafted by December 2002, by the University of Tartu, according to an agreement between the University and the Ministry of Education.
- 4) Under the aegis of the Integration Foundation, a pilot study was carried out in 2001, entitled "Non-Estonian Speaking Children in Estonian-language Schools", where proposals were forwarded in order to improve the situation of Estonian

teaching and pedagogical education in multicultural classes. Project competitions on the same topic will be declared in 2002, including:

- programme to introduce children to the Estonian-language school;
- support programme for the Estonian language;
- in-service training for specialized teachers; aim: better integration of non-Estonian speaking pupils in Estonian-language schools, support for the formation of their national identity, development of language learning environment.
- development of teaching tools for teaching Estonian as a second language for the pedagogical staff of pre-school establishments – aim: a pre-school establishment should become a regional language learning centre, the language learning environment should be favourable in these establishments, the concept of multicultural pre-school establishments should be developed and establishments should receive assistance in setting up their own curricula, based on the framework curricula.

5) Family and language camps aimed at non-Estonian language school pupils, and joint camps of mixed language schools, will be continued.

6) There are plans to exchange experience on the education of children of migrant workers, within the cooperation framework of the Baltic Ministries of Education.

7) Support to projects for national (ethnic) cultural societies, groups of artists and Sunday schools will continue, within the framework of the project “*Support to the National Integration Programme*”, funded by Norway, Finland, Sweden, Denmark, United Kingdom and the United Nations Development Programme. Within the framework of this action, a directory of cultural associations of Estonian minorities was compiled and printed in 2001.

#### Studying languages in a non-Estonian medium school

Language studies in a foreign language schools are carried out in accordance with the principles of the *Government national integration programme “Integration in Estonian Society in 2000–2007”*.

Learning the national language is one of the principal levers enabling pupils with different ethnic backgrounds to better understand society’s objectives for development, as well as the cultural environment. Activities have been planned, taking into account the objective that by 2007 graduates of non-Estonian medium basic schools should be able to cope in society, that their average-level state language skills will allow them to pursue studies in vocational institutions or upper-secondary schools, where the majority of studies are in Estonian, and that the young people who have graduated from secondary level be fluent in Estonian to an extent needed for everyday and working relations and that they be able to undertake study in Estonian.

The following actions have been planned for promoting language studies in non-Estonian medium schools:

1) Estonian is taught in all non-Estonian medium schools starting from first grade. In 2001, an additional 51 positions for teachers of Estonian as a second language were financed.

2) As of 31 August 2001, state language teachers began working in non-Estonian medium schools as teachers of Estonian as a second language.

3) The training of teachers of Estonian as a second language will continue – in 2001 a cooperation project “Regional in-service training network of teachers of Estonian as a second language” operated in the teacher-training field, in cooperation between the Ministry of Education, the British Council and the UNDP. The network includes support centres in Tallinn, Tartu and Ida-Virumaa region. 33 teachers are involved in the network. The three-year project ended in November 2001. In 2001, within the framework of the network project, 2 study sessions were organized for those Estonian language teachers who had worked at a school for up to three years. As a result of the project, a professional association of teachers of Estonian as a second language, the Estonian Language Teachers Association, was established in December 2001.

4) The development of curricula, and corresponding training for the teaching staff of non-Estonian medium schools, will be continued – the purpose is to gradually introduce partial Estonian language subject teaching in non-Estonian medium schools. Therefore, having the methodological and didactic guidelines in print, aimed at teachers in non-Estonian medium schools, will become increasingly important, as well as the development of a multicultural school concept and the supervision of compiling development plans for schools. In 2001, within the project named “Open Curricula”, school headmasters and pedagogical staff of Russian-medium schools were trained through the in-service training department of Tallinn Pedagogical University. Training related to the development of curricula was also carried out in schools in cooperation with the educational departments of local governments and schools.

In the new version of the National Curricula for Basic and Upper-Secondary Schools (completed in August 2001), the integration of pupils with different ethnic origins has been underlined, as well as the need to preserve the ethnic identity of pupils and their knowledge of the culture of their country of origin.

5) The Estonian-Canadian-Finnish language immersion programme will be extended, as an effective opportunity to learn Estonian and to learn in Estonian – in the 2000/2001 school year 5 classes participated in this programme in four Russian-medium schools in Kohtla-Järve, Narva and Tallinn; in 2001/2002, 14 classes will participate in language immersion (9 grade 1 classes and 5 grade 2 classes) in seven Russian-language schools in Kohtla-Järve, Maardu, Tallinn, Narva and Valga. 1 006 500 kroons has been allocated from the state budget. The programme will be extended to kindergartens in 2002. There is also a plan to implement a later-stage language immersion programme (for the last stage of basic school).

6) The curricula for in-service training for teaching Estonian as a second language in pre-school institutions is being planned in cooperation with the Vantaa In-Service Training Centre (Finland). Curriculum drafting will start in 2002.

7) The development of teaching materials for Estonian as a second language will continue – in 2001, 6 first editions of study materials for Estonian as a second language were published, including textbooks for grades 1 and 2, titled “Hello,



School!” that follow the methodology of language immersion. Civic education teachers received additional study materials for more efficient teaching in grade 12.

8) Development of civic education study materials will continue – in 2001, additional materials were compiled for civic education teachers. An international IEA study was carried out regarding the civic awareness of pupils, where both Russian and Estonian language school pupils/learning process/teachers were described.

9) A government regulation is being prepared to regulate the teaching of language and culture of ethnic minorities. The regulation will be ready in the first half of 2002. The teaching of language and culture of ethnic minorities will start in the 2004/2005 school year.

10) In 2001–2003, the PHARE Estonian language learning programme II will continue, aiming at Estonian learning by the non-Estonian speaking population in Estonia, but also at supporting integration in Estonian society. The European Union has allocated 49.1 million kroons for this purpose. The actions of the programme are to consolidate the orientations of the national integration programme. Within the framework of the programme, actions will continue, aimed at the following:

- to enable children and young people living in Estonia to acquire a sufficient level of Estonian language skills (preparing study materials for Russian language general educational establishments; in-service training for teachers; extra-curricular language learning, including language camps);
- to offer accessible language learning opportunities for non-Estonian adults (including in-service training for Estonian language teachers in vocational schools);
- to improve mutual communication between different language communities by informing the public (information campaigns, information materials, production of TV programmes).

11) To support integration-related activities within Estonian society, a Centre for Educational Programmes was set up pursuant to a cooperation agreement between the Ministry of Education and the Non-Estonians’ Integration Foundation in July 2001.

Its function is to develop, coordinate, implement, monitor, report and perform PR for sub-programmes under the competency of the Ministry of Education, of the national programme “*Integration in Estonian society, 2000–2007*” (the sub-programmes being “Education”, “Education and culture of ethnic minorities”, “Estonian language studies of adults”, “Societal competency”). Its function is also to give advice to project implementers and to publish relevant publications.

## **18.2. Vocational education**

In order to align the vocational education system with the changing needs of the labour market, the Government approved an “*Action plan for developing the vocational education system in Estonia, 2001–2004*” on 12 June 2001. A wider purpose of the action plan is to shape an Estonian vocational education system that might guarantee the young people to be socially and professionally ready to start

working life and that can train a skilled labour force, competitive both on the Estonian and international labour markets.

The Action Plan provides for the following activities to guarantee study opportunities and to ensure the quality of studies:

- 1) in the vocational education system, the increase in the number of students is 8% on average annually (i.e. an increase of 35% by the 2004/2005 school year). The objective is to ensure vocational training opportunities for 50% of basic school graduates and for 50% of secondary school graduates by 2004, including pupils with special needs.
- 2) Creating opportunities for young people to choose curricula corresponding to their interests and abilities, facilitating the transfer from school to working life, will continue.
- 3) Organizing follow-up studies for adults in order to reach higher levels of professional qualifications will continue – in May 2001, a working group for adult continuous training was convened, having as its task the elaboration of a relevant strategy and the submission of a first draft of a relevant law for public discussion by December 2001. The relevant law will be under discussion in the *Riigikogu* (Parliament) in autumn 2002.
- 4) The further development of a system for teacher training and in-service training for pedagogical staff, which would correspond to modern requirements, will continue.
- 5) The optimization of the number of teacher positions and the decrease of in-class working hours for pupils will continue – the aim is to increase the number of pupils per teacher (16 pupils per teacher by 2004).
- 6) The implementation of vocational higher education curricula and the compilation of national curricula will continue.
- 7) The further development of a system for evaluation of the efficiency of vocational education establishments and for accreditation will continue.
- 8) The reform process of vocational education by means of social partnership will continue. In this respect, the following activities are planned:
  - The establishment of an innovation centre for the vocational education system, the organization of curricula-related development and the mediation of know-how to trainers, vocational councils, employers and professional associations.
  - According to the joint action agreement from December 2000, the promotion of vocational education will continue by means of cooperation between the Ministry of Social Affairs, the Ministry of Education, the Ministry of Economic Affairs and representatives of employers and employees associations, in order to bring the qualifications of the labour force more rapidly into accordance with the requirements of the labour market. A community council will be set up, to

coordinate the state commissioning for training, and the activities foreseen in the joint action agreement for the different parties involved.

- 9) The modernization of the study environment and the updating of curricula will continue, in order to align the quality of studies to the requirements of the labour market.
- 10) Restructuring of the network of vocational education establishments will continue – in 2001 the further development of Narva, Kohtla-Järve, Viljandi, Väimela, Tallinn and Saaremaa vocational education establishments into regional vocational training centres continued according to planned objectives. In 2002–2004 the focus will be on restructuring the network of vocational education establishments in central Estonia and Tallinn. To speed-up restructuring, priority financing for vocational education establishments is planned, in order to ensure sustainable development of the vocational education system (updating study facilities, provision of ICT and modern technological study tools, acquiring the latest specialized reference literature for the libraries in the establishments, participation in international and EU programmes, development work with the curricula).
- 11) The process of raising the administrative capacity of the vocational education system will continue – in June 2001 the Parliament adopted the *Vocational Education Institutions Amendment Act*. The objective: by 2004, 30% of state vocational education establishments will be municipal/private entities. In order to use resources in a more rational way, schools will be merged, which primarily means that those buildings will be freed up that are not directly related to study (e.g. technical infrastructure sites, etc.).
- 12) Additional national language studies for Russian-speaking young people will continue – 30% of all young people admitted to vocational secondary education are Russian-speakers. The purpose is to enable all Russian-language pupils to have access to additional studies of the state language by 2004.
- 13) Increasing the share of foreign language teaching on the vocational secondary education level will continue – the target is to double foreign language studies for all admitted pupils by 2004.
- 14) Additional expenditures will be continuously made in order to maintain the technical level of existing ICT study facilities, depending on the forecasted increase in the number of students.
- 15) Via the Leonardo da Vinci programme, cooperation projects will continue, and several new projects will be launched.
- 16) Within the Danish-Estonian joint project programme VOC-TTE (“Development of Vocational Teacher Training in Estonia”) the drafts of framework documents regulating the pedagogical training of vocational teachers will be compiled, a pilot curriculum based on skills and competencies will be set up, and the teaching staff and vocational teachers will be trained who will be teaching according to the new curricula in the future.

- 17) The PHARE economic and social integration projects “Supporting the Development of Human Resources in the Regions of Ida-Virumaa and southern Estonia” of 2000 will continue. The overall purpose is to contribute to the improvement of human capital quality in these regions through more efficient vocational education and better cooperation between social partners, all being aimed at a more efficient settlement of employment problems.
- 18) The 2001 PHARE economic and social integration project “Supporting the Development of Human Resources in the Regions of Saaremaa and Hiiumaa” will be launched.
- 19) For 2002, a PHARE economic and social integration project is planned: “Elaboration of professional training schemes and support structures, based on enterprises, in order to improve vocational training in the target regions of Ida-Virumaa, southern Estonia and the western Estonian islands”.

### 18.3. Higher education

Stemming from the higher education reform plan approved by the Government on 12 June 2001, “*Higher Education Reform, 2001–2002*”, the purpose of Estonian reforms is to render the Estonian higher education system comparable to the systems of other countries in this region, which will permit the increase of international communication between higher education establishments and open up better opportunities for higher education graduates to be competitive on the European labour market. Small, generally inefficient higher education establishments with insufficient standards will combine their material and intellectual means, merging into centres with sufficient critical mass. The quality of learning will also be enhanced by a more clearly regulated accreditation system. A financial system that is based on results will motivate higher education establishments to develop curricula, which take more account of the interests of students and society. When social guarantees are tied to full-time learning, students will be motivated to graduate within the normal timeframe.

Meeting the abovementioned objectives will be ensured by amendments to the *University Act* and related legislation, which will be enacted in 2002. The drafts are based on the joint declaration on the European higher education space signed by the education ministers in Bologna on 19 June 1999, on the joint communiqué on measures taken in moving towards the European higher education space, signed by 39 education ministers at the follow-up meeting of the Bologna Process that took place in Prague on 19 May 2001, and the Estonian higher education reform plan, “*Higher Education Reform, 2001–2002*”.

The following changes will occur within the reform’s framework:

- 1) Study periods will be standardized – Bachelor studies may last, depending on specialty, 3-4 years and Master’s studies, 1-2 years. The overall duration of Bachelor and Master’s studies during consecutive years will not exceed 5 years. The duration of Doctorate studies will be 3-4 years instead of the current 4 years, and this will give the universities an opportunity to set up shorter Doctorate curricula, which, in volume and content, will correspond to the general orientations

in European universities. Exceptions will be made for certain specialties, which will not be divided into Bachelor and Master's studies. Studies for the profession of medical doctor, veterinary surgeon, chemist, dentist, architect, construction engineer and class teacher will take place as a continuous cycle, at the end of which a Master's degree is granted. The nominal duration for medical doctor and veterinary surgeon studies is 6 years, and for the other specialties, 5 years.

- 2) Better comparability of degrees and qualifications – the draft provides for the application of an English-language annex to the diploma – the *Diploma Supplement*, which will include a description of the Estonian education system and the qualifications granted. Such a document will contribute to the free movement of persons on the European labour market and in the higher education area.
- 3) Students should be motivated to graduate within the nominal duration of the study – the draft will introduce the concept of “full-time study” and “part-time study”, that clearly establishes measurable criteria for evaluating the results of students and assessing their rights to study grants or state-financed student places. Full-time studies imply that a student should fulfill at least 75% of the study foreseen for that period, and for part-time studies, the proportion is 50–74%. Full-time students have the right to apply for state-financed student places and for social guarantees foreseen for students.
- 4) Changes in state commissioning for student places – in 2003–2008, 250 student places for Doctorate studies and 2500 places for Master's studies will be created annually. The commissioning will cover as many study fields as possible. One Master's place is symbolically equal to 1.5 Bachelors, i.e. 1.5 times more Bachelor students may study free of charge (occupying state-funded student places). Universities have the right to charge other students tuition fees. Such a financing model will be applicable as of admission in 2002, when universities have adopted the 5-year Master's study. When a higher education establishment has not been able to ensure a necessary number of graduates, then the Ministry of Education will have the right to reduce the establishment's financing in subsequent years. State commissioning funding may also be used to support students studying in higher education establishments in foreign countries. In a situation where many a specialty faces the problem of aging teaching staff, this possibility will be crucial in order to generate new teaching staff. This will also enable us to train specialists in fields with low demand, but which are important for society and are not taught in Estonia.
- 5) The rules for financing Doctorate studies will change: during the first two years the state will finance 60% of studies (30% each year). The remaining 40% will be allocated to the university according to the number of Doctorate theses defended. As a result of such a financing system, the current very low effectiveness of Doctorate studies will be improved.
- 6) According to the principle of equal treatment, the curricula of private universities, approved and registered at the Ministry of Education, will be treated similarly to those of public universities, as of 1 January 2002. In both cases, the right to issue a state diploma is granted after positive accreditation of the curriculum.

- 7) The further development of applied higher education will continue – the purpose is to more clearly differentiate applied higher education study, or non-university type, and academic or university type of study. The nominal duration of applied higher education study is 3-4 years. When developing the network of applied higher education establishments, the principle of balanced regional development will be taken into account. The management of the process will also be based on the document “*Action Plan for Vocational Education System Development in Estonia, 2001–2004*” and its principles. The precondition for reaching these objectives is the introduction of amendments into the *Applied Higher Education Institutions Act* and the *Vocational Education Institutions Act*.

#### System of Study Grants

The draft of *The Study Grants Act* has been approved by the Government, and is currently in the Parliament. This law will create an integral whole for the system of student grants, which is currently a relatively splintered collection of separate legal acts. The new law will enable all members of society to acquire an education according to their abilities, interests and needs, and thus improve Estonia’s international competitiveness. When preparing the abovementioned draft, the systems for study grants in other European countries were carefully studied (in particular, the Finnish system, but 15 European student grant systems were examined in total). The aim was the development of a system in Estonia, which would approximate European practice.

When the *Study Grants Act* is adopted, higher education will also be accessible to young people with limited financial resources. The study grant will only be accessible at a certain level of income, and for students who successfully progress in their studies. This includes a study loan for successful students only, motivating them to study full-time and to graduate within the nominal time. Although study loans will become more expensive for students, the possible negative impact of that change will be alleviated by the possibility of study grants, tax rebates and other advantages. *The Study Grants Act* will enter into force as of 1 September 2002.

#### Training of interpreters and translators

In connection with Estonia’s possible membership of the European Union, when Estonian will gain the status of an official EU language, the need for highly qualified interpreters and translators has become ever more topical. To address this problem, the Estonian Prime Minister mandated the Minister of Education, in April 2001, to convene a working group with the following tasks:

- 1) to map the current situation, using available information;
- 2) to define desirable results (as to the initial and in-service training of both interpreters and translators);
- 3) to establish an action plan (deadline: 14 December 2001) and the division of work in order to reach the desirable results.

In order to increase the number of qualified interpreters and translators, the following actions have been planned:

- 1) Pursuant to the state commissioning of student places by the Ministry of Education, Tallinn Pedagogical University will launch a two-year Master’s

programme for training interpreters and translators, as of the academic year 2002–2003.

- 2) Master's studies for interpreters and translators will continue at the University of Tartu.
- 3) In-service training courses provided by the Estonian Association of Interpreters and Translators will continue (in cooperation with the University of Tartu, in future also with Tallinn Pedagogical University).
- 4) The University of Tartu, Tallinn Pedagogical University, the Estonian Association of Interpreters and Translators and the Estonian Legal Translation Centre will cooperate and further develop the professional level of trainers in the framework of foreign cooperation.
- 5) The Estonian Legal Translation Centre will continue to provide training opportunities for its staff translators.

#### **18.4. Youth**

The “*Estonian Youth Work Concept*” and “*The Development Plan for Estonian Youth Work for 2001–2004*” that were approved by the Government in July 2001, will be the basis for specific action plans in eight subdivisions of youth work, with the horizontal themes of integration and criminal prevention. The *Youth Work Act* will be brought into line with these principles. This will also be discussed at the Second Estonian Youth Forum that will take place in June 2002.

The development priorities in the various fields for 2002 are the following:

- 1) Special youth work – pursuant to the *Influences on Minors Act* the activity of commissions will be financed in order to develop different means of influence, in order to create social competence for delinquents or to restore such competence. Drug addiction prevention projects will be supported via the Drug Prevention Foundation and the financial means of Gambling Tax Council.
- 2) Hobby education – third sector representatives increasingly participate in local government-offered hobby education. In June, a new *Hobby School Act* will be ready, defining the requirements for local government hobby schools which offer non-formal education.
- 3) Information about youth and for youth, counseling and studies – with the support of the Finnish Ministry of Education, a pan-European study based on the third sector and named Youth Barometer will be launched in 2002. Thanks to this study, it will be possible to compare the situation and opinions of Estonian youth to youth in other countries. Youth information and counseling network activities will be supported directly, and by organizing training.
- 4) Training, in-service and retraining in the youth field – hobby activity leaders will continue to receive training at Viljandi Cultural College, and youth workers at the Tallinn Pedagogical Seminar. Negotiations will be started with public universities in order to offer youth work education on the level of an academic degree.

- 5) Healthy and learning holidays for young people – a national programme “*Healthy Holidays for Young People 2002*” has been prepared. Permanent and temporary (project) camps will be supported for more than 25 000 youth.
- 6) Youth employment – summer job opportunities will be further developed following the example of successful local projects. Career counseling is done via a youth information system, and there is a need to further develop local possibilities for the provision of employment-related information, in cooperation with the relevant institutions of the Ministry of Social Affairs.
- 7) International cooperation – Estonia will continue to participate in the EU programme *Youth* sub-programmes (“International Youth Exchanges”, “European Voluntary Service”, “Youth Initiative Projects”, “Cooperation between Programmes”, “Supporting Activities – Projects for Youth Workers”). Since the *Youth* programme has not become as popular as it might be, as is the case in other associated countries (because long financing delays have somewhat hindered its popularity), there is now consideration regarding the launch of a domestic buffer fund as Poland has done. International cooperation plans are being implemented with partners from Finland, Germany, Russia, Egypt, Belgium and within the framework of Baltic Sea countries’ cooperation. An Estonian representative participates in the CDEJ sessions of the Council of Europe. The CDEJ working groups prepare recommendations and information documents in the youth work field. Estonian representatives also participate in a colloquium, aiming at fine-tuning the “White Paper for European Youth”.
- 8) Youth work structures and participation of youth – during the first half of 2002, an umbrella organization for Estonian youth associations will be set up, which could represent the opinions of Estonian young people in domestic and international discussions. In June 2002, a national programme for open youth centres will be ready. The objective: by the end of 2002, there will be, within local governments, more than 30 open youth centres, whether already established or under way.

### **18.5 Participation in EU cooperation programmes**

In 2002–2003, Estonia will participate in the following educational and youth programmes: *Youth*, *Socrates II*, *Leonardo da Vinci II*.

The financial means for the Estonian contribution come from the state budget and the PHARE national programme. In 2001, 32,458,100 kroons was spent on participation, including 18,780,000 kroons from the state budget. In 2002, 34,085,700 kroons will be spent on participation, including 18,780,000 kroons from the state budget. In 2003, participation will involve 35,415,950 kroons, including 21,910,000 from the state budget.

### **18.6. Preparation for participation in the EU structural funds**

Within the framework of this activity, the priority task for 2002 is to compile a Single Programming Document, which will be the basis for applying for financial means from EU structural funds. This programming document as a whole will be compiled



under the guidance of the Ministry of Finance. Various ministries are responsible for specific fields.

Human resources, one of the most important components in the economic development of a country, is a field where the Ministry of Education and the Ministry of Social Affairs are the main responsible parties. The Ministry of Education has created the necessary support structures in order to ensure the development of human resources, and these structures need to organize the description of the field's development, priorities, measures and development needs, as well as planning the financial means within the framework of future EU membership. The support structures are also elaborating the administrative structure needed for preparation for the structural funds. The social partners of the Ministry of Education have also been involved in the relevant activities, and in order to exchange experience, bilateral expert help has been used from EU countries. The Ministry of Education has convened a committee including Ministry representatives and involving social partners, in order to prepare the National Development Plan.

## 19. TELECOMMUNICATIONS AND POST

The main goals in the field of telecommunications and post in 2002 are the completion of harmonization of legislation with EU requirements and its implementation.

In the field of telecommunications a new Numbering Plan of Estonia, harmonized with the requirements of the Directive 97/13/EC, will enter into force on 1 November 2002.

In the postal field the *Postal Act* entered into force on 1 January 2002. Its aim is to guarantee the quality of sending and receiving of postal items, the protection of interests of postal services consumers and establishment of requirements for provided services and public supervision over fulfillment of the requirements.

The *Postal Act* applies the principles of Directive 97/67/EC on common rules for the development of internal market of the Community postal services and the improvement of quality of service, according to which the obligation to provide universal postal service is introduced to ensure the availability of postal services in sparsely populated regions. The Communications Board is responsible for exercising surveillance over the fulfillment of requirements established by the *Postal Act*.

By the end of 2002 Estonian legislation will be harmonized with all EU legal acts on telecommunications and postal services.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
Directive 97/13/EC of 10 April 1997 on a common framework for general authorizations and individual licenses in the field of telecommunications services	Amendment of the MOTC regulation of 21.07.2000 No 53 "Rules for issuing the technical authorizations"	12.2002 12.2002	Submitting of the applications for using the satellite systems, implementation of the "One Stop Shopping"
Directive 98/61/EC of 24 September 1998 amending Directive 97/33/EC with regard to operator number portability and carrier pre-selection	MOTC regulation of 16.02.2001 No 9 "Numbering Plan of Estonia"	16.02.2001 confirmed in 11.2002	-
Directive 97/67/EC of 15 December 1997 on common rules for the development of the internal market of Community postal services and the improvement of quality of service	<i>Postal Act</i>	13.06.2001 adopted in 01.2002	<i>Postal Act</i> entered into force with all the secondary legislation (11 acts) on 01.01.2002

**Implementation and administrative capacity**

1. Institution, planned measures (incl training), deadline	2. Legal basis, implemented legal act	3. Financing (State budget line, other sources)	4. Technical assistance needs	5. Remarks
<u>National Communications Board</u> - Implementation of the <i>Postal Act</i> and secondary legislation proceeding from the Act; - training on regulation of postal services, postal activity and postal market, exercising the supervision, quality and cost accounting of postal services; - creating a new department – Department of Postal Services and creation of 12 new posts; - elaboration and implementation of the postal services information system Date due: 12.2002	<i>Postal Act</i> and its implementing regulations entered into force in 01.01.2002	bilateral aid NLG 460,000.- budget of National Communications Board 142.81.10	foreign assistance from the Government of the Netherlands in scope of the PSO Programme	National Communications Board will perform the functions of the independent regulatory body in the field of the postal services; Provision of assistance aid is approved by the Netherlands Government and the terms of references is approved; Netherlands foreign aid project is planned to implement during January 2002 – July 2003
<u>National Communications Board</u> - implementation of the Estonian new numbering plan;	<i>Telecommunications Act section 82 paragraph 5, section 83 paragraph 1;</i> MOTC regulation of 16 February 2001 No 9 “Numbering Plan of Estonia” (enters into force in 1 November 2002)	budget of National Communications Board 142.81.10	-	
<u>National Communications Board</u> - amendment of the procedure for applying for the permission to use satellite systems in the regulation on rules for issuing technical authorizations; - training for implementation of the “One Stop Shopping”	<i>Telecommunications Act section 19 paragraph 13, section 68 paragraph 6;</i> Amendment of the MOTC regulation of 21.07.2000 No 53 “Rules for issuing the technical authorizations”	budget of National Communications Board 142.81.10	-	Amendment of the regulation allows to process electronic applications for issuing permissions for the use of satellite systems

## **20. CULTURE AND AUDIOVISUAL POLICY**

### **20.1. Culture**

Estonian legislation in the field of culture complies with the European Union legislation.

Pursuant to the Article 101 of the European Agreement, the priority of cultural policy for Estonia is to participate in the Community's cultural co-operation programmes. Estonia's participation in these programmes is part of the pre-accession strategy, the overall aim of which is to get introduced to different EU policies and implementation instruments.

Decision No 6/2001 of the Association Council, Association between the European Communities and their member states and the Republic of Estonia, adopting the terms and conditions for the participation of the Republic of Estonia in "Culture 2000" programme came into effect retroactively 1 January 2001. Estonia shall participate in the programme until the end in 2004. Starting from the year 2001 until the end of the programme the annual participation fee for Estonia will be 2,030,000 Estonian kroons. In order to co-ordinate Estonia's participation in the programme and to fully and quickly inform cultural operators about the programme and calls for proposals and to help and advise the project makers the Ministry of Culture will establish an information point for "Culture 2000" programme – Cultural Contact Point (CCP) - in January 2002 that shall be in contractual relationship with the European Commission. The Cultural Contact Point will be part of the network of Cultural Contact Points, which already operate in EU member states and in majority of candidate countries.

**Implementation and administrative capacity**

1. Institution, planned measures (incl training), deadline	2. Legal basis, implemented legal act	3. Financing (State budget line, other sources)	4. Technical assistance needs	5. Remarks
<p>1) Participation in the European Community framework programme "Culture 2000" in 2001-2004.</p> <p>2) Establishment of the "Culture 2000" programme information point – Cultural Contact Point - in January 2002. The activity of the Cultural Contact Point consists of organising information days, seminars, and compiling information material in order to inform cultural project makers of the "Culture 2000" programme and its possibilities and conditions. Events will be connected to the calls for proposals that are announced once a year. Approximately 100 people are to participate in the seminars and information days. Informing by electronic means covers about 500 people.</p>	<p>1) Decision No 508/2000/EC of the European Parliament and of the Council of 14 February 2000 establishing the "Culture 2000" programme.</p> <p>2) Decision No 6/2001 of the Association Council, Association between the European Communities and their member states and the Republic of Estonia, adopting the terms and conditions for the participation of the Republic of Estonia in "Culture 2000" programme.</p>	<p>1) Estonia's annual participation fee 1,360,000 kroons comes from the budget of the Ministry of Culture, chapter 01, article 57.</p> <p>2) 468,000 kroons from the state budgetary part of Estonia's participation fee will cover 50% of operating costs of the Cultural Contact Point. This sum is complemented by additional 468,000 kroons that need not to be transferred to Brussels. The total budget of the Cultural Contact Point: 936,000 kroons; chapter 01, article 57.</p>	<p>Estonia's annual participation fee 670,000 kroons from PHARE national allocation.</p>	<p>The part paid from the state budget (the part transferred to Brussels) includes in addition to programme's operating expenses and support for CCP also programme's administrative expenses 109,200 kroons.</p>

## 20.2. Audiovisual policy

Complete legislative alignment in the audiovisual sector and full compliance with the requirements of EU audiovisual *acquis*, the basic document of which is the *Television without Frontiers Directive (Council Directive (89/552/EEC) of 3 October 1989 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities and Directive 97/36/EC of the European Parliament and of the Council of 30 June 1997 amending Council Directive 89/552/EEC on the coordination of certain provisions laid down by law, regulation or administrative action in member states concerning the pursuit of television broadcasting activities)*, was achieved by the *Broadcasting Act Amendment Act* which entered into force on 15 May 2000. As it was in the year 2001, our main task also in the years 2002 and 2003 will be effective implementation, enforcement and supervision.

The main aim is to be ready to implement all the requirements of the *Television without Frontiers Directive*, provided in our *Broadcasting Act*, by the year 2003 and to be ready to fulfil properly all the obligations, characteristic of the member state, in the field of audiovisual policy.

The majority proportion of European works and as well as increasing the proportion of independent producers in the programmes of Estonian broadcasters will be reached step by step, as provided in the *Broadcasting Act*.

The new system of financing public-service broadcasting will be introduced in Estonia which establishes a fixed basis for its activities in several years perspective and makes the financing more transparent. When introducing a new system, the recommendations from the newly adopted European Commission document *Communication from the Commission on the application of state aid rules to public service broadcasting* have been followed.

In order to get an adequate picture of compliance of the structure of the programmes of Estonian broadcasters to the requirements provided in the *Broadcasting Act*, the system of collecting statistical data will be supplemented. It's planned to increase the staff of the Media and Copyright Department and to improve the technical equipment for broadcasting-monitoring according to possibilities.

The training of the employees of the Media and Copyright Department will be continued whereby the new direction is preparation of potential participants in different EU committees and working-groups.

Estonia's wish and willingness to participate in the EU audiovisual supporting programme MEDIA Plus will be realized in the near future as by now we have a "framework" Association Council Decision which provides Estonia's participation conditions in all the Community programmes, and which will be followed by the Memorandum of Understanding concerning MEDIA Plus programme. The annual contribution calculated to cover Estonia's participation in the programme from the year 2002, is EUR 120,000, of which EUR 78,000 is allocated for this purpose in the state budget and 42,000 will be taken from funding received under the Phare programme. The training of potential participants in the programme will continue.

**Implementation and administrative capacity**

1.	2.	3.	4.	5.
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
Estonia's participation in the MEDIA Plus programme in 2002-2005 and in connection with it the establishment of a Media Desk – an information desk to advise and assist the project-makers	<p>Council Decision 2000/821/EC of 20 December 2000 on the implementation of a programme to encourage the development, distribution and promotion of European audiovisual works (Media Plus – Development, Distribution and Promotion) 2000-2005.</p> <p>Decision No 163/2001/EC of the European Parliament and the Council of 18 January 2001 on the implementation of a training programme for professionals in the European audiovisual programme industry (Media-Training) 2001-2005</p>	1,216,800 kroons annually comes from the budget of the Ministry of Culture, chapter 01, article 57 of which 390,000 kroons partly covers the expenses related to the Media Desk.	655,200 kroons - PHARE national allocation.	



## 21. REGIONAL POLICY AND CO-ORDINATION OF STRUCTURAL FUNDS

[See also Part III, Chapters 1. Free movement of goods, 7. Agriculture, 8. Fishery, 9. Transport, 13. Social policy and employment, 14. Energy sector, 15. Industrial policy, 16. Small and medium size enterprises and Chapter 22. Environment]

### *Objectives*

The main objective of the regional policy and the co-ordination of structural funds is to create a legal and administrative framework for using EU structural assistance, as well as to increase the administrative capacity of the relevant state institutions.

### *Plans for 2002-2003*

#### **1. National Development Plan for 2003 - 2006**

##### Estonian National Development Plan for 2003 - 2006

In April 2001, the Government approved the "*Basic Principles for Preparing the Implementation of the European Union Structural Funds and Cohesion Fund Support*" and the "*Action Plan of the Government for Preparing the Implementation of the European Union Structural Funds and the Cohesion Fund Support in 2001-2003*."

The Basic Principles include the general division of tasks between the ministries in arranging the introduction of a division of the resources of structural funds and the Cohesion Fund of the European Union after Estonia has acceded to the EU. The Basic Principles form the basis for planning and co-ordinating the activities of ministries in order to prepare for the introduction of the resources of the above-mentioned EU funds.

By the end of 2002, Estonia will prepare the "**Single Programming Document 2003-2006**" for the application for support from the EU structural funds according to the Council Regulation 1260/99/EC of 21 June 1999. The National Development Plan for 2003 - 2006 (hereafter called the NDP) will be prepared on the basis of the **Pre-accession Economic Programme (PEP)**.

##### The preparation of the strategic part of the NDP 2003-2006

The general administration of the preparation of the **NDP 2003 - 2006** and the **complementary programme** is organised and co-ordinated by the Ministry of Finance in co-operation with the related ministries and co-operation partners. The ministries are responsible for the preparation of the relevant chapters of the NDP. In March 2002, the Ministry of Finance will submit the strategic basis of the NDP 2003-2006 to the Government for its approval. The final version of the NDP 2003-2006 will be completed by December 2002.

The preparation of the programme document will be carried out in two stages according to the following schedule:

1. Preparation of strategic basis – by 1 April 2002.
2. Completion of the whole document of the NDP – by 1 December 2002.

### Priorities of the NDP 2003-2006

At the beginning of 2002, the ministries will elaborate the priorities of the National Development Plan 2003-2006, which will include the following areas:

1. Human resources and social infrastructure (incl. an increase in employment, flexibility of the labour force, the education system which ensures copying and lifelong education, implementation of up-to-date technologies in all sectors of society, an optimal health system focusing on patients, improved public health);
2. Competitiveness of the economy (incl. an increase in entrepreneurial capabilities, an economy with increased competitiveness, technological development, more sustainable use of environment);
3. Sustainable development of rural life and the rural economy;
4. Sustainable local development (incl. a well-preserved and better used and varied natural environment and cultural heritage; a strong third sector which influences substantially the development of society, diminished differences in regional development; more sustainable use of the environment and a well-developed environmental infrastructure);
5. Environmental and technical infrastructure (incl. arrangement of transport to protect the environment, infrastructure of transport and communication which ensures the accessibility of rural centres, and a well-developed environmental infrastructure);
6. Energy sector (a stable and sustainable energy industry, gradual transfer to renewable energy resources).

### National policies

**Estonian industrial policy.** At the end of 2001, the draft of the basic concept of the strategy of Estonia's economic development will be completed. The strategy of economic development is a long-term strategic document, which will determine national policy in forming business environment to be more comprehensive than the traditional industrial policies. The strategy of economic development is a social agreement on the long-term economic patterns and on the concentration of scattered resources for the achievement of certain objectives. The strategy will signal those actively involved in the economy about the priorities, intentions and sphere of activities of the state.

The strategy of economic development will focus on the following main areas:

- development of exports, reputation of Estonian products and services and their competitiveness in foreign markets;
- the improvement in the competitive ability of companies by technological development and innovation;
- development of human resources;
- regulatory and institutional framework for business, the quality of services offered by the public sector;
- supporting fair competition;
- access to capital.

The emphasis will be put on the development of human resources in order to manage technological change and improve innovative capacities. The strategy of economic development also emphasises the importance of an increase in awareness and competence for strategic management (incl. merchandising and innovation;

knowledge and technology, quality and design). The need for the introduction of new technologies in order to increase the competitive abilities of traditional industries will also be stressed in the strategy.

Taking into account the factors, which have a direct impact on economic development the strategy will offer a joint and harmonised conceptual framework for development plans for different sectors (the Education Strategy, the Action Plan for Developing the Vocational Education System, the Research and Development Strategy, exports policy, business policy, etc.). The final version of the document will be submitted to the Government by the end of 2002 (see also Chapter 5 "Industrial Policy").

The basic document of the Estonian national **business policy** for 2001-2006, "Enterprising Estonia", was drafted in 2001 and it will be submitted to the Government for approval in the 1<sup>st</sup> quarter of 2002. The aim of supporting enterprise is to facilitate entrepreneurial abilities and the creation of new jobs, as well as to increase the competitiveness of Estonia. In order to achieve these objectives the principle of regionally balanced development must be taken into account (see also Chapter 16 "Small and medium size enterprises").

The Estonian research and development strategy for 2002-2006 called "**Knowledge-based Estonia**" is the document on the basis of which the national support for **technological development and innovation** will be carried out. This document was approved by the Government as well as by the *Riigikogu* which adopted it on 6 December 2001. The aim of supporting technological development and innovation is to raise state and private investment in this sphere up to a level which enables an increase in the value of Estonian products so as to ensure an improvement in the employment structure and an increase in incomes. As regards the development of a technology and innovation policy the Ministry of Economic Affairs will, in 2002, focus mainly on ensuring a professional and efficient implementation of measure supporting planned research and development activities (see also Chapter 5 "Industrial Policy").

**Tourism** is supported on the basis of the National Tourism Development Plan for 2002 - 2005, which has been approved by the Government and will be submitted to the *Riigikogu* in the 1<sup>st</sup> quarter of 2002. The aim of supporting tourism is to increase the international competitiveness of the Estonian tourism sector.

The **energy policy** of the Government is based on the National Long-term Development Plan for the Fuel and Energy Sector. The relevant government agencies, in their everyday work, follow the Implementation Plan of the Foundation for Saving Energy and the Estonian Environmental Programme. During the planning of the energy strategy the Estonian Environmental Programme for the years 2001-2003 is followed as it includes the largest public and private projects related to power engineering.

**Rural development policy.** Taking into account the trends in developed countries and the relevant EU policies Estonia has to give a new meaning to rural life and the policies forming it. In order to achieve this the Estonian Rural Development Strategy will be prepared during the years 2002-2003.

**Employment policy.** On 19 March 2001 Estonia and the European Union signed the Joint Assessment of Employment Priorities in Estonia, which aims to assess the readiness of Estonia for the implementation of the EU employment strategy. Since the year 2000 the Ministry of Social Affairs has prepared annual employment action plans which are in compliance with the above-mentioned strategy.

With regard to the **vocational education policy** the adjustment of the vocational education system to the changing demands of the labour market will continue during 2002. On 12 June 2001 the Government approved *The Action Plan for Developing the Estonian Vocational Education System during the years 2001–2004*. The broader aim of the Action Plan is to establish a vocational education system in Estonia, which ensures the social and professional readiness of young people in order to start working as well as to prepare skilled labour to be competitive in Estonian as well as foreign labour markets.

As regards the **fishery policy** the initial fishery programme documents (the Action Plan, the Supplement to the Action Plan and the Pre-Assessment) prepared within the framework of the Phare twinning project for 2002 - 2003 will be developed in order to facilitate the implementation of requirements proceeding from the common fishery policy of the EU concerning structural support after accession.

The current version of the **ISPA Environmental Strategy** was mainly prepared in 1999 and approved by the ISPA Steering Committee in October 2000. The up-dating of the ISPA Strategy and the list of projects started in spring 2001 was completed in August 2001. In February 2002, the Strategy was discussed with the representatives of the European Commission. In the 2<sup>nd</sup> quarter of 2002, the Strategy will be approved by the ISPA Steering Committee. During 2002, the preparation and implementation of projects according to the Strategy will continue.

**The ISPA Transport Strategy** was prepared in August 1999. It was renewed in September 2001 and submitted to the Ministry of Finance. The Ministry of Finance sent the up-dated Transport Strategy to the European Commission for review. In February 2002, the Strategy was discussed with the representatives of the European Commission and it will soon be approved.

**Regional policy.** During 2002, the implementation of the Estonian regional development strategy will be continued. In 2002, the system for allocating investment subsidies from the state budget to local governments will be prepared. This system must correspond to the requirements established for receiving support from EU structural funds. The new local government investment system will be implemented in 2003.

During the period from 2002 to 2003, the system of municipal investment and municipal programming, as well as the legal basis for directing regional development,

will be reorganised in order to be ready to implement the support from EU structural funds.

## **2. Compliance with EU policies**

### State aid

The principles and procedures for granting state aid are provided for in the *Competition Act* (Chapter 6, adopted on 5 June 2001; entered into force on 1 October 2001). Estonia has fully harmonised the Government Regulation No 307 of 25 September 2001 "Special conditions on granting regional aid" with the Guidelines on regional aid (OJ C 74, of 10 March 1998) and the Multisectoral framework on regional aid for large investment projects (OJ C 107, 7 April 1998). Therefore the support, which qualifies as state aid can only be granted according to the conditions and the procedures provided for in the above-mentioned Regulation.

### The environment

According to the *Environmental Impact Assessment and Environmental Auditing Act* adopted by the *Riigikogu* in June 2000 (entered into force on 1 January 2001) the environmental impact is assessed during the construction and renovation of buildings. In addition larger plans, national development plans and programmes must pass the environmental impact assessment. The pre-assessment of the National Development Plan for 2003 - 2006, which will be carried out in the 2<sup>nd</sup> quarter of 2002, will include *inter alia* the environmental impact assessment.

### State procurement

In the year 2000, the *Riigikogu* adopted a new *Public Procurement Act* (entered into force on 1 April 2001). During 2002, Estonian law will be fully aligned with the EU directives related to public procurement by the adoption of the *Public Procurement Act Amendment Act* and the establishment of the secondary legislation for its implementation. In order to implement the new *Public Procurement Act* and the secondary legislation related to it a seminar will be organised in 2002 for the Public Procurement Agency and the local government officials. The seminar will be funded from the state budget and with foreign support. [See also Chapter 1. Free movement of goods].

## **3. Pre-structural instruments**

In 2001, the European Union allocated to Estonia a total of MEUR 68 on the basis of agreements on financing the Phare, ISPA and SAPARD programmes. This represented a small increase over the EU support granted to Estonia in 2000, which amounted to MEUR 68. Compared with the years 1998 and 1999 the total support from the EU to Estonia has more than doubled (i.e. in 1998-1999 the EU annual support amounted to MEUR 28).

The increase in EU support refers to the increased confidence of the European Union in the administrative capacity of Estonian public servants. During the period from 1991 to 2001 the European Commission, on the basis of financial agreements, allocated a total of MEUR 334 to Estonia.

In 2002, the European Commission will allocate MEUR 40 to Estonia within the Phare programme.

## PHARE

The average annual Phare support to Estonia during 2000-2001 amounted to MEUR 30. (In 2000: MEUR 33.8; in 2001: estimated total support amounted to MEUR 29.4).

### PHARE support to Estonia in 2001

At the beginning of 2002, the implementation of the Phare 2001 projects started. The Financial Memorandum of the Phare 2001 National Programme was signed on 30 November 2001. The support to the Phare 2001 National programme amounted to MEUR 26.4. The Estonian public sector will co-finance the above-mentioned investment and activities by allocating MEUR 8. The Phare 2001 Estonian National Programme will fund expert assistance and investment within the framework of a total of 16 projects in order to accelerate Estonia's accession to the EU. Most of the projects aim to facilitate a better implementation of EU legislation in Estonia. As another important element, the Phare 2001 programme will continue to support the social-economic development of the less developed regions of Estonia such as Ida-Virumaa, South Estonia and the West Estonian islands.

### **Financial support allocated by the Phare Estonian National Programme in 2001<sup>1</sup>:**

For the European integration projects supporting the National Action Plan	EUR 17.8 million
For the projects supporting Estonia's social-economic development	EUR 6 million
For the participation of Estonia in European Community programmes	EUR 2.6 million
	<b>Total EUR 26.4 million</b>

### PHARE support to Estonia in 2002

The Phare 2002 programming, which started in April 2001, has been carried out in two stages:

1. During the Phare 2002 programming stage the Ministry of Finance prepared urgent European integration projects for supporting the National Action Plan (7 projects) with a budget of EUR 9.2 million. The 1<sup>st</sup> stage Phare 2002 projects were approved at the meeting of the Phare Steering Committee at the end of January 2002. The implementation of the projects will start in the 2<sup>nd</sup> half of 2002.
2. During this stage the Ministry of Finance prepared the projects for social-economic development (ESC projects), which form a part of the Phare 2002 National Programme, and the medium priority European integration projects. The Annexes to the National Development Plan 2001-2004 were used during the development of the ESC projects as the strategic basic documents: the regional development plans (regional development plans for Ida-Virumaa, South Estonia and the West Estonian islands which were approved by the Government on 25 September 2001). Estonia has applied for Phare 2002 support for a total of 5 ESC

<sup>1</sup> Source: Financial Memorandum of the Phare 2001 National Programme

projects which amount to MEUR 9.9. The 2<sup>nd</sup> stage Phare 2002 projects will be approved at the meeting of the Phare Steering Committee, which will take place in May 2002. The implementation of projects will start in the 2<sup>nd</sup> half of 2002.

#### Implementation of Phare projects

In 2002, the Ministry of Finance will be continually responsible for the implementation of all Phare projects. The Ministry of Finance aims to ensure the purpose-orientated and timely use of EU pre-structural instruments (Phare, Ispa) and to carry out procurements, conclude contracts and make disbursements according to the procedures established by the donors. The Ministry of Finance co-ordinates the implementation of the Phare 1999- 2001 programme.

In order to implement the Phare 2002 ESC projects two new agencies implementing Phare projects must be set up:

- Foundation Enterprise Estonia
- Foundation for Estonian Vocational Education Reform

With the technical assistance from Phare the Ministry of Education and the Ministry of Economic Affairs will prepare the above-mentioned Foundations for the implementation of Phare ESC projects according to the requirements of the Extended Decentralised Implementation System by January 2003.

**Table 1:**

<b>European Union support to Estonia in 2000-2001 and the Ministry of Finance estimates of the amount of EU support in 2002 Situation on 5 December 2001</b>												
<b>(MEUR)</b>	<b>2 000</b>				<b>2001</b>				<b>2002*</b>			
	<b>EU</b>	<b>Estonia</b>	<b>%*</b>	<b>Total</b>	<b>EU</b>	<b>Estonia</b>	<b>%</b>	<b>Total</b>	<b>EU</b>	<b>Estonia</b>	<b>%</b>	<b>Total</b>
<b>PHARE</b>	33	14	30%	47	26	8	24%	34	40	14	26%	54
<b>ISPA</b>	34	14	34%	48	30	10	25%	40	35	12	26%	47
<b>SAPARD</b>					12	4	25%	16	12	4	24%	16
<b>TOTAL</b>	<b>67</b>	<b>28</b>	<b>30%</b>	<b>95</b>	<b>68</b>	<b>22</b>	<b>24%</b>	<b>90</b>	<b>87</b>	<b>30</b>	<b>26%</b>	<b>117</b>

#### Phare ESC

[See also Chapter 16 "Small and medium size enterprises"]

Within the framework of the Ministry of Economic Affairs' Phare ESC projects support schemes will be prepared which will be based on the Estonian enterprise support schemes <sup>2</sup> but will be adjusted to also involve EU funds.

#### Phare 2000 ESC (2000-2003)

The implementation of pilot projects for developing enterprise, innovation and technology, tourism, and vocational education (infrastructure) in Ida-Virumaa and South Estonia (140 million kroons). For the technical preparation of infrastructure pilot projects (project pipeline) funds of the Phare 1999 Project Preparation Facility (PPF) are being used (8 million kroons).

<sup>2</sup> There is a summary in English of measures taken by the Enterprise Estonia "The activities of the Enterprise Estonia in the field of regional development and business support " - 8 pages

#### Phare 2001 ESC (2001-2004)

- Start-up of the tourism infrastructure support scheme (25 million kroons)
- Implementation of industrial infrastructure pilot projects (10 million kroons). For the technical preparation of the pilot projects the Phare 1999 PPF funds (0.3 million kroons) are being used.

#### Phare 2002 ESC (2002-2005)

- Continuation of financing of the tourism infrastructure support scheme (20 million kroons)
- Start-up of the industrial infrastructure support scheme (30 million kroons)
- Start-up of the training support scheme for companies (15 million kroons)

#### PHARE CBC

At the end of 2001, the Financial Memorandum of the Phare 2001 Cross-Border Co-operation Programme was signed allocating the amount of EUR 3 million.

In 2001, the Joint Programming Document of the Estonian Phare CBC and Interreg III South Finland coastal region was completed. During 2002, the above-mentioned JPD will be adjusted and the preparation of the JPDs of North and South Estonia and Russia, as well as South and West Estonia and Latvia will be started.

In 2002, the implementation of two investment projects will be started:

1. Extension of the water and sewage network of the town of Kuressaare (Phare support: MEUR 2, self-financing EUR 670,000),
2. Extension of the water and sewage network of the town of Rakvere (Phare support: MEUR 2, self-financing EUR 670,000), the tender for construction will be announced in the 1<sup>st</sup> quarter of 2002 and the contract will be concluded in the 2<sup>nd</sup> quarter of 2002.

In the 1<sup>st</sup> quarter of 2002, the guidelines for the Phare CBC 2001 investment support scheme will be prepared. Its implementation will start in the 4<sup>th</sup> quarter of 2002.

The guidelines of the Phare CBC 2000 Small Projects Foundation (SPF) was completed and its implementation was started at the end of 2001. During the 1<sup>st</sup> quarter of 2002 the submitted projects have been processed and in the 3<sup>rd</sup> quarter of 2002 the conclusion of contracts will start.

During the 1<sup>st</sup> half of 2002 the guidelines of the SPF of the Phare CBC 2001 will be supplemented. Its implementation will be started in the 3<sup>rd</sup> quarter of 2002.

The participation in the work of the Steering and Monitoring Committee of the South Finland coastal region Interreg III A and in the Steering and Monitoring Committee of the Baltic Sea region Interreg III B will be continued during 2002.

### **SAPARD and rural policy**

#### Programme documents related to rural development

The Ministry of Agriculture will, before accession, prepare two programme documents in order to ensure the continuation of support for the development of rural life and agriculture. One of the documents concerns the priorities of the *sustainable*



*development of rural life and agriculture* included in the national development plan and the second is the Rural Development Plan. This follows the requirement of the Council Regulation (EC) 1257/1999.

**The Ministry of Agriculture** is responsible for the preparation of the **Rural Development Plan**, which will be completed by the 4<sup>th</sup> quarter of 2002. The Estonian Rural Life Development Plan differs from the SAPARD Rural Development Plan mainly due to the smaller number of measures to be implement because everything concerning investment support is included in the National Development Plan. The general structure of the Plan corresponds more or less to the SAPARD Development Plan. The following measures will be determined: premature retirement; unfavourable regions and regions with special environmental restrictions; agricultural environmental policy and afforestation of agricultural land.

### **Implementation of SAPARD**

In addition to the measures, which have already been started the following new measures will be implemented in 2002:

measure 5: technical support for measures under the Rural Development Plan

measure 6: renovation and development of villages and the protection and preservation of the natural and cultural heritage of rural areas.

Negotiations with the European Commission for the implementation of the following measure are being prepared and will soon be started:

measure 7: environmental support for agriculture

measure 8: forestry

### **Implementation of ISPA**

The framework for the implementation of ISPA environmental projects has been established.<sup>3</sup>

#### The status of the projects of 2000 and 2001

So far five projects submitted by the Ministry of the Environment have been approved (ISPA support amounts to a total of MEUR 28.1). In 2002, after the European Commission has approved the procurement documents for the following projects, the tenders for construction will be announced and construction contracts will be concluded for the following sites:

- Tartu tunnel sewer
- Renovation of the Narva sewage treatment plant
- Construction of the Viljandi sewage treatment plant
- Access road to the Tallinn Waste Dump and the drain water sewerage
- Closure of the Tallinn Pääsküla Waste Dump

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<sup>3</sup> The Minister of the Environment Directive of 22 May 2001 No 349 "The regulation for the implementation of EU ISPA projects and the tasks of civil servants and structural units for executing the regulation";

On 11 June 2001 the agreement on the implementation of international agreements between the Environmental Investment Centre (EIC) and the Ministry of the Environment was signed

In November 2001 the EIC Manual of Procedures was approved by the director of the EIC and an authorized official of the environmental sector (SAO).

### Preparation of 2002 projects

So far the Ministry of the Environment has submitted, through the Ministry of Finance, four investment projects to the DG Regio (the total sum applied from ISPA amounts to MEUR 32.3). After the approval of the projects the drafting of procurement documentation will be started in 2002:

- Construction of the Pärnu (Paikuse) Waste Dump – estimated co-financing by ISPA: MEUR 6.54;
- Water project of Pärnu (includes Audru, Sindi and Paikuse) – estimated ISPA support: MEUR 8.96;
- Renovation and extension of pipelines in Tartu – estimated ISPA support: MEUR 12.77;
- Renovation and extension of pipelines in Narva – estimated ISPA support MEUR 4.03;

In addition, three applications for technical assistance for the preparation of the future ISPA investment projects have been submitted to the European Commission (the total amount of support applied for from ISPA is MEUR 1.16):

- Water project for small settlements of the Pärnu River catchment basin – ISPA support: MEUR 0.20;
- Ida-Harjumaa water project – support: MEUR 0.53;
- Water project of the Keila-Vasalemma River catchment basin – support: MEUR 0.43;

In addition to the project applications, which have been submitted earlier preparations for the submission of the following project applications are in progress:

*Kohtla-Järve sewage treatment system* – initial data and tasks have been prepared on the basis of which the Ministry of Environment will hire an expert to prepare the application to be submitted to ISPA. The public procurement tender will be announced in November. The application will probably be ready by the 2<sup>nd</sup> quarter of 2002.

For the preparation of the *Project of the Estonian Energy Company (covering of an ash mountain)* a consortium consisting of three companies has been chosen by the Estonian Energy Company as the result of a public procurement tender. The consortium is currently preparing materials for its ISPA application. The application will be completed by the end of the 1<sup>st</sup> quarter of 2002.

The future location of *the South-Eastern Waste Dump* has been chosen. The choice is not yet officially approved. After the approval a Danish company, COWI, should start the drafting of an ISPA application. The application will be completed during 2002.

Three ISPA projects concerning catchment basins of rivers should be prepared during 2002 with ISPA TA support:

*Water project for small settlements of the Pärnu River catchment basin*

*Ida-Harjumaa water project*

*Water project of the Keila-Vasalemma River catchment basin*

In order to implement ISPA transport projects the Minister of Transport and Communications, on 16 May 2001, signed the Directive “The Affirmation of the Regulation for Implementing European Union ISPA projects” which provides, *inter alia*, for the tasks of the Ministry of Transport and Communications, the Sector Authorising Officer (SAO) and the implementation agencies (IA) and the procedures for the management and administration of projects. On 19 July 2001 the Department of Structural Instruments was founded within the Ministry of Transport and Communications with the main task of organising the implementation of assignments related to the projects financed within the framework of ISPA funds.

#### Status of the projects of 2000 and 2001

1. Via Baltica: renovation of the Ikla-Tallinn-Narva road, 1<sup>st</sup> stage – The Financial Memorandum (FM) was signed on 28 December 2000, for a total of MEUR 1.9. The work was started on 1 November 2001. The estimated completion date for the work is 30 September 2002.
2. Design of the Koidula Border Station (technical assistance) – FM was signed on 9 April 2001; total cost: MEUR 1.8. The contractor was chosen in December 2001. Work will be started in 2002.
3. Via Baltica: renovation of the Ikla-Tallinn-Narva road, 2<sup>nd</sup> stage – FM was signed on 08.11.2001; total cost: 28.1 MEUR. The work will be carried out during 2002-2003.

#### 2002 projects

1. Via Baltica: renovation of the Narva (Jõhvi-Kukruse) road, 3<sup>rd</sup> stage – application was submitted on 31 December 2001.
2. Via Baltica 4<sup>th</sup> stage (renovation of the Tallinn roundabout) – application was submitted on 1 March 2002
3. Preparation of the renovation of the Vão-Maardu road (technical assistance) – cost: MEUR 0.5.

#### **4. Administrative capacity**

In April, 2001 the Government approved *The Basic Principles for Preparing the Implementation of the European Union Structural Funds and Cohesion Fund Support and the Action Plan of the Government for Preparing the Implementation of the European Union Structural Funds and the Cohesion Fund Support in 2001-2003*.

According to the Action Plan the Ministry of Finance will be **the managing authority** of the Single Programme Document. The Ministry of Finance may, on the basis of the current inter-ministerial division of labour, delegate the tasks related to this document to the relevant ministries.

The Ministry of Finance will also be the **paying authority** of the financial support received on the basis of the Single Programme Document from the European Regional Development Fund (ERDF), the European Social Fund (ESF) and the Financial Instrument for Fisheries Guidance (FIFG), as well as from the Cohesion Fund. The Ministry of Agriculture will be the paying authority of the Guidance section of the European Agricultural Guidance and Guarantee Fund (EAGGF)

The designation of the payment authorities may be reviewed in the 1st quarter of 2002 depending on the results of an additional assessment.

Without prejudice to the responsibility of ministries who are designated as payment authorities to fulfil obligations put on them by the relevant EU regulations, some tasks related to the above-mentioned obligations may be delegated to other government agencies.

During 2002, the Ministry of Finance will, within the framework of the SPP+ project, prepare the administrative and institutional framework which is needed for the implementation of the support from EU structural funds and which follows Council Regulation 1260/1999 and includes the determination of relations between managing authorities, related ministries and implementation authorities, as well as creates the mechanism for co-operation. The administrative and budgetary procedures of the managing authorities will also be prepared.

In order to carry out the **Community initiative programmes** the following ministries will be appointed as managing and paying authorities:

- Ministry of Internal Affairs - INTERREG and Urban
- Ministry of Agriculture - Leader
- Ministry of Social Affairs - Equal.

As a general rule, each ministry (responsible ministry) involved in the implementation of projects co-financed by EU structural funds and/or the Cohesion Fund has one implementing authority (exceptions may occur in connection with the Cohesion Fund transport projects) which has passed the appropriate accreditation and organises directly the implementation of these projects.

#### Preparations for the implementation of the Community initiatives

In 2003, a new project will start within the framework of the Phare ESC whose aim is to:

- ensure the readiness of the Ministry of Internal Affairs for the implementation of Community initiatives INTERREG and URBAN during the period from 2005 to 2006
- ensure the readiness of the Ministry of Agriculture for the implementation of Community initiative LEADER during the period from 2005 to 2006
- ensure the readiness of social-economic partners for the implementation of Community initiatives LEADER, INTERREG and URBAN during the programme periods from 2005 to 2006 and from 2007 to 2013.

#### Economic and social development

The Ministry of Economic Affairs (See also Chapter 16 "Small and medium size enterprises") will organise, using its own funds, the pre-assessment of the Enterprise Estonia Foundation (EEF) readiness for being accredited as a structural funds implementation unit (term: 1<sup>st</sup> quarter of 2002)

- Within the framework of the Phare 2001 ESC project the EEF will be prepared to act as a Phare ESC implementation unit (term: end of 2002)
- Within the framework of the Phare 1999 PPF the tourism infrastructure support scheme will be prepared (term; 1<sup>st</sup> quarter of 2002)

- Within the framework of the Phare 2001 ESC project enterprise, innovation and technology development support schemes will be prepared (term: end of 2002)
- Within the framework of the Phare 2001 ESC project the EEF workplaces for the implementation of schemes will be provided with the necessary equipment (term: 2003)
- Within the framework of the Danish FEU (European integration) programme training and counselling will be offered to regional agencies of the EEF and final beneficiaries (term: 4<sup>th</sup> quarter 2002)
- Within the framework of the Phare 2000 ESC projects the capacity of the Ida-Viru Agency and the South Estonian Agency of the EEF for regional programming and the implementation of programmes will be developed (term: 2003)
- Within the framework of the Phare 2002 ESC project the Project Pipeline for the implementation of Phare support schemes and SPD measures will be established (term: 2005)
- Within the framework of the Phare 2002 ESC project the technical solutions (monitoring system) for the operation of the EEF as a implementation unit of structural funds will be elaborated (term: 2004)
- Within the framework of the Phare 2001 ESC project the strategic plan for West-Estonian vocational education will be prepared, a centre for extramural studies will be founded, an institution which will organise recognised occupational exams and issue vocational certificates will be founded, the support network for assisting companies in organising practical training will be created and the equipment for practical training will be bought for vocational schools (term: 2003).
- Within the framework of the Phare 2001 ESC project research will be carried out to improve the planning of occupational training. Programmes for organising practical training at work for young unemployed will be prepared; employment services will be adjusted to the needs of young people. Apprenticeship schemes for the professions will be developed. Officials of employment agencies will also be trained to be able to create better opportunities for the unemployed to find work. Schemes, which encourage employers to participate actively in the resolution of the problem of unemployment among young people, will be developed (term: 2003).
- Within the framework of the Phare 2002 ESC project occupational training programmes based on companies' facilities and the relevant support system will be prepared (term 2004).
- An implementation authority within the administrative area of the Ministry of Internal Affairs for the administration of local development priorities will be designated.

### ISPA

By 4 December 2001, 12 financial memorandums had been signed.

The ISPA implementation authorities are the following:

- Environmental Investment Centre;
- Road Administration;
- Railway Administration;
- Central Financing and Contracting Unit (CFCU) of the Ministry of Finance.

The Environmental Investment Centre and the Railway Administration will be probably accredited in the 1<sup>st</sup> quarter of 2002.

### Fishery

During 2002-2003, the fishery programme documents (the Action Plan, the Supplement to the Action Plan and the Pre-assessment) prepared within the framework of the Phare twinning project will be renewed in order to facilitate the implementation of requirements proceeding from the EU common fisheries policy in the sphere of structural support after accession.

In order to implement and prepare for the Financial Instrument of Fisheries Guidance (FIFG) the Fishery Department of the Ministry of Agriculture will prepare the appropriate legislation. The Department will organise training for officials dealing with the administration and implementation of the Financial Instruments of Fisheries Guidance in order to ensure stable, efficient and verifiable management of the Financial Instrument of Fisheries Guidance.

For the successful implementation of the Financial Instrument of Fisheries Guidance the preciseness of information concerning fisheries is extremely important and, therefore, a relevant application has been submitted to Phare. Within the framework of the Twinning Light Project the collection and processing of information on fisheries and their compliance with EU requirements is assessed. Within the framework of the above-mentioned project a plan for the movement of information will be developed which will ensure the availability of the necessary information to the institutions dealing with the implementation of the financial instruments of fisheries.

In 2002, the Ministry of Agriculture will double the number of employees in the relevant department. Additional positions are also foreseen in the Agricultural Registers and Information Board responsible for the implementation of the Financial Instruments of Fisheries Guidance.

The modernisation of the fishing industry is funded under measure II of the SAPARD programme. The establishment and modernisation of fish and crab farms is funded under measure III of the same programme.

Profit making organisations of professional fishermen and fish farmers can apply for common business support. Fish farmers can also apply for interest, counselling and agricultural insurance support.

By the establishment of the Register of Fishing Boats the number of fishing boats will be adjusted with the available resources.

### Employment

Within the framework of the Phare Consensus III project the scheme of administration of the European Social Fund (ESF) and the necessary instructions for the administrators, as well as for applicants, will be prepared. Officials of the ministries involved in the implementation of the Fund will be trained and the training programme for officials working in different regions on the implementation of the ESF will be prepared during 2002.

In addition to the officials of the Ministry of Social Affairs the public servants of the Ministry of Education, the Ministry of Economic Affairs, the Ministry of Finance, the

Ministry of Internal Affairs and the Ministry of Agriculture, as well as the employees of the Central Confederation of Employers and Industry, the Central Confederation of Trade Unions, the Trade Union of Educational and Cultural Workers, the Vocational Education Reform Foundation and the representatives of the Labour Market Board are involved in the preparation of the implementation of the ESF. The task of the working group, formed of representatives of different organisations, is to supervise the implementation of the project and to inform the relevant organisations about the course of the preparations for the implementation of the ESF. The second working group which consists mainly of representatives of the Ministry of Social Affairs, the Labour Market Board, the Ministry of Education and the Vocational Education Reform Foundation focuses on the direct implementation of the project i.e. prepares material necessary for the implementation of the ESF.

The Employment Action Plan 2002 was approved by the Government on 24 July 2001. The Action Plan was prepared by the Ministry of Social Affairs and it has been approved by the concerned ministries, county governments, the Central Confederation of Employers and Trade Unions, the Labour Market Board, the Chamber of Persons with Special Needs, and the Estonian Association of Cities and Towns. The Action Plan was prepared in compliance with the EU Employment Strategy and the Employment Guidelines 2001. The Action Plan consists of four priority areas: increasing employment, development of enterprise, support for the adjustment process of entrepreneurs and employees and the reinforcement of the equal opportunities policy. The Action Plan starts with the assessment of the implementation of the previous employment action plan (from the 4<sup>th</sup> quarter of 2000 to the 4<sup>th</sup> quarter of 2001). Employment action plans are prepared annually.

In order to implement the Employment Action Plan the programme on “Increasing employment, avoiding long-term unemployment and the prevention of those persons belonging to risk groups being averted from work” will be carried out in 2002. An application has been submitted for funding the programme from the resources of the extra-budgetary reserve fund of the Government received from privatisation.

With reference to the entry into force of the *Employment Services Act* and the new *Unemployed Persons Social Protection Act* on 1 October 2000 the Labour Market Board in the year 2000 started the development of a new information system based on the cross-usage of databases which will probably be completed by April 2002. Together with the new information system the State Register of Work Seekers and employment services foreseen by the *Employment Services Act* will be introduced in 2002.

During 2001-2002, the Labour Market Board will continue the development and implementation of the software used by the labour market authorities. During 2002, the Labour Market Board will prepare for the joining of the Estonian database of work seekers and vacancies with the European Employment Services (EURES) databases.

## **5. Financial control and audit**

Estonia has fully aligned its legislation related to internal control and internal audit with the EU requirements. Since September 2001, the officials responsible for internal

control and internal audit have been appointed in all ministries, county governments and government agencies.

During 2002, the development and improvement of the system of internal control and internal audit in the authorities with executive power will continue.

Special emphasis will be put on the improvement of the professional skills and administrative capacity of internal auditors and on the preparation of audits of the European Union structural instruments.

During the next two years (2002 - 2003) the training and practice in Ireland, which was started in 2001, for officials of the executive power authorities, within the framework of the European Union PHARE programme, will be continued. The main emphasis of the training programme lies in the elaboration of financial control and financial audit skills of internal auditors in the executive power authorities.

In 2002, audits of the European Union pre-structural instruments (ISPA, SAPARD and PHARE) will be continued and preparations for auditing the use of the European Union structural instruments and their own resources will be started. The compliance audit of the Enterprise Estonia Foundation (EEF) is being carried out. The aim of the audit is to ascertain the readiness of the EEF for the use of resources of the EU Regional Development Fund according to the requirements of the extended decentralised implementation system (EDIS).

With reference to the forthcoming need for auditing the European Union structural instruments and their own resources and in order to increase the administrative capacity of the Financial Control Department the number of employees of the department will be increased in 2002. In addition to the currently employed auditors one more auditor will be responsible for supervising each EU structural instrument and its own resource.

The actual readiness of the officials of the Financial Control Department to audit EU structural instruments and their own resources depends on the completion of the general administrative framework created for the use of the European Union structural funds

Estonia must be able to administer and manage the EU structural instruments and its own resources starting from the date of accession to the European Union.

In order to organise competent financial control and financial audit the manual for auditing ISPA projects will be prepared in 2002. At the same time the drafting of manuals for auditing the EU structural instruments and own resources will be started.

During 2002, the preparation of strategic and annual plans for the internal audit, reporting and audit trail, the unification of the respective procedures and the preparation of the manual of financial control and financial audit and methodical instructions will continue.



## 6. Monitoring and evaluation

At the beginning of 2001, the monitoring system of EU pre-structural instruments (Phare, ISPA and SAPARD) was implemented. A two-level monitoring system for carrying out supervision over the current Phare projects has now been established (9 sectoral monitoring working groups and 4 Phare monitoring sub-committees).

In 2002, two additional sectoral monitoring working groups will probably be formed (one for European integration and one for economic and social cohesion, i.e. ESC). The secretariats of the Phare sectoral monitoring working groups are operating within the relevant ministries. The secretariats are responsible for sectoral monitoring reports and for organising meetings of working groups. Meetings are held twice a year. The Supervision Service of the Foreign Financing Department of the Ministry of Finance also acts as a secretariat of the Phare monitoring sub-committees. Meetings are also held twice a year.

Meetings of the ISPA monitoring committee are held twice a year and the Supervision Service of the Foreign Financing Department of the Ministry of Finance acts as its secretariat. Reports on the results of monitoring ISPA projects prepared by the Ministry of Transport and Communications and the Ministry of the Environment are reviewed during the meetings.

The Ministry of Agriculture is responsible for organising meetings of the SAPARD monitoring committee.

All the above-mentioned monitoring committees provide the Joint Monitoring Committee, which meets once a year, with all necessary information. This committee has the right to reallocate financial resources between projects on the basis of proposals of the respective pre-structural instruments monitoring committees. The Supervision Service of the Foreign Financing Department of the Ministry of Finance acts as the secretariat of the Joint Monitoring Committee.

The supervision system of the European Union structural funds depends on the administrative structure, which will be established in Estonia. The ministries implementing projects are responsible for monitoring reports on these projects. On the basis of submitted reports the administration of the projects is reviewed by the monitoring committee of the respective EU structural fund. The precise division of tasks in monitoring the implementation of projects will be specified after the approval of the system for the administration of EU structural funds in Estonia (2002-2003).

The Financial Memorandum of the ISPA projects defines the ISPA post-evaluation requirements as a joint responsibility of the European Commission and the candidate country. Due to the fact that the first ISPA projects will be completed by 2003 their ex-post evaluation will take place after 2003.

According to the Perennial Financial Memorandum the responsibility for the interim and ex-post evaluation of SAPARD projects is with the SAPARD managing authority, i.e. the Ministry of Agriculture. In 2002, the Ministry of Agriculture will prepare the SAPARD interim evaluation.

According to the Action Plan of the Government for Preparing the Implementation of the European Union Structural Funds and the Cohesion Fund Support during 2001-2003 the ex-ante evaluation of the National Development Plan for 2003 - 2006 will be carried out in the 1<sup>st</sup> half of 2002.

During 2002, training on monitoring and evaluation, financed by the Phare Programme and started in 2000 and 2001, will continue.

## 22. ENVIRONMENT

This Action Plan is a continuation of the previous relevant plans.

In 2002, in the field of environmental impact assessment and environmental management, it is planned to start drawing up legislation and setting up necessary structures for introduction of the EU EMAS system.

In 2002, the *Environmental Register Act* will be passed. Full implementation of the Act has been planned for a five-year period starting from the date of validation of the Act. In 2002, data on ground and surface water intakes, and on specimens of species the activities with which are internationally regulated or on specimens of introduced alien species, will be incorporated in the Environmental Register. Data on waste and waste treatment facilities, radioactive waste repositories, protected natural objects, hunting regions and specimens of protected species, medal winning hunting trophies or animal collections containing specimens imported to Estonia on permit basis will be linked in 2003.

Since 1 January 2002, Estonia is a member of the European Environmental Agency (EEA). It enables Estonia to better concert its environmental data collection and dissemination system with the European legislation.

Within the framework of the National Environmental Monitoring Programme, the sub-programmes launched in 2001 with the total cost of EEK 14 million will be continued.

In 2002, the *Ambient Air Protection Act* will be amended. Secondary legislation drafted on the basis of the above act will regulate limit values of the level of ambient air pollution and establish limit values for ambient air quality assessment for the main pollutants in order to protect human health, ecosystems and flora. Target values of the level of pollution and alert thresholds of a pollutant will be established.

Within the framework of the National Programme on Phasing out Substances that Deplete the Ozone Layer developing of the management system for substances that deplete the ozone layer will continue through 2002-2003 as well as amending and updating the legislation. In 2002, the Montreal (1997) and Beijing (1999) amendments to the Montreal Protocol ratification act will be adopted.

In 2002, the Ministry of the Environment will draft a new *Waste Act* as the amendments to the present act, providing also of landfills, end-of-life vehicles and incineration of waste, exceed one third of its volume.

In 2002, the Ministry of the Environment will also draw up a draft *Packaging Act Amendment Act* in order to transpose the new EU packaging recovery target values, to fully harmonise the *Packaging Act* with the EU Packaging Directive and the *Waste Act* currently in force. The *National Waste Management Programme* will also be supplemented by a *chapter on packaging*. The *amended Waste Management Programme* will be submitted to the Government of the Republic in May 2002.

In 2002-2003, EEK 581 million is planned to be used for construction of new landfills, EEK 292.2 million will be used for conditioning and closure of existing landfills.

In the water sector, the priority in 2002 on harmonisation of the Estonian legislation with EU requirements lies in the finalisation and implementation of lower implementing acts under the *Water Act Amendment Act* adopted on 20 December 2000. Reorganisation of water management according to the catchment principle in order to ensure complex and optimal use and protection of the water resources will continue. During 2002, three projects realised using the ISPA Technical Assistance will be prepared: *Pärnu River Catchment Area Small Municipalities Water Project*, *the East-Harju Water Project* and *Keila-Vasalemma River Catchment Area Water Project*. Still, since 2002 the main attention is paid on implementation of legislation adopted in 2001 – drawing up of water management plans will be launched; local municipal water enterprises will be supported on making investments into water quality and waste water treatment; the system of issuing permits for special use of water will be optimised and updated. ISPA support (€ 25.76 million in total) is applied for implementation of the *Pärnu City water project, rehabilitation and expansion of the Tartu City drinking and wastewater network* and *rehabilitation and expansion of the Narva drinking and wastewater network*. Stricter water protection measures will be established at nitrate sensitive areas.

In May 2002, the Ministry of the Environment will submit the new *draft Nature Conservation Act* to the Government of the Republic. This act will come into force in 2003. The phase I of the Natura 2000 will be finished in 2002. During the phase II, which starts in 2003, protection of the Natura 2000 sites will be organised in compliance with the EU requirements. This means establishment of protected areas, definition of protection conditions, drawing up of protection management plans, concluding contracts with landowners as well as implementation of other possibilities (incl. planning) in order to ensure favourable nature conservation status of the types of habitat and species occurring at the Natura 2000 areas.

In the field of integrated pollution prevention and control (IPPC) work will be continued to achieve substantial reduction of environmental pollution originating from large-scale industrial production and large landfills; noticeable increase of the level of value-added use of the production input resource through introduction of the best possible technical equipment; rise of competitiveness of the production sector and decrease of risk level in an environmentally friendly manner; and to increase the potential for implementing the principles of sustainable development.

In 2002, improving of the *Chemical Safety Development Plan* ordered by the Ministry of Social Affairs will continue. Among other projects, the Baltic Environmental Forum continues to improve the knowledge of different target groups on the EU chemical control system.

In 2003, Estonia will ratify the Cartagena Protocol on biological safety.

In 2002, legal acts regulating the noise level of motor and air vehicles will be passed.

Administration of the Tammiku radioactive waste repository, and the Paldiski nuclear object and interim storage of radioactive waste will continue. Emptying the Tammiku radioactive waste repository and transportation of the waste to the Paldiski interim storage is planned to be carried out in 2003-2006.

In 2002, it is also planned to ratify *the 1997 Kyoto Protocol of the UN 1992 Convention on Climate Change*. On the basis of the above convention and protocol it is planned to adopt the *National Programme on Reduction of Greenhouse Gas Emissions for 2003-2012* by the end of 2002.

In 2002, the MoE applies for EEK 1.85 million from the state budget for dissemination of information to the public and for environmental education. In the programme of raising environmental awareness the Environmental Investment Centre enhances new trends. The planned volume of the environmental awareness programme of the Environmental Investment Centre in 2002 is EEK 12.8 million.

## 22.1. HORIZONTAL LEGISLATION

### 22.1.1. Environmental Impact Assessment and Environmental Management

#### *Drafting of legislation in 2002-2003*

On 14 June 2000, the *Riigikogu* (the Estonian Parliament) passed the *Environmental Impact Assessment and Audit Act* that entered into force on 1 January 2001.

In 2001, five regulations of the Minister of Environment under the Act were adopted:

- ◆ Specified Requirements for the Environmental Memorandum (RTL /State Gazette/ 2001, 24, 318);
- ◆ Procedure for Issuing, Suspending and Invalidating of the Environmental Impact Assessment (EIA) Activity Licenses and Format for the EIA Activity Licence and Application (RTL 2001, 19, 256);
- ◆ Specified Requirements for the EIA Report (RTL 2001, 20, 274);
- ◆ Registration of Environmental Auditors and Supervision of the Activities of Environmental Auditors (RTL 2001, 19, 255; 84, 1150; 63, 863; 116, 1659);
- ◆ Specified List of Activities with Enhanced Environmental Risk and the Scope of Activities where the Enhanced Environmental Risk Occurs (RTL 2001, 59, 825; 110, 1540).

On entering into force of the above regulations the requirements under Directives 85/337/EEC and 97/11/EC are transposed.

#### *Implementation of legislation and administrative capacity*

Due to the fact that the *Environmental Impact Assessment and Audit Act* lays high obligations and responsibilities on local municipalities and regional environmental departments, the MoE is drawing up methodological guidelines for carrying out EIA. Regional environmental departments need advanced training on the EIA programme and assessment of the EIA reports as well as general knowledge on environmental management systems (EMAS) and environmental auditing. Thus, it is planned to carry out relevant training for the regional environmental departments. In 2003, it is planned to draw up methodological guidelines for the quality control of the EIA report based on practical international experience and common understanding.

To increase administrative capacity one official in every regional environmental department has been nominated responsible for co-ordination and supervision of EIA and compulsory environmental auditing. In the framework of Estonian – Finnish co-operation, in 2002, it is planned to organise advanced training on strategic EIA for these officials.

The law establishes a compulsory periodic environmental auditing requirement for enterprises with enhanced environmental risk. A Commission for Registration of Environmental Auditors has been established at the MoE, which issues registration certificates of environmental auditors.

In 2002, it is planned to start drawing up legislation and setting up necessary structures for introduction of the EU EMAS system. Interest in acquiring an ISO 14000 environmental management system certificate is constantly growing among Estonian enterprises. In co-operation with the Estonian Accreditation Centre, it is

therefore planned to establish an accreditation system for potential certification companies and especially for environmental auditors and assessors/certifiers of environmental management (in accordance with the EMAS regulation).

The MoE has set up database on licensed experts, which is accessible on the Internet homepage of the MoE. Along with the implementation of the Environmental Impact Assessment and Environmental Auditing Act the range of users of the database (accessible for the public) has increased. Thus, it is also planned to bring its use and administration into concert with the ENIMPAS database on transboundary environmental impact assessment set up within the framework of the *Espoo Convention*.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
European Parliament and Council Directive 2001/42/EC of 27 June 2001 on environmental impact assessment of certain plans and programmes	Environmental impact assessment and audit act amendment act	IV quarter of 2003; 2004	Amendment of the act necessary due to entry into force of the EU directive 2001/42/EC, dealing with strategic EIA. It is necessary to provide a procedure for strategic EIA.
<b>Financing:</b> state budget, EEK 50,000			



**Implementation and administrative capacity**

<b>1.</b>	<b>2.</b>	<b>3.</b>	<b>4.</b>	<b>5.</b>
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
Methodical guidelines for the quality control of the EIA report	EIA act, (and EIA act amendment act)	State budget (SB), Environmental Investment Centre (EIC)	necessary	Guidelines will be drawn up in 2003
Training for regional environmental departments on strategic EIA	EIA act	SB, EIC/ Finnish MoE	Finnish MoE	Indicative time for training – I half of 2002

Abbreviations used:

- MoE - Ministry of the Environment
- EIA - Environmental impact assessment
- SB - state budget
- EIC - Environmental Investment Centre

### 22.1.2. Access to information and dissemination of information

#### *Drafting of legislation in 2001-2003*

The draft *Environmental Register Act* was submitted to the *Riigikogu* on 12 November 2001. Full implementation is planned to achieve in five years of the date of passing the act. During these years the existing state registers, other public and informal databases have to be incorporated into the Environmental Register and necessary amendments made in the relevant legislation.

The draft Act establishes a schedule for linking separate databases into the Environmental Register. However, these dates could be postponed depending on when the Act enters into force. The dates below are given according to the schedule in draft Act. Data on:

- ground and surface water intakes, and on specimens of species the activities with which are internationally regulated or on specimens of introduced alien species, will be linked by 1 July 2002;
- waste and waste treatment facilities, radioactive waste repositories, protected natural objects, hunting regions and specimens of protected species, medal winning hunting trophies or animal collections containing specimens imported to Estonia on permit basis will be linked by 1 July 2003;
- environmental status, genetically modified organisms, deposits and water bodies will be linked by 1 July 2004;
- fish stock, areas endangered by natural environmental factors, key biotopes (valuable habitats) and recreation areas will be linked by 1 July 2005;
- forest management units, coasts and shores, areas under partial protection, areas designated for decreasing the harmful impact of human activities and areas disturbed by or having risk of artificial environmental factors will be linked by 1 July 2006.

In 2002, two regulations of the Minister of Environment will be drafted on the basis of the *Environmental Monitoring Act*:

- ◆ *on the publication of environmental monitoring data in a form of generalised periodic publication.* The regulation specifies the monitoring data that will be made public in the above format;
- ◆ *on the determination of the state monitoring station and area.*

#### **Co-operation with the European Environmental Agency (EEA)**

Together with other Central and Eastern European associated countries Estonia applied for membership of the European Environmental Agency (EEA) prior to accession to the EU. On 10 October 2001, the *Riigikogu* ratified the Agreement between the European Community and the Republic of Estonia on the Participation of the Republic of Estonia in the EEA and the European Environmental Information and Monitoring Network (\*RT /State Gazette/ II 2001, 26, 133). According to the agreement, Estonia is the member of the EEA since 1 January 2002, which enables Estonia to better concert its environmental data collection and dissemination system with the European legislation.

## Reporting

At the EU accession negotiations Estonia has confirmed its readiness to inform the EU Commission on the implementation of environmental directives in compliance with the time schedule established in Directive 91/692/EEC and data submission formats specified in the Commission decisions.

According to the EU Directive 91/692/EEC (the so-called reporting directive) reports on implementation of environmental directives are submitted by sectors on 3-year periods during the first nine months following the reporting period. Although implementation of Directive 91/692/EEC is compulsory only for Member States, Estonia has expressed its preparedness to submit a partial report on voluntary basis before accession to the EU.

Taking Article 4 of the Directive 91/692/EEC and Commission Decision 96/511/EC as basis, Estonia has decided to submit such a voluntary report in 2003 first on directives concerning ambient air. The report will cover the years 2000-2002. The report will be drawn up on the basis of a questionnaire established by the Commission Decision 96/511/EC and will cover the directives listed in the annex to the Decision: 80/779/EEC (sulphur dioxide), 82/884/EEC (lead), 85/203/EEC (nitrogen dioxide) and 84/360/EEC (plants/industries).

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
Council Directive 90/313/EEC of 7 June 1990 on the freedom of access to information on the environment	Environmental Register Act and its implementing acts		Draft act in procedure at Riigikogu. Indicative deadline of implementing acts is September 2002.
	Reg. of the Minister of Environment on the determination of the state monitoring station and area pursuant to Art. 11 of the Env. Register Act.	March 2002, April 2002	Implementing agency – Tartu University (TU)
	Reg. of the Minister of Environment on publication of environmental monitoring data in the form of generalised periodic publication pursuant to Art.8 of the Env. Register Act.	July 2002, August 2002	Implementing agency - TU
Council Directive 91/692/EEC of 23 December 1991 standardising and rationalising reports on the implementation of certain Directives relating to the environment	Environmental Register Act and its implementing acts		Draft act in procedure at Riigikogu. Indicative deadline of implementing acts is September 2002.
European Commission decision 2000/479/EC of 17 July 2000 on the implementation of the European pollution register	Environmental Register Act and its implementing acts		Draft act in procedure at Riigikogu. Indicative deadline of implementing acts is September 2002.

## NATIONAL ENVIRONMENTAL MONITORING PROGRAMME

In 2002, a total of EEK 14 million from state budget will be allocated to environmental monitoring, which is more than last year. Work with the programme started last year will continue.

### Laboratories

Due to the merger of the Viru County and Pärnu laboratories with the Estonian Environmental Research Centre (EERC), it is necessary to take all the merged sub-units of EERC into compliance with international standards and requirements under the directives.

### *Plans for 2002 – 2003*

- ◆ Accreditation of the laboratories in accordance with the standard EVS-EN ISO/IEC 17025:2000 on general competence requirements for sampling and calibration centres;
- ◆ Advanced training of the staff of the Jõhvi and Pärnu laboratories pursuant to the requirements under the standard EVS-EN ISO/IEC 17025:2000;
- ◆ Introduction of good laboratory practices and quality assurance system at the Jõhvi and Pärnu laboratories pursuant to the requirements under the standard EVS-EN ISO/IEC 17025:2000;
- ◆ Accreditation of the Jõhvi and Pärnu laboratories pursuant to the standard EVS-EN ISO/IEC 17025:2000;
- ◆ Purchasing and introduction of single software for the laboratory management system;
- ◆ Training on the methodologies specified in the EU directives;
- ◆ Implementation of the Regulation of the Minister of Environment on *the requirements for test laboratories and sampling methods and reference methods for analyses*;
- ◆ Arranging intercalibration for the laboratories and *participation in international intercalibration programmes*.

**Implementation and administrative capacity**

1.	2.	3.	4.	5.
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
<p>Estonian Environmental research Centre (EERC):</p> <p>Merger of the Jõhvi and Pärnu laboratories with the EERC</p> <p>Taking the structure of the Jõhvi and Pärnu laboratories into compliance with the requirements under the standard EVS-EN ISO/IEC 17025:2000</p> <p>Training on the methodologies specified in the EU directives, quality assurance system and good laboratory practices</p> <p>Advanced training of at least 5 specialists on the implementation of the standard EVS-EN ISO/IEC 17025:2000</p>	<ol style="list-style-type: none"> <li>1. Amendment of the EERC statute</li> <li>2. Concluding the merger agreement</li> </ol>	<p>Application for EEK 200,000 from SB</p> <p>Application for EEK 195,000 from EIC</p> <p>EEK 50,000 laboratories' equity</p>	<p>Procurement of necessary equipment for implementation of methodologies specified in EU directives</p> <p>Repair of the Pärnu and Jõhvi laboratories and installation of climate system; intercalibration and accreditation of the laboratories</p>	

Abbreviations used:

EERC - Estonian Environmental Research Centre

EIC - Environmental Investment Centre

SB - state budget

## 22.2. AMBIENT AIR PROTECTION

### *Drafting of legislation in 2002 – 2003*

Pursuant to the draft *Ambient Air Protection Act Amendment Act* and in conformity with the requirements under the EU directives 96/62/EC, 1999/30/EC and 2000/69/EC on ambient air quality, limit values of the level of ambient air pollution and limit values of ambient air quality assessment for priority pollutants in order to protect human health, ecosystems and flora will be amended by ministerial regulations. Target values of the level of pollution and alert thresholds will be established for limit values of the level of pollution.

National limit values for SO<sub>2</sub>, NO<sub>2</sub>, NH<sub>3</sub> and VOC emissions for 2010 will be established by a governmental regulation. These national emission limit values will be based on the Göteborg Protocol *on the Prevention of Acidification, Eutrophication and Near to the Ground Ozone of the Convention on Long-range Transboundary Air Pollution*.

In 2001, in order to regulate the fuel market quality requirements on the imported to and sold in Estonia liquid fuel were established by the regulations of the Minister of Economy. These regulations also provided the format and procedure of issuing of conformity certificate for liquid fuel. When drawing up these regulations environmental requirements, standards and directives valid in the EU (98/70/EC, 93/12/EEC, 99/32/EC) as well as the interests of the Estonian consumer have been taken into account.

Until 1 January 2003, it is allowed to use petrol with the octane number 80, 92, 95 and 98 in Estonia. The quality requirements of these petrol have been established in conformity with the standard EC 228 1998, which was valid in the EU until 1 January 2000. The quality requirements of car fuels 95/euro and 98/euro have been established in conformity with the standard EC 228 1999, which is valid in the EU since 1 January 2000. Until 1 January 2003, it is allowed to use summer and winter Diesel fuel marked by DS and DT in Estonia. The quality requirements of these fuels have been corrected in accordance with the requirements under the standard EC 590 1998, which was valid in the EU until 1 January 2000. The quality requirements on the summer Diesel fuel DS/euro and winter Diesel fuel DT/euro have been corrected in accordance with the EU standard EC 590 1999 valid in the EU since 1 January 2000.

Light fuel oil and heavy fuel oil have been foreseen to be used mainly in the production of heat power and in facilities, which have been foreseen for working on these fuels. The quality requirements of these fuels are in compliance with the exemption allowed in the EU directives.

### *Implementation of legislation and administrative capacity*

Local municipalities together with the county environmental departments of the pollution source location are responsible for drawing up action plans on the improvement of ambient air quality for regions where the limit values of the level of pollution have been exceeded. In compliance with the requirements of the EU directives 96/62/EC, 1999/30/EC and 2000/69/EC on the assessment of the ambient air quality, enforcement of the regional action plans is checked by the Environmental Inspectorate and regional environmental departments.

Pursuant to the established pollutant emission limit values and in conformity with the requirements under the EU directives 88/609/EEC, 94/66/EC, 52/2000/EC, 1999/13/EC and 51/2000/EC, the issuers of the ambient air pollution permit will issue permits to the possessors of pollution sources. The Environmental Inspectorate and county environmental departments check the enforcement of emission limit values.

State supervision authorities of liquid fuel quality control (requirements under the directives 98/70/EC, 93/12/EEC, 99/32/EC) are the Energy Market Inspectorate, Customs Board and Consumer Protection Board. The Energy market Inspectorate is responsible for issuing market permits, supervision of meeting the conditions set in the permit, invalidation of the permit and control of the compliance with the quality requirements. The Customs Board is responsible for checking the market permits of imported fuel and control of the compliance with the fuel quality requirements. The Customer Protection Board takes fuel samples at petrol stations on retail.

Supervision over fulfilment of control requirements on transportation and storage of petrol at terminals, including implementation deadlines, established by a governmental regulation (EU directive 94/63/EC) is exercised by the Environmental Inspectorate and the environmental department of the location of the pollution source.

In 2002, it is planned to invest EEK 6.6 million from the Environmental Investment Centre to the ambient air protection programme. Within the framework of Phare projects it is planned to invest EEK 3.7 million.

Requirements under the Directive 1999/94/EC *relating to the availability of consumer information of the fuel economy and CO<sub>2</sub> emissions in respect of the marketing of new passenger cars* will be met from the moment of accession to the EU. Relevant legislation will be drawn up in co-operation between ministries. The Ministry of Economy will make necessary amendment to the *Consumer Protection Act*. Pursuant to the amendments the MoE in co-operation with the MoE will draft a relevant implementing act. Supervision over meeting the requirements will be exercised by the Customer Protection Board.



**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
Council Directive 96/62/EC of 27 September 1996 on the ambient air quality assessment and management;	Ambient Air Protection Act (new)	September 2002, entry into force in 2003	
Council Directive 1999/30/EC of 22 April 1999 relating to limit values for sulphur dioxide, nitrogen oxide and oxides of nitrogen, particulate matter and lead in ambient air	Act on accession to the Protocol on further reduction of sulphur compounds emissions under the Convention on Long-range Transboundary Air Pollution	October 2002, entry into force in 2003	
	Act on accession to the Protocol on reduction of heavy metal emissions under the Long-range Transboundary Air Pollution Convention	November 2003, July 2004	
	Act on accession to the Protocol on acidification, eutrophication and prevention of ozone in the near to surface ground layers under the Long-range Transboundary Air Pollution Convention	November 2004, July 2005	
	Min. regulation amending Reg. No. 60 of 26 Oct. 1998 establishing the limit values for emissions of pollutants per unit volume of gases emitted from large combustion plants	November 2002, April 2003	
	Min. regulation amending Reg. No.33 of 17 March 1999 establishing the procedure and methods for determination of emissions of pollutants from large combustion plants	October 2002, May 2003	
	Min. regulation establishing limit values for emissions of pollutants per production or energy unit emitted into ambient air in cellulose and cement production and at timber processing	April 2002, July 2002	

	Min. regulation establishing the content of pollutant emissions in exhaust gases of motor vehicles and limit norms smoke opacity thereof and limit values for noise level of vehicles	April 2002, July 2002	
	Min. regulation amending Min. regulation No. 88 of 6 October 1999 establishing the emission levels of pollutants and capacities of plants in case of lower emission levels or capacities of which ambient air pollution permit is not required	April 2002, July 2002	
	Min. regulation establishing limit values for pollutant emissions from non-road mobile machinery	April 2002, July 2002	
	Min. regulation establishing methods for determination of pollutant emissions emitted into ambient air at timber processing, II phase	April 2003, July 2003	
	Min. regulation establishing limit values of the level of ambient air pollution, target values of the level of pollution and alert thresholds of pollutants	December 2003, July 2004	Requires amendment of the Ambient Air Protection Act. Deadline and heading of the draft conditional.
	Min. regulation establishing limit values for emissions of volatile organic compounds from the use of solvents	December 2003, July 2004	
	Gov. regulation establishing national emission ceilings for sulphur dioxide, nitrogen dioxide, ammonia and volatile organic compounds for 2010	December 2003, July 2004	Requires amendment of the Ambient Air Protection Act. Deadline and heading of the draft conditional.
Directive 2000/69/EC of the European Parliament and of the Council of 16 November 2000 relating to limit values for benzene and carbon monoxide in ambient air	Ambient Air Protection Act (new)	September 2002, entry into force in 2003	
	Min. regulation amending Reg. No.33 of 17 March 1999 establishing the procedure and methods for determination of emissions of pollutants from large combustion plants	October 2002, May 2003	

	Min regulation establishing the content of pollutant emissions in exhaust gases of motor vehicles and limit norms for smoke opacity thereof and limit values for noise level of vehicles	April 2002, July 2002	
	Min. regulation amending Min. regulation No. 88 of 6 October 1999 establishing the emission levels of pollutants and capacities of plants in case of lower emission levels or capacities of which ambient air pollution permit is not required	April 2002, July 2002	
	Min. regulation establishing limit values for pollutant emissions from non-road mobile machinery	April 2002, July 2002	
	Min. regulation establishing limit values of the level of ambient air pollution, target values of the level of pollution and alert thresholds of pollutants	December 2003, July 2004	Requires amendment of the Ambient Air Protection Act. Deadline and heading of the draft conditional.
Directive 2001/80/EC of the European Parliament and of the Council of 23 October 2001 on the limitation of emissions of certain pollutants into the air from large combustion plants	Ambient Air Protection Act (new)	September 2002, entry into force in 2003	
	Act on accession to the Protocol on further reduction of sulphur compounds emissions under the Convention on Long-range Transboundary Air Pollution	October 2002, entry into force in 2003	
	Act on accession to the Protocol on acidification, eutrophication and prevention of ozone in the near to surface ground layers under the Long-range Transboundary Air Pollution Convention	November 2004, July 2005	
	Min. regulation amending Reg. No. 60 of 26 Oct. 1998 establishing the limit values for emissions of pollutants per unit volume of gases emitted from large combustion plants	November 2002, April 2003	

	Min. regulation amending Reg. No.33 of 17 March 1999 establishing the procedure and methods for determination of emissions of pollutants from large combustion plants	October 2002, May 2003	
	Gov. regulation establishing national emission ceilings for sulphur dioxide, nitrogen dioxide, ammonia and volatile organic compounds for 2010	December 2003, July 2004	Requires amendment of the Ambient Air Protection Act. Deadline and heading of the draft conditional.
European Parliament and Council Directive 94/63/EC of 20 December 1994 on the control of volatile organic compounds (VOC) emissions resulting from the storage of petrol and its distribution from terminals to service stations	Ambient Air Protection Act (new)	September 2002, entry into force in 2003	
	Gov. regulation amending reg. No. 220 of 29 September 1998 on adopting the control requirements for transportation and storage of petrol in terminals and petrol stations	December 2003, July 2004	Requires amendment of the Ambient Air Protection Act. Deadline and heading of the draft conditional.
Council Directive 1999/13/EC of 11 March 1999 on the limitation of emissions of volatile organic compounds due to the use of organic solvents in certain activities and installations	Ambient Air Protection Act (new)	September 2002, entry into force in 2003	
	Act on accession to the Protocol on acidification, eutrophication and prevention of ozone in the near to surface ground layers under the Long-range Transboundary Air Pollution Convention	November 2004, July 2005	
	Min. regulation establishing limit values for emissions of volatile organic compounds from the use of solvents	December 2003, July 2004	
	Gov. order adopting the National Programme on reduction of emissions of volatile organic compounds	December 2003, July 2004	
	Min. regulation establishing limit values for emissions of pollutants per production or energy unit emitted into ambient air in cellulose and cement production and at timber processing	April 2002, July 2002	

	Min. regulation amending Min. regulation No. 88 of 6 October 1999 establishing the emission levels of pollutants and capacities of plants in case of lower emission levels or capacities of which ambient air pollution permit is not required	April 2002, July 2002	
	Gov. regulation establishing national emission ceilings for sulphur dioxide, nitrogen dioxide, ammonia and volatile organic compounds for 2010	December 2003, July 2004	Requires amendment of the Ambient Air Protection Act. Deadline and heading of the draft conditional.
2000/81/EC on national emission ceilings for certain atmospheric pollutants	Ambient Air Protection Act (new)	September 2002, entry into force in 2003	
	Act on accession to the Protocol on further reduction of sulphur compounds emissions under the Convention on Long-range Transboundary Air Pollution	October 2002, entry into force in 2003	
	Act on accession to the Protocol on acidification, eutrophication and prevention of ozone in the near to surface ground layers under the Long-range Transboundary Air Pollution Convention	November 2004, July 2005	
	Min. regulation amending Reg. No. 60 of 26 Oct. 1998 establishing the limit values for emissions of pollutants per unit volume of gases emitted from large combustion plants	November 2002, April 2003	
	Gov. regulation establishing national emission ceilings for sulphur dioxide, nitrogen dioxide, ammonia and volatile organic compounds for 2010	December 2003, July 2004	Requires amendment of the Ambient Air Protection Act. Deadline and heading of the draft conditional.
	Gov. order adopting the National Programme on reduction of emissions of volatile organic compounds	December 2003, June 2004	

	Min. regulation establishing the methods of determination of pollutant emissions emitted at cattle breeding	December 2003, June 2004	Requires amendment of the Ambient Air Protection Act. Deadline and heading of the draft conditional.
Directive 97/68/EC of the European Parliament and of the Council of 16 December 1997 on the approximation of the laws of the Member States relating to measures against the emissions of gaseous and particulate pollutants from internal combustion engines to be installed in non-road mobile machinery	Min. regulation establishing limit values for pollutant emissions from non-road mobile machinery	April 2002, July 2002	
Council Directives 70/220/EEC, 72/306/EEC and 88/77/EEC on the approximation of the laws of the Member States relating to the measures to be taken against the emission of gaseous pollutants from diesel engines for use in vehicles	Ambient Air Protection Act (new)	September 2002, entry into force in 2003	
	Act on accession to the Protocol on acidification, eutrophication and prevention of ozone in the near to surface ground layers under the Long-range Transboundary Air Pollution Convention	November 2004, July 2005	
	Min regulation establishing the content of pollutant emissions in exhaust gases of motor vehicles and limit norms for smoke opacity thereof and limit values for noise level of vehicles	April 2002, July 2002	
	Gov. order adopting the National Programme on reduction of emissions of volatile organic compounds	December 2003, July 2004	
	Gov. regulation establishing national emission ceilings for sulphur dioxide, nitrogen dioxide, ammonia and volatile organic compounds for 2010	December 2003, July 2004	Requires amendment of the Ambient Air Protection Act. Deadline and heading of the draft conditional.

<p>Directive 1999/94/EC of the European Parliament and of the Council of 13 December 1999 1999/94/EC relating to the availability of consumer information of the fuel economy and CO<sub>2</sub> emissions in respect of the marketing of new passenger cars</p>	<p>Consumer Protection Act  Implementary act pursuant to Consumer Protection Act drafted in co-operation by MoE and MoEA</p>	<p>March 2002, January 2003</p>	<p>Requirements under the directive will be implemented of the date of accession. For the purpose the Ministry of Economy will amend the Consumer Protection Act as required. The new draft Consumer Protection Act foresees delegation norms according to which the Government of the Republic or a minister nominated by it may establish requirements for the information given on specific merchandise or services or on labelling the goods. Pursuant to this delegation act, it is possible to establish a legal act for transposition of the Directive, which concerns information given to the consumer at selling the vehicle, on fuel consumption and the volume of carbon dioxide emissions</p>
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## OZONE

### *Drafting of legislation in 2002-2003*

Estonia acceded to the 1985 Vienna Convention on the Protection of the Ozone Layer (hereinafter the *Vienna Convention*) and the 1987 Montreal Protocol on the Substances that Deplete the Ozone Layer (hereinafter the *Montreal Protocol*) in 1996. In 1999, Estonia ratifies the London (1990) and Copenhagen (1992) amendments to the Montreal Protocol.

The final objective of the Vienna Convention and the Montreal Protocol is to completely stop the use of substances and products containing the substances that deplete the ozone layer world-wide, including in an accelerated speed in the developed countries.

In 2002-2003, it is planned to ratify the Montreal (1997) and Beijing (1999) amendments to the Montreal Protocol.

Taking into account that the Regulation (EC) No. 2037/2000 of the European Parliament and of the Council of 29 June 2000 on substances that deplete the ozone layer entered into force on 1 October 2000, the MoE will amend the valid legislation in conformity with the above regulation in 2002-2003.

Within the framework of the National Programme on Phasing out of Substances that Deplete the Ozone Layer and in order to ensure legal support to all activities necessary for meeting international obligations, in 2002-2003, it is planned to further develop the treatment system of substances that deplete the ozone layer.



**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
<b>Legislation drafted but not entered into force yet</b>			
The 1997 Montreal amendments to the Montreal Protocol on substances that deplete the ozone layer  2000/646/EC (EC) 2037/2000	Act on ratification of the of the 1997 Montreal amendments to the Montreal Protocol on substances that deplete the ozone layer	June 2002 September 2002	
<b>Plans for 2002-2003</b>			
The Montreal Protocol on substances that deplete the ozone layer and all amendments to the Protocol (EC) 2037/2000	Draft Gov. Regulation amending Gov. Regulation No.146 of 6 May 1999 on adoption of the lists and approval of control requirements for substances that deplete the ozone layer and products containing such substances the production, use, import, export or transit of which is restricted or prohibited.	March 2003 May 2003	
	Draft Min. Regulation amending Min. Regulation No. 26 of 15 May 2001 on adoption of the positions in commodities of the Estonian list of goods which include substances that deplete the ozone layer and products containing such substances the production, use, import, export or transit of which is restricted or prohibited.	September 2002 October 2002	
The 1999 Beijing Amendments to the Montreal Protocol on substances that deplete the ozone layer 2001/213/EC (EC) 2037/2000	Draft Act on ratification of the 1999 Beijing amendments to the Montreal Protocol on substances that deplete the ozone layer.	November 2002 Entry into force in 2003	

## 22.3. WASTE MANAGEMENT

### *Drafting of legislation in 2002-2003*

Approximation and implementation of EU legislation on waste is connected with the implementation of the requirements under the EU framework directives 75/442/EEC on waste and 91/689/EEC on hazardous waste, and with amendment of the *Waste Act*, which is based on the above directives and entered into force at the end of 1998. It is also necessary to draft and enter into force relevant secondary legislation. As the amendments to the *Waste Act* exceed one third of the volume of the current act, the MoE is drafting a new consolidated version of the text. On amending the *Waste Act* the EU legislation established after validation of the act, including directives 1999/31/EC on landfills, 2000/53/EC on end-of-life vehicles and 2000/76/EC on incineration of waste will be taken into account.

By accession, approximation with the entire EU *acquis* concerning waste is planned to be achieved, in particular by drafting and implementing of legal acts on incineration and thermal treatment of waste (including both municipal and hazardous waste). Currently there are two EU directives in force in this field (directives 89/369/EEC and 94/67/EC). But on 21 November 2000, the European Parliament and Council adopted a new directive that broadens the scope of implementation of the above two directives. As the new directive provides for revocation of the earlier two directives 5 years from the publication of the new directive, it is practical to transpose the requirements of the new directive already now in the ongoing approximation process. Thus, there is no need to transpose the Commission Decision 96/302/EC establishing a format in which information is to be provided pursuant to Article 8(3) of the Council Directive 91/689/EEC on hazardous waste. The new EU *acquis* includes directive 2000/53/EC on end-of-life vehicles, which will also be transposed by accession. According to the Council Directives 78/176/EEC, 82/883/EEC, 83/29/EEC and 92/112/EEC, environmental protection requirements need to be established also for waste from the titanium dioxide industry, although implementation of these directives is not topical in Estonia, nor is it likely to assume practical importance in future.

The MoE has planned to amend the *Packaging Act* with the view to transposing the new EU targets for recovery of packaging (provided that these will be established) and achieving full harmonisation of the *Packaging Act* with the EU packaging directive and with the effective *Waste Act*. Amendment of the *Packaging Act* was planned already for the year 2001. According to the EU packaging directive, the European Commission was to set new targets for recovery of packaging for the next 5-year phase (i.e. until 30 July 2006) in the second half of 2000. As the setting of these targets was postponed until 2001, it was not considered practical to initiate amendment of the *Packaging Act* in 2001 yet. As the amendments to the *Packaging Act* exceed one third of the volume of the current act, a new consolidated version of the text will be drafted. Pursuant to the directive 94/62/EC, the European Standard Committee has established 7 standards on packaging: EN 13133:2000, EN 13427:2000, EN 13428:2000, EN 13429:2000, EN 13430:2000, EN 13431:2000 and EN 13432:2000. The Estonian Standard Centre has established all the above standards also as Estonian standards (in English). The MoE has translated these into Estonian and in 2002 establishment of these in Estonian will be initiated. The Commission Decision 2001/524/EC of 28 June 2001 relating to the publication of references for standards EN13428: 2000, EN 13429:2000, EN 13430:2000, EN 13431:2000 and EN

13432:2000 in the Official Journal of the EC in connection with Directive 94/62/EC on packaging and packaging waste has recognised only two standards, the EN 13428:2000 and EN 13432:2000 to be in harmony with the directive on packaging. Thus, when harmonising the Estonian legislation on packaging the reference method should be first used with the above two standards.

The *Regulation of the Minister of Environment No.34 of 26 June 2001 establishing requirements for the construction, operation and closure of landfills* has transposed the bulk of the requirements under directive 1999/31/EC on landfills. The definition of landfill permit, requirements for application of the permit, conditions and content of the permit as well as provisions on the costs of landfill and financial guarantees of the operator have not been transposed yet as there was no relevant delegation in the legislation valid. The above requirements will be harmonised in the amended *Waste Act*.

The European List of Wastes and List of Hazardous Waste were changed by Commission Decision 2000/532/EC replacing Decision 94/3/EC establishing a list of wastes and Council Decision 94/904/EC establishing a list of hazardous waste, and by Commission Decision 2001/119/EC and Council Decision 2001/573/EC amending Commission Decision 2000/532/EC on the list of wastes. Certain characteristics of hazardous waste on the basis of which wastes are classified as hazardous were established by Commission Decision 2001/118/EC amending Decision 2000/532/EC. Thus, it is first of all necessary to make relevant amendments in the *Governmental Regulation No. 263 of 24 November 1998 adopting waste categories, types of waste and a list of hazardous waste* and establish a *Governmental Regulation on definition of hazardous waste and procedure for classification thereof* which have direct connection with other waste legislation.

### ***Implementation of legislation and administrative capacity***

In the coming few years, one of the most important tasks related to the transposition and implementation of the EU directives on waste will be the elaboration of an optimal economic mechanism and economic instruments based on the "polluter pays" principle and the principle of "producer's responsibility". Application of the latter principle is incorporated also into the latest EU directives (such as the directive on end-of-life vehicles) and draft EU legislation. Although the principle of producer's responsibility can be applied by means of the relevant provisions of the effective *Waste Act*, it is still necessary to amend the *Waste Act* in order by specifying the possible applications of the principle and by specifying authorisation rules for drafting the necessary secondary legislation.

Amendment of the *Waste Act* is necessary also due to the planned entry into force of the *Environmental Register Act*. The Waste Register provided in the *Waste Act* will become a part of the Environmental Register. Therefore the provisions concerning the Waste Register will be established by the *Environmental Register Act*.

### **Packaging**

The *Packaging Act* (RT I 1995, 47, 739; 1997, 53, 836) established that by 30 June 2001 at least 50% of the total weight of packaging waste had to be recovered and at least 25% had to be recovered as material (at least 15% of the total weight of each

class of packaging material). These are the minimum targets that the EU Packaging Directive sets for recovery of packaging waste.

Packaging excise duty, which is applied from the entry into force of the *Packaging Excise Act* (1 March 1997) to the packaging of strong and soft beverages unless at least 60% of the packaging is recovered, has motivated enterprises to collect and recover their packaging and packaging waste. Most of beverage packaging made of glass, laminated cardboard and plastic is currently recovered in Estonian enterprises. Metal beverage cans are exported. As regards other types of packaging, these are currently not recovered in a systematic manner because of the lack of an economic mechanism that would motivate users of packaging and importers of packaged goods to recover packaging. Development of a system of collection and recovery of all types of packaging waste is planned for 2002-2003. Basis for this should be laid in the draft *Packaging Act* (2002) that includes requirements for higher responsibility of the producer and stricter sanctions for violators of the law. The Act also foresees wider implementation of economic measures. The European Commission has allocated means from the Phare REAP programme (Regional Environment Accession Programme) to carry out a project on the implementation of the Directive 94/62/EC on packaging and packaging waste in Estonia. Within the framework of this project the company URS Dames&Moore, Netherlands will analyse the Estonian legislation in the field of packaging, draw up suggestions for amending the *Packaging Act*, establishing a packaging recovery system, and measures for strengthening supervision, control and responsibility at enforcement of legislation. The work was started in September 2001 and was planned to be finished in January 2002. The results of the project will be taken into account when amending the *Packaging Act* and secondary legislation under it.

### **Landfills**

At the end of 2001, *the stage I of the Uikala landfill* was commissioned. This is a landfill that meets the requirements under the EU landfill directive and will service the Ida-Viru County. Implementation of the programme for construction of new and closure of existing landfills for non-hazardous waste will continue also in 2002 -2003. In addition to the resources from state budget, including the Environmental Investment Centre, funds from both local municipalities and foreign investors, as well as international funds such as the ISPA facility, will be involved in the process of design, construction and closure of landfills. The estimated total expenditures for construction of new landfills in 2002-2003 will amount to EEK 580 million and for conditioning and closure of existing landfills to EEK 290 million.

In 2002, *the stage I of the Jõelähtme landfill* (servicing mainly the Tallinn city and Harju County) will be commissioned. A contract has already been concluded with a foreign investor. Construction of infrastructure facilities for the landfill will be financed with the support from the EU ISPA facility. After commissioning of the stage I of the landfill, closure of the largest landfill in Estonia - the Pääsküla non-hazardous waste landfill (Tallinn) will start. Development of regional landfill programmes will continue in Pärnu County and in South-East Estonia (Tartu, Võru, Põlva and Valga counties, partly also in Viljandi county).

As regards landfills for depositing industrial waste, the biggest problems are currently associated with the depositing sites of oil shale ash generated in the power plants of AS Narva Elektriijaamad, with the oil shale semi-coke landfills of the chemical plants of Viru Keemia Grupp AS, and with the landfill of AS Silmet, where both liquid and radioactive waste from precious metal industry are deposited. Implementation of a detailed programme for closing the Silmet landfill is underway. The programme foresees that depositing of waste in the landfill has to finish in 2002. A plan for elimination of past pollution sources and a Waste Management Plan for the Ida-Viru County are underway and have to be completed in March 2002. The latter foresees further actions in developing waste handling in the Ida-Viru County and conditioning of the existing depositories of oil-shale waste. More serious problems are connected with environmentally sound depositing of oil-shale semi-coke and closure of the existing semi-coke landfills. For solving these problems, a relevant action plan is being drawn up. The action plan has to identify the necessary technological solutions, environmental protection measures to be applied, and financial resources required.

AS Narva Elektriijaamad will continue to carry out experiments to develop a new technology for removal and depositing of ash. The enterprise is aiming at complying with the requirements of the directive, which provide for prohibiting the depositing of liquid waste, and turning the former hazardous waste landfill into a landfill for non-hazardous or inert waste. AS Eesti Energia has drawn up an initial schedule for conditioning the waste depositing by AS Narva Elektriijaamad. According to this schedule, drawing up of a plan for closure of the landfills of Eesti Elektriijaamad and Balti Elektriijaam, as well as preparation of a relevant project will be finalised in 2002. In 2002-2003, it is planned to carry out a feasibility study on encapsulation of asbestos waste, designing of the system, choosing the site for, carrying out environmental impact assessment on, and designing of the new landfill.

### **National Waste Management Programme**

Drawing up of the *National Waste Management Programme* (NWMP) based on EU directives 75/442/EEC and 91/689/EEC has been completed. The Programme was expected to be approved by the Riigikogu in the first half of 2001. As the EU Common Position CONF-EE 13/01 of 30 May 2001 pointed out that pursuant to the Directive 94/62/EC the management programme had to include a chapter on packaging, it was considered relevant to amend the programme. To date the necessary amendments in the NWMP have been made and it will be submitted for approval to the Government of the Republic in May 2002. The Programme should establish a basis for working out integral solutions for organisation and improvement of waste management, with the aim of establishing an adequate country-wide network of waste management facilities and ensuring a high level of environmental and health protection at waste management.

Several counties have already prepared or are currently preparing their waste management programmes. In 2002, waste management programmes of the counties will be revised in the light of the NWMP. In 2002, EEK 1.5 million has been allocated from state budget to 10 counties for drawing up waste management programmes or revising them. Regional waste management programmes are ordered by the MoE. Upon the completion of drawing up the national and county waste management

programmes, municipal programmes will be drawn up or revised in compliance with the *Waste Act*.

### **Hazardous Waste Management System**

The MoE continues to development of the hazardous waste management system pursuant to the tasks provided in the *Waste Act*. In 2002, construction and installation of collection containers for hazardous waste generated in everyday life will continue. After the approval of the detailed planning development of the South Estonian regional hazardous waste collection centre in Tartu will continue in 2002-2003 according to the financial resources available. In co-operation with the Pärnu City Government construction of the West Estonian regional hazardous waste collection centre in Pärnu will be initiated.

In 2002, preparations will be initiated for choosing the site for final disposal of hazardous waste, preparation works started. Financial-economic explanations for construction of the final disposal plant, drawing up of pilot projects and amending the detail planning will be prepared for ISPA. In 2003, based on the above works, it is planned to start the construction of the final disposal plant for hazardous waste (incineration facility and physical-chemical treatment complex in the neutralisation-solidification plant). Construction of the final disposal plant would create possibilities to dispose also of the major part of out-dated pesticide gathered during several years here, in Estonia.

The state investment plan for 2002-2005 foresees EEK 28 million, including EEK 17 million from state budget and EEK 11 million from the Environmental Investment Centre Investments to be allocated for the construction of hazardous waste treatment system.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
Directive 94/62/EEC on packaging and packaging waste European Parliament and Council Directive 94/62/EC of 20 December 1994 on packaging and packaging waste	Packaging Act	December 2002, entry into force in 2003	Transposition of new EU targets for recovery of packaging, full harmonisation of the Packaging Act with the EU directive and the Waste Act
	Decision of the <i>Riigikogu</i> on adoption of the National Waste Management Programme (NWMP)	May 2002, entry into force in the II half of 2002	Incorporation of a chapter on packaging and packaging waste into the NWMP pursuant to the requirements under the Directive.
Commission Decision 97/138/EC of 3 February 1997 establishing the formats relating to the database system pursuant to European Parliament and Council Directive 94/62/EC on packaging and packaging waste	Amendment of the Gov. Regulation No.211 of 30 October 1997 establishing the National Packaging Register and approving the statutes of the Packaging Register and the registration forms of packaging	March 2002 April 2002	
Commission Decision 2001/524/EC of 28 June 2001 relating to the publication of references for standards EN 13428:2000, EN 13429:2000, EN 13430:2000, EN 13431:2000 and EN 13432:2000 in the Official Journal of the European Communities in connection with Directive 94/62/EC on packaging and packaging waste	Packaging Act	December 2002, entry into force in 2003	Transposition of the standards using the reference method (EVS EN 13428 Packaging. Specific requirements implemented for the production and content of packaging; EVS EN 13432 Packaging. Requirements for packaging recovered by composting and biodegradation).
Council Directive 75/442/EEC of 15 July 1975 on waste and Council Directive 91/156/EEC of 18 March 1991 amending Directive 75/442/EEC on waste; Council Directive 91/689/EEC of 12 December 1991 on hazardous waste	Waste Act (new)	May 2002; Entry into force in 2003	Specification of authorisation rules for establishing secondary legislation under the Act in connection with the new provisions of waste-related <i>acquis</i>
	Decision of the <i>Riigikogu</i> on adoption of the National Waste Management Programme (NWMP)	May 2002, entry into force in the II half of 2002	

	Amendment of the Governmental Regulation No. 263 of 24 November 1998 adopting waste categories, types of waste and a list of hazardous waste	March 2002 April 2002	
	Min. regulation establishing conditions for the recovery or disposal of certain types and amounts of non-hazardous waste at the site of their generation, for which the waste permit is not obligatory if managed respectively.	April 2002 May 2002	
	Min. regulation establishing the format and procedure for submitting of waste the report	January 2002 February 2002	
	Min. regulation adopting the procedure for establishing the value of a financial guarantee or equivalent insurance covering the costs of possible accidents or casualties on handling hazardous waste	March 2002 March 2003	
	Gov. regulation establishing the procedure for identification and classification of hazardous waste	May 2002 June 2002	
	Min. regulation establishing requirements for handling asbestos waste	March 2002 Entry into force in the I half of 2002	
Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste	Waste Act (new)	May 2002 Entry into force in 2003	Will transpose part of the definitions of landfill directive which concern waste in general; requirements concerning the landfill permit, provisions on the costs of landfill and financial guarantees of the operator for which there was no relevant delegation in the legislation valid.
	Min. regulation establishing requirements for handling asbestos waste	March 2002 Entry into force in the I half of 2002	According to the Directive the European Commission will specify the criteria and requirements for disposal of waste, including asbestos waste, in the I half of 2002



<p>Council Directive 78/176/EEC of 20 February 1978 on waste from the titanium dioxide industry</p> <p>Council Directive 82/883/EEC of 3 December 1982 on procedures for the surveillance and monitoring of environments concerned by waste from the titanium dioxide industry</p> <p>Council Directive 83/29/EEC of 24 January 1983 amending Directive 78/176/EEC on waste from the titanium dioxide industry</p> <p>Council Directive 92/112/EEC of 15 December 1992 on procedures for harmonising the programmes for the reduction and eventual elimination of pollution caused by waste from the titanium dioxide industry</p>	<p>Min. regulation establishing requirements for the management of waste from titanium dioxide industry and for prevention and reduction of pollution caused thereby</p>	<p>December 2002</p>	<p>There is no titanium dioxide industry in Estonia at present, nor are there any plans to establish such industry. Implementation of the regulation will require specific action only in case the establishment of a titanium dioxide industry becomes topical</p>
<p>Directive 2000/53/EC of the European Parliament and of the Council of 18 September 2000 on end-of life vehicles</p>	<p>Waste Act (new)</p>	<p>May 2002 Entry into force in 2003</p>	<p>Pursuant to the new Waste Act an implementation probably necessary. Its scope and deadline will be specified in the course of proceeding the draft act.</p>
	<p>Secondary legislation under the Waste Act</p>	<p>III-IV quarter of 2003, entry into force in 2004</p>	<p>Pursuant to the norms of delegation under the Waste Act requirements for handling end-of-life vehicles will be established</p>
<p>Directive 2000/76/EC of the European Parliament and of the Council of 4 December 2000 on the incineration of waste</p>	<p>Waste Act (new)</p>	<p>May 2002 Entry into force in 2003</p>	<p>Pursuant to the new Waste Act an implementation probably necessary. Its scope and deadline will be specified in the course of proceeding the draft act.</p>
	<p>Secondary legislation under the Waste Act</p>	<p>III-IV quarter of 2003, entry into force in 2004</p>	<p>Pursuant to the norms of delegation under the Waste Act requirements for handling end-of-life vehicles will be established</p>
<p>Council Directive 86/278/EEC of 12 June 1986 on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture</p>	<p>Min. regulation establishing requirements for the use of sewage sludge in agriculture, green building and recultivation</p>	<p>September 2002</p>	

European Parliament and Council Directive 94/62/EC on packaging and packaging waste	Gov. regulation establishing a list of products the handling of waste generated of which causes environmental or health hazards	II quarter of 2003 Entry into force in 2004	Specifies the obligation of producer responsibility
Directive 2000/53/EC of the European Parliament and of the Council of 18 September 2000 on end-of life vehicles - Commission Statements	Min. regulation establishing the obligations of producers and importers of environmentally dangerous products on organising waste handling (to be established for specific products)	III quarter of 2003 Entry into force in 2004	Specifies the obligation of producer responsibility
Council Directive 91/157/EEC of 18 March 1991 on batteries and accumulators containing certain dangerous substances	Min. regulation establishing a procedure for labelling and returning of environmentally dangerous products (to be established for specific products)	IV quarter of 2003 Entry into force in 2004	Specifies the obligation of producer responsibility

**Implementation and administrative capacity**

1. Institution, planned measures (incl training), deadline	2. Legal basis, implemented legal act	3. Financing (State budget line, other sources)	4. Technical assistance needs	5. Remarks
MoE: drawing up regional waste management plans	Waste Act	EEK 1,500 thousand SB part 134, chapter 01, art. 44		MoE, 10 counties that do not have a WMP yet or which need revision
MoE: training for the staff of regional environmental departments and environmental inspectorates on issuing waste permits and using electronic database, II quarter of 2002	Waste Act; Min. regulation establishing conditions for the recovery or disposal of certain types and amounts of non- hazardous waste at the site of their generation, for which the waste permit is not obligatory if managed respectively.	EEK 30,000 SB 134, 01, 44		
MoE and EEIC: training for specialists from CED and REI on filling in the waste report, controlling the relevance of data, and on movement of waste flows between enterprises, III quarter of 2002	Min. regulation establishing the format and procedure for the waste report	EEK 30,000 SB 134, 01, 44		
MoE and EEIC: training for entrepreneurs on filling in the waste report, IV quarter of 2002	Min. regulation establishing the format and procedure for the waste report	EEK 30,000 SB 134, 01, 44		
MoE: training for the specialists from CED and REI on the requirements under the new Waste Act, III quarter of 2002	Waste Act	EEK 30,000 SB 134, 01, 44		
MoE: training for entrepreneurs, representatives of line ministries and NGOs on establishment of the packaging and packaging waste recovery system, II quarter of 2002	Packaging Act; Packaging Excise Act	EEK 80,000 SB 134, 01, 44		
MoE: compilation and publishing of a reference book on recovery of packaging and packaging waste, IV quarter of 2002	Packaging Act; Packaging Excise Act	EEK 80,000 SB 134, 01, 44		

Training for MoE specialists on transposition of Directive 2000/53/EC on end-of-life vehicles into Estonian legislation			Training of 2 specialists in some EU Member State (Germany, Finland) supported by these countries or the European Commission (TAIEX)	To gain experience on legislation and identification of competence and delegations of different administration levels
MoE: training for the specialists from CED, REI and municipalities on introduction of the Directive 2000/76/EC on incineration of waste; 2004	Waste Act (WA), secondary legislation under the WA	EEK 30,000 SB 134, 01, 44		
MoE: training for entrepreneurs introducing the requirements under Directive 2000/76/EC on incineration of waste; 2003	Waste Act (WA), secondary legislation under the WA	EEK 30,000 SB 134, 01, 44		
MoE: training for the specialists from CED, REI and municipalities on Directive 2000/53/EC on end-of-life vehicles; 2003	Waste Act (WA), secondary legislation under the WA establishing requirements for handling end-of-life vehicles	EEK 30,000 SB 134, 01, 44		
MoE: training for entrepreneurs introducing the requirements under Directive 2000/53/EC on end-of-life vehicles; 2003	Waste Act (WA), secondary legislation under the WA establishing requirements for handling end-of-life vehicles	EEK 30,000 SB 134, 01, 44		
MoE: training for the specialists from CED, REI and municipalities on separate collection and recovery of waste, and new objectives for recovery of packaging; 2003	Waste Act, Packaging Act, Packaging Excise Act	EEK 30,000 SB 134, 01, 44		
MoE: training for entrepreneurs, representatives of line ministries and NGOs on separate collection and recovery of waste, and new objectives for recovery of packaging; 2003	Waste Act, Packaging Act, Packaging Excise Act	EEK 30,000 SB 134, 01, 44		
Development of the hazardous waste (HW) management system, including construction of the Tartu and Pärnu HW Collection Centres; HW collection points in municipalities; Closure of the Paldiski depository; Improvement of technology used at the sites of HW collection system	Waste Act	EEK 25,723 thousand, including EEK 14,773 from SB and EEK 10,950 from EIC		Necessary amount of foreign assistance EEK 33.5 million to be allocated in 2002-2004

Establishment of a final disposal plant for HW (including an incineration plant and physical-chemical treatment complex); beginning of 2003	Waste Act		In 2003 ... €7.5 million from ISPA	Planning of self-financing for 2003 underway
Establishment of a country-wide system for collection and recovery of packaging waste; 2002-2003	Packaging Act	2002: EEK 30,000 thousand of enterprises' equity		
Establishment of new landfills for non-hazardous waste; 2002-2003	Min. regulation No.34 of 26 July establishing requirements for construction, operation and closure of landfills	EEK 581 million; SB, EIC, municipalities, ISPA, loan		Financing to be specified
Conditioning and closure of existing landfills, except for landfills for oil-shale waste; 2002-2003	Min. regulation No.34 of 26 July establishing requirements for construction, operation and closure of landfills	EEK 292.2 million; SB, EIC, municipalities, ISPA, NIB loan, assistance from LSIF, foreign assistance, enterprises' equities		Financing to be specified
MoEA, Eesti Energia AS: drawing up of a plan and project for closure of the landfill of the Estonian and Baltic Power Plants': 2001-2002	Min. regulation No.34 of 26 July establishing requirements for construction, operation and closure of landfills	Enterprises' equities		Financing to be specified
MoEA, Eesti Energia AS: as wide-scale as possible introduction of on-site sorting of waste at both power plants, choosing location for new landfill (waste centre for the power plants) and carrying out EIA; 2002-2003	Min. regulation No.34 of 26 July establishing requirements for construction, operation and closure of landfills	Enterprises' equities		Financing to be specified
MoEA, Eesti Energia AS: feasibility study and designing of a system for encapsulation (monofill) of asbestos waste; 2002-2003	Min. regulation No.34 of 26 July establishing requirements for construction, operation and closure of landfills	Enterprises' equities		This concerns mainly dust-like and disintegrated (disintegrating) waste that contains asbestos. Financing to be specified.
MoEA, Eesti Energia AS: designing of a new landfill (waste centre) for AS Narva Elektriijaamad; 2002-2003	Min. regulation No.34 of 26 July establishing requirements for construction, operation and closure of landfills	Enterprises' equities, ISPA		In connection with the project on closure of ash-field No.2 of the Baltic Power Plant. Financing to be specified.

Abbreviations: MoE - Ministry of the Environment;  
MoEA - Ministry of Economic Affairs;

EEIC – Estonian Environmental Information Centre;  
CED – County Environmental Departments;  
REI – Regional Environmental Inspectorates;  
WMP – Waste Management Plan;  
NGO – non-governmental organisations;  
WA – Waste Act; HW – hazardous waste;  
EIC – Environmental Investment Centre Investment;  
NIB – Nordic Investment Bank;  
LSIF – large-scale investment facility;  
EIA – environmental impact assessment.

## 22.4. WATER PROTECTION

In 2001, the first priority in approximation of Estonian legislation to the EU requirements will be the complete adoption and implementation of secondary legislation based on the *Water Act Amendment Act*, passed on 20 December 2000. More extensive introduction of adopted legislative acts to the interest groups whose activities are affected is essential, as well as training of responsible civil servants.

Secondary legislation, entered into force before 1996 and based on the *Water Act*, will be amended to harmonise it with new standards and other valid legislative acts and development of water resource management.

Assessment of purposeful enforcement of legal acts will be essential.

In order to ensure a complex and optimal use and protection of water supply, arrangement of introduction of the river basin district management principle in the water resource management will continue. Introducing the river basin district management principle in the water resource management will ensure integrated implementation of EU directives.

The main provisions of the EU water policy Framework Directive have been integrated into the *Water Act Amendment Act*. In 2002, much attention will be given to the implementation of the adopted legislation – starting the elaboration of water management plans, supporting municipal water enterprises at making investments into drinking water quality and waste water treatment, optimising and updating special water use permits issuing system. In nitrate sensitive areas, i.e. in areas, where ground water pollution might result from intensive agricultural activities, more stringent rules will be applied.

### **Controlling of non-point pollution originating from the agricultural sector; Nitrate Directive 91/676/EEC**

The requirements of Nitrate Directive 91/676/EEC are incorporated in the *Water Act Amendment Act*, in force since 1 April 2001, and in the *Governmental Regulation establishing water protection requirements for fertiliser, manure and silage storage and requirements for use and storage of mineral fertilisers, manure and silage juice storages*. In addition to meeting the requirements of EU nitrate directive restrictions stipulated in the mentioned legal acts ensure also meeting the requirements set out in Annex III (approved in March 1998) to the *Convention on the Protection of the Marine Environment of the Baltic Sea Region* (HELCOM).

In the first half of the year 2001, the code of *good agricultural practice* – recommendations helping to minimise water pollution originating from the agricultural sector – has been co-ordinated with agricultural producers and published. Introduction of the code of *good agricultural practice* to producers will be necessary in 2002 and also in future.

In the central part of Estonia (in 2002 mainly on the territory of Pandivere National Water Protection Area and in 2003 in Adavere region) a nitrate-sensitive area will be designated where more stringent requirements for fertilising and livestock farming

will be established than on the rest of the territory of Estonia. Protection rules and action plans for imposing restrictions and including relevant monitoring requirements will be drawn up for nitrate-sensitive areas.

### **Directives 80/778/EEC; 98/83/EC; 75/440/EEC and 79/869/EEC on drinking water and drinking water sources**

The regulation of the Minister of Social Affairs establishing quality and control requirements for surface water and ground water abstracted for producing drinking water will be elaborated to harmonise the directives 75/440/EEC and 79/869/EEC. The Directive 98/83/EC has been harmonised with the regulation of the Minister of Social Affairs of 21 December 2001 No. 152 *Procedure for issuing, altering, suspending and repealing of marketing permits for drinking water not complying with the quality requirements, but harmless for health, list of required documents for applying for permit and the permit form*. The regulation will enter into force in June 2002.

The action plan to meet the EU requirements on microbiological parameters of drinking water has been elaborated and will be implemented in the years 2002-2004.

Quality and safety requirements of drinking water are supervised by the Health Protection Inspectorate. Starting in July 2002 quality and safety requirements of drinking water will be established according to the EU directive 98/83/EC. To meet the requirements the production of about 3,000 water enterprises will be assessed and drinking water sales permit issued. One-day seminars for water companies will be arranged in 2002 to introduce new requirements and give explanations for compiling drinking water control plans. Effectiveness of the control of water companies will be estimated and harmlessness of the drinking water will be identified in laboratories.

Parallel to drafting of legislation, a database on the drinking water quality will be created; it should include the following data:

- 1) quality of drinking water sources and sampling frequency;
- 2) quality of drinking water produced by water companies and sampling frequency;
- 3) quality of tap water and sampling frequency;
- 4) water quality in food industry;
- 5) water quality in catering establishments, hospitals, schools and in other institutions of child care;

This database will be a part of the general database of the Health Protection Inspectorate and it should include, in addition to the data on drinking water, also data on the quality of bathing water and on food safety. On the basis of this database, precise supervision of following the specified time-schedule (by the quality indicators) for meeting the requirements set out in the Drinking Water Directive can be carried out and relevant reporting to EU arranged.

### **Dangerous substances, Directive 76/464/EEC together with its daughter directives; Directive 80/68/EEC**



Including in the quality standards of Estonian surface water and ground water of the dangerous substances listed in EU directives will be completed in 2003. To achieve this, the existing regulation of the Minister of Environment establishing *the limit values for dangerous substances contained in surface water or ground water* will be amended and a new regulation of the Minister of Environment establishing *the limit values for dangerous substances contained in surface water or seawater* will be elaborated.

The Regulation of the Minister of Environment (adopted in 2001) approving *lists 1 and 2 of dangerous substances for aquatic environment* will enter into force in April 2002.

The inventory of dangerous substances started in 2000 and will be completed in the first half of the year 2002, providing necessary basis for dangerous substances permitting according to the requirements of the directives since April 2002. Development of programmes for reducing discharges of dangerous substances included in list 2, carried out in the frames of elaborating water management programmes, will start. Reducing discharges of nitrogen and phosphorus is of national importance.

Improvement of operating capacity of environmental laboratories will continue, including necessary intercalibrations to ensure the authenticity of the analyses on the international level.

### **Urban Wastewater Directive 91/271/EEC**

The implementation of the directive will be ensured by the regulation of the Government adopted in 2001 establishing the *procedure of discharging wastewater into the water body or soil* and draft regulation of the Ministry of the Environment establishing the *criteria for designating of sewage water collecting areas*.

Legislative acts transposing the requirements of the directive have also been elaborated to ensure meeting of the requirements set out in Annex III (approved in March 1998) to the *Convention on the Protection of the Marine Environment of the Baltic Sea Region* (HELCOM).

### **Directive 78/659/EEC on the quality of fresh waters needing protection or improvement in order to support fish life**

The regulation of the Minister of Environment, pursuant to the *Water Act Amendment Act*, establishing the list of water bodies protected as the habitats of carps and salmonids and water quality and monitoring requirements for such water bodies will transpose the requirements of the directive.

### **Water sampling and analyses, Directive 79/869/EEC**

Requirements of the directive 79/869/EEC on ground water sampling frequency prior to producing the drinking water and on analysis methods of ground water samples will be transposed with following legislative acts:

- 1) regulation of the Minister of Social Affairs establishing quality and control requirements for surface water and ground water abstracted or intended to be abstracted for producing drinking water;
- 2) regulation of the Minister of Environment establishing the requirements for water analyses laboratories and reference methods of analyses.

According to regulation of the Minister of Environment on the procedure for certifying the persons taking water samples, training programme meeting the requirements of directives and international standards and certification of the persons taking water samples starts in 2002.

Legal basis for assessing the conformity with requirements of analyses laboratories will be provided by the regulation of the Minister of Environment establishing the procedure of carrying out comparative tests in experimental water laboratories that will be approved in 2002.

### **Water Framework Directive 2000/60/EC and introduction of the river basin district management principle**

Pursuant to the *Water Act Amendment Act*, *river basin districts and sub-river-basin districts* have been determined by the Regulation of the Government. The whole territory of Estonia forms only one Baltic Sea river basin district, which is divided into 9 sub-river-basin districts. Elaborating water resource management plans will be started with sub-river-basin districts and the general water resource management plan for Estonia will be drafted after completing water resource management plans for sub-river-basin districts. Elaborating water resource management plans for sub-river-basin districts started in 2001 with drawing up general directions and guidelines for ensuring the integral and systematic structure of water resource management plans.

Water resource management plans for sub-river-basin are to be completed by the year 2006, after that, the general water resource management plan for Estonia will be drafted by the end of 2008.

Publication is essential to give the persons and entrepreneurs living in sub-river-basin districts a possibility to participate in the elaboration of the environmental protection measures.

Pursuant to the Water Framework Directive, the Regulation of Minister of Environment establishing *seawater quality classes, the values of quality indicators of sea water quality classes and the procedure for determination of sea water quality classes* will be drafted in 2002, it will define the criteria for high-quality seawater, taking into account the main eutrophication indicators and concentrations of dangerous substances in seawater, organisms and in sediment.

The Regulation of the Minister of Environment establishing surface water quality classes, the values of quality indicators of water quality classes and the procedure for determination of water quality classes will be implemented by adding the ecological criteria of assessment of water condition.

At first, according to procedure, stipulated by the Water Act, Pärnu water resource management plan for sub-river-basin will be prepared and submitted to the Government of the Republic in the end of 2003. In 2002, an international project for drawing up Viru and Peipsi water resource management plans supported by EU Life-Environment programme and a French foundation FFEM starts. The programme is to be completed by the year 2005. Elaborating water resource management plans for the rest of sub-river-basins and submitting them to the Government of the Republic is planned in 2004-2006.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
75/440/EEC on the quality of surface water abstracted as drinking water	Regulation of the MoSA establishing quality and control requirements for surface water and ground water abstracted or intended to be abstracted for producing drinking water	November 2002 January 2003	Establishes the requirements for selection of the source of drinking water
76/464/EEC on discharge of dangerous substances into surface water (together with its daughter directives)	Gov. Reg of 31.07.2001 No 269 establishing <i>procedure of discharging wastewater into the water body or soil</i>	Entry into force 2002	
	Regulation of the MoE establishing limit values of hazardous substances in surface water and sea water	December 2003	
78/659/EEC on the quality of fresh waters needing protection or improvement in order to support fish life	Regulation of the MoE establishing list of water bodies protected as habitats of carps and salmonids, and quality and monitoring requirements for these water bodies	September 2002	
79/869/EEC on sampling frequency and analysis methods of surface water abstracted as drinking water	Regulation of the MoSA establishing quality and control requirements for surface water and ground water abstracted or intended to be abstracted for producing drinking water	November 2002 January 2003	
	*Regulation of MoE the Water sampling methods	June 2002	
	*Regulation of the MoE establishing requirements for experimental water laboratories making analyses of water samples and reference methods of analyses	March 2003	

80/68/EEC on the protection of ground water against pollution with dangerous substances	Gov. Regulation of 31 July 2001 No 269: procedure for discharging wastewater into soil or water bodies	Entry into force 2002	
	Reg of the MoE establishing limit values of hazardous substances in surface water and sea water	December 2003	
91/271/EEC; Commission Directive 98/15/EC on urban wastewater treatment	Gov. Regulation of 31 July 2001 No 269: procedure for discharging wastewater into soil or water bodies	Entry into force 2002	
	Regulation of MoE on criteria for designation of wastewater collection sites	January 2003	
91/676/EEC on the protection of water against nitrate pollution originating from agricultural sources	Gov. Regulation of 28 August 2001 No 288 water protection requirements for fertiliser and silage storages and for the use of fertilisers and of silage juice	Entry into force 2002	
	Gov. Regulation on designation of Pandivere nitrate- sensitive area and approval of the Protection Rules	October 2002	
	Gov. Regulation on designation of Adavere nitrate-sensitive area and approval of the Protection Rules	February 2003	
98/83/EC on the quality of water intended for human use	Regulation of the MoSA of 31 July 2001 No 82 establishing quality and control requirements for drinking water and sampling and analysis methods	Entry into force June 2002	
	Regulation of the MoSA of 21 December 2001 No 152 establishing Procedure for issuance, amendment and invalidation of permits for sale of drinking water non-compliant with the quality requirements but safe for the health, list of application documentation and the permit form	Entry into force June 2002	Elaboration costs of the programme EEK 40,000

2000/60/EC Water Framework Directive	Regulation of the MoE establishing water quality classes of ground water aquifers, the values of quality indicators of water quality classes and the procedure for determination of water quality classes	December 2003	
	Regulation of the MoE establishing surface water quality classes, the values of quality indicators of water quality classes and the procedure for determination of water quality classes	November 2003	Ecological quality criteria will be added to the surface water quality indicators system
	Regulation of the MoE establishing list of water bodies protected as habitats of carps and salmonids, and quality and monitoring requirements for these water bodies	September 2002	
	Regulation of MoE: seawater quality classes, the values of quality indicators of the quality classes and the procedure for determination of water quality classes	January 2003	
	Gov. Regulation: Amendment of the list of water bodies for public use (pursuant to Water Act § 7)	June 2002 July 2002	
	Regulation of the MoE establishing procedure for carrying out comparative tests in experimental water laboratories	March 2003	Necessary for international reliability of water analysis
	Regulation of the MoE establishing methods and procedure for carrying out the environmental monitoring in air sector and in water sector (pursuant to Environmental Monitoring Act § 6)	November 2002, December 2002	Implementing institution: Tartu University
	Gov. Order: Approval of the water resource management plan for Harju sub-river-basin district	2004	
	Gov. Order: Approval of the water resource management plan for Pärnu sub-river-basin district	2004	

	Gov. Order: Approval of the ground water resource management plan for Pandivere sub-river-basin district	2004	
	Gov. Order: Approval of the water resource management plan for Matsalu sub-river-basin district	2005	
	Gov. Order: Approval of the water resource management plan for Läänesaarte sub-river-basin district	2005	
	Gov. Order: Approval of the water resource management plan for Viru sub-river-basin district	2005	
	Gov. Order: Approval of the water resource management plan for Võrtsjärve sub-river-basin district	2005	
	Gov. Order: Approval of the water resource management plan for Peipsi sub-river-basin district	2005	
	Gov. Order: Approval of the water resource management plan for Koiva sub-river-basin district	2004	
	Gov. Order: Approval of the water resource management plan for Estonian river-basin district	2008	
91/676/EEC concerning the protection of waters against pollution caused by nitrates from agricultural sources	Gov. Order: Approval of the management plan of Pandivere and Adavere nitrate sensitive areas	2004	
76/464/EEC on discharge of dangerous substances into surface water (together with its daughter directives)	Reduction programs of discharges of dangerous substances (phosphorus, nitrate etc)	2003	

<b>International agreements and conventions</b>			
	Act on ratification of the Protocol related to water and health protection to the Convention (1992) on the protection of transboundary water bodies and international lakes	June 2002	
	Act on ratification of the Protocols of 1992 to the Convention on civilian liability	September 2002	
	Act on ratification of supplementary Protocols on establishment of the fund of compensation for damage caused by oil pollution to the Convention of 1970	September 2002	

## Abbreviations:

MoE – Minister of the Environment

Gov – Government

MoSA – Minister of Social Affairs



**Implementation and administrative capacity**

1.	2.	3.	4.	5.
Institution, planned measures (incl training), deadline	Legal basis, implemented legal act	Financing (State budget line, other sources)	Technical assistance needs	Remarks
Activities related to general optimising of water management				
MoE, CED, EI, training programme for permitting and using electronic database	Regulation of the MoE establishing the procedure for issuance, amendment and invalidation of permits for special use of water; list of application documentation and the permit form	EEK 200,000 SB 134, 01, 44 LIFE-Env project	Training on experience of MS at permitting	
MoE, certifying of persons taking water samples, preparing of materials for training	Regulation of the MoE establishing procedure for certifying the persons taking water samples for purposes of carrying out water survey	500,000 SB 134, 01, 44	Yes, as training	
MoE, launching the qualifying system of experimental water laboratories	Regulation of the MoE establishing procedure for carrying out comparative tests in experimental water laboratories;  Regulation of the MoE establishing requirements for experimental water laboratories making analyses of water samples necessary for carrying out water surveys, sampling methods and reference methods of analyses	2,000,000 SB 134, 01, 44		
MoE, update of IT solutions at CEDs		1,000,000 SB 134, 01, 44		

Activities directly related to the requirements of the directives				
MoE, MoA, training programme for agricultural producers to meet new requirements, introduction of code of good agricultural practice	91/676/EEC; Gov. Regulation: water protection requirements for fertiliser and silage storages and for the use of fertilisers and of silage juice: Regulation of the MoA on The procedure for keeping field books	300,000		Incl. publications
MoE, CEDs, EI: training programme for supervision of following environmental protection requirements by agricultural activities		100,000		
MoE, designation of nitrate-sensitive areas of Pandivere and Adavere, management plans to avoid water pollution	91/676/EEC; Regulation of the MoE: designation of nitrate-sensitive area and approval of the Protection Rules	1,000,000		
MoE, monitoring of ground water and surface water quality in nitrate-sensitive areas	91/676/EEC; Environmental Monitoring Act	2,340,000		Further current costs ca EEK 0.8 million per year
HPI, state supervision on new requirements for the quality of drinking water and implementation of new analyses methods – obtaining relevant laboratory equipment July 2003	Water Act Amendment Act  Regulation of the MoSA of 31 July 2001 No 82		Phare 2002 Improvement of market supervision 2003/2004  Total cost of the project: EEK 27 million (incl EEK 6,7 million cofinancing)	

<p>HPI Development of monitoring department (establishment of drinking water quality database; integrating of quality database of surface water used as drinking water and of bathing water); Employing new staff of 3; Training programme for specialists "Assessment of risk factors, risk management and information"; 2003</p>	<p>Relevant regulations of the MoSA  98/83/EC, 96/70/EC, 76/160/EEC, 1999/51/EC</p>	<p>In 2003 SB 1,000,000</p>	<p>Donor assistance from Netherlands (MATRA project)</p>	<p>2 year project starts at 01.01.2002</p>
<p>Replenishment of the equipment for measuring the quality of drinking water of laboratories of RPC, 2 new posts, training for employees</p>	<p>80/778/EEC, 98/83/EC, 75/440/EEC, 79/869/EEC Regulation of the MoSA establishing quality and control requirements for surface water and ground water abstracted or intended to be abstracted for producing drinking water</p>	<p>4,000,000</p>		
<p>MoE, LMG, water companies, construction and rehabilitation of water supply systems</p>	<p>Regulation of the MoSA establishing quality and control requirements for drinking water and sampling and analysis methods</p>	<p>107,200,000</p>	<p>428,800,000 Phare, ISPA bilateral assistance from MS</p>	<p>Current costs per year EEK 250-350 million till 2013</p>

MoSA HPI Training programme for water companies on new requirements	80/778/EEC, 98/83/EC, 75/440/EEC, 79/869/EEC Regulation of the MoSA establishing quality and control requirements for drinking water and sampling and analysis methods; Regulation of the MoSA establishing Procedure of applying for and issuance of a temporary permit for the use of drinking water non- compliant with the quality requirements; Regulation of the MoSA establishing quality and control requirements for surface water and ground water abstracted or intended to be abstracted for producing drinking water	HPI P 141 ch 65 Orderers of training		
HPI Relevant training for inspectors: Permitting of sale of drinking water non-compliant with the quality requirements but safe for the health April 2002	Water Act Amendment Act (RT 2001, 7, 19) § 4	HPI Part 141 ch 65		Need for additional financing EEK 120,000 for assessment of water ingredients and issuance of permits
MoE, monitoring of hazardous substances on surface water	Environmental Monitoring Act; 76/464/EEC with daughter directives	6,000,000 SB, EIC	LIFE-Environment	Current costs ca EEK 3 million per year
MoE, improvement of capacity of environmental laboratories concerning hazardous substances	Environmental Monitoring Act; 76/464/EEC with daughter directives 80/68 EEC	3,000,000	LIFE-Environment	

MoE, establishing and completing a database on hazardous substances	Environmental Register Act 76/464/EEC with daughter directives 80/68 EEC	1,000,000 SB	LIFE-Environment	
MoE, monitoring of hazardous substances in ground water	Environmental Monitoring Act; 80/68 EEC	3,000,000	LIFE-Environment	Current costs ca EEK 1.5 million per year
MoE Training programme for entrepreneurs: requirements related to hazardous substances	Gov. Regulation: procedure for discharging wastewater into soil or water bodies; Regulation of the MoE establishing the procedure for issuance, amendment and invalidation of permits for special use of water; list of application documentation and the permit form	60,000 SB	LIFE-Environment	
MoE, monitoring of fish habitats in fresh water bodies	Environmental Monitoring Act; 78/659/EEC	1,600,000 SB		Current costs ca EEK 0.8 million per year
MoE, LM, water companies Construction and rehabilitation of sewage systems and water treatment plants	Gov. Regulation: procedure for discharging wastewater into soil or water bodies 91/271/EEC, 93/481/EEC	193,200,000 SB	570,800,000 Phare, ISPA	Current costs ca EEK 300-600 million per year till 2010
MoE, regular survey of effectiveness of sewage water treatment plants	Gov. Regulation: procedure for discharging wastewater into soil or water bodies 91/271/EEC, 93/481/EEC	2,000,000 SB		Current costs ca EEK 1 million per year

MoE, monitoring needed for classification of surface water	Regulation of the MoE: surface water quality classes, the values of quality indicators of water quality classes and the procedure for determination of water quality classes; 2000/60/EC	3,200,000 SB	LIFE-Environment (partially)	After 2003: current costs ca EEK 0.5 million per year
MoE – creating a post of water management plan coordinator	Water Act, 2000/60/EC	400,000		Current costs ca EEK 0.2 million per year
Drawing up water management plans for sub-basin-districts and making them available to public	Water Act, 2000/60/EC	7,900,000 SB	Phare, ISPA, LIFE-Environment	Estimated costs in 2004-2005 ca EEK 8.3 million
TOTAL (EEK)		340,290,000		

## Abbreviations used:

MoE – Ministry of Environment

MoSA – Ministry of Social Affairs

CED – County Environmental Department

CHPD – County Health Protection Department

EI – Environmental Inspectorate

LM – Local Municipalities

MS – Member States

## 22.5. NATURE PROTECTION

### *Drafting of legislation 2002-2003*

The EU Birds Directive (79/409/EEC) and Habitats Directive (92/43/EEC) requirements, as well as CITES regulation (338/97, 1996) requirements will be transposed through the new *Nature Conservation Act* (Nature Conservation chapter of the new Environmental Code), the draft of which will be submitted to the Government by the Ministry of the Environment in May 2002 and shall enter in force in 2003.

In addition to the *Nature Conservation Act*, the *Hunting Management Act* has been prepared and submitted to the Parliament in October 2001; the act is expected to be passed in March 2002. The new *Hunting Management Act* is taking into account the EU nature conservation directives' requirements concerning hunting.

In 2001 the *Protected Natural Objects Act* (in May and in November) and the *Protection and Use of Wild Fauna Act* (in November) were amended, consequently the EU nature conservation requirements were partially transposed.

Export and import of endangered species is regulated by the *Regulation of the Minister of the Environment on the list of protected species, fossils and game trophies which import and export requires special permits and procedures of import and export* (approved in September 2000). With the latter the list of CITES species as amended in 11<sup>th</sup> conference of Parties to the *CITES Convention*; the list of permits required; the forms of the permits and the procedure for issuance of the permits, were approved. Sanctions for violating the *CITES Convention* rules are set out in the *Customs Act* and in the *Criminal Code*.

### *Implementation and fulfilment*

#### **NATURA 2000**

The *NATURA 2000* is the most work consuming part of the EU nature conservation legislation. Estonia has undertaken to establish the *NATURA 2000* network by the date of accession, which means that the country has to submit to the European Commission:

- A list of birds protection areas (*Special Protection Areas*);
- A list of *proposed Sites of Community Importance* (pSCI);
- The *NATURA 2000* database (including maps) on the above sites

and guarantee preserving of the nature values at the above sites by the accession to the EU.

For the purpose of establishing the *NATURA 2000* network in Estonia, the National Programme *Estonian Natura 2000* for the years 2000-2007 has been drawn up and approved by the Governmental Order No. 622-k (25 July 2000). The primary objective of the Programme is to establish in Estonia the *NATURA 2000* network that conforms to the requirements of the EU Birds Directive and Habitats Directive. The Programme will be implemented in two stages:

**The primary objective of the Stage I (2000 – 2002)** is to draw up and submit to European Commission a list of the proposed Estonian *NATURA 2000* sites (i.e. a list of Special Protection Areas, SPA-s) and a national list of Proposed Sites of

Community Interest (pSCI-s), along with the maps and database duly conforming to the European Union (EU) requirements.

Specific objectives of the stage I are as follows:

- 1) preparation of annotated translations of the Birds Directive and Habitats Directive;
- 2) preparation of guidelines for filling in the *NATURA 2000* standard data form;
- 3) preparation of an Interpretation Manual of EU Habitats for Estonia;
- 4) preparation of the list of the proposed *NATURA 2000* sites;
- 5) establishment of *the NATURA 2000* database;
- 6) mapping of boundaries of the proposed *NATURA 2000* sites;
- 7) organisation of temporary protection of the proposed *NATURA 2000* sites;
- 8) estimation of conservation management costs of the proposed *NATURA 2000* sites;
- 9) training;
- 10) introduction of the objectives of the *NATURA 2000* to the public.

The Programme includes a detailed action plan for Stage I (2000-2002), which indicates the activities necessary for the implementation of the Programme, establishes a time schedule for the activities, identifies the main implementing agencies, estimated costs and sources of financing. Action plan for Stage II will be drawn up in the course of Stage I.

**The objective of the Stage II (2003 – 2007)** is to organise actual protection of the *NATURA 2000* sites in conformity with the EU legislation. This includes designation of protected areas, determination of protection measures, drawing up management plans, conclusion of contracts with landowners and implementation of the other actions (including spatial planning tools) to ensure a favourable conservation status of the habitats and species occurring at the *NATURA 2000* sites.

At present, there are 331 protected areas in Estonia. New Conservation Rules have been approved for 136 of these (by the Governmental Regulation) during the years 1994-2001 (i.e. after the *Protected Natural Objects Act* was passed). The territory of these protected areas makes up four fifths of the total area of protected areas in Estonia. The total area of protected areas in Estonia is approximately 520,000 hectares. Management plans are planned to be drawn up for national parks, nature reserves, Ramsar sites and, if necessary, also for protected landscapes. A special commission has been established in the Ministry of the Environment to co-ordinate the above actions.

To date, management plans of six protected areas have been approved (by the Minister's Decree) (Soomaa National Park, Alam-Pedja Nature Reserve, Matsalu Nature Reserve, Põhja-Kõrvemaa Protected Landscape, Piusa Caves Nature Reserve, Õisu Protected Landscape), further nine management plans have been drawn up (Türisalu Protected Landscape, Panga Protected Landscape, Karula National Park, Akste Nature Reserve, Piritä River Valley Protected Landscape, Piusa River Primeval Valley Protected Landscape, Sarve Protected Landscape, Käina Bay – Kassari Nature Reserve, Otepää Nature Reserve), and 24 are under preparation.



In the beginning of 2001 the administrations of the protected areas and the county environmental departments made their proposals on the sites of high natural value, suitable for inclusion in the *NATURA 2000* network. The results of plant association inventories accomplished over the past decade (meadow inventory, wetlands inventory, several forest inventories) were added to these proposals. A preliminary list of potential *NATURA* sites was drawn up. In order to meet the requirements under Annex I of the Habitats Directive, there is a need for additional fieldwork for mapping the types of habitats occurring on these sites, as well as for evaluating these sites' suitability for the *NATURA 2000* selection criteria. To carry out the fieldwork, a special fieldwork data form and guidelines for filling in the form have been drawn up.

Over 100 experts from research institutions, universities and non-governmental organisations participated in the fieldwork. Special fieldwork was carried out to choose the Special Protection Areas and find the proposed sites for protection of the species listed in Annex II of the Habitats Directive. On the basis of the filled in field sheets, the *NATURA 2000* database will be drawn up in MapInfo format, which will be used for data analysing and for choosing the *NATURA 2000* sites.

A preliminary list of the *NATURA 2000* sites will be drawn up by April 2002. After that the list will be published.

To find the additional *NATURA 2000* habitats and species habitations, not yet sufficiently protected, fieldwork will be carried out on summer 2002.

**Table 2: Timetable for implementation of the *NATURA 2000* Programme in 2002**

Activity	Deadline	Implementing agencies
<b>Preparation of annotated translations of the Birds and Habitats Directives</b>		
Preparation of annotations on the Birds and Habitats Directives, publication of annotated translations	April 2002	Ministry of the Environment ( MoE), Experts
Preparation of Interpretation Manual of EU Habitats for Estonia		
Preparation and publication of popular-scientific version of Interpretation Manual of EU Habitats for Estonia	May 2002	MoE, Experts
<b>Preparation of the list of the proposed <i>NATURA 2000</i> sites</b>		
Analysis of the list of sites by CED and PAA	March 2002	CED, PAA
Revision of the list	November 2002	MoE, Experts
Negotiations with land owners	April 2002	CED
Publication of the list of sites	May 2002	MoE, CED, Experts
Preparation of the list of sites for approval	December 2002	MoE
<b>Establishment of the <i>NATURA 2000</i> database</b>		
Assembling of existing data	March 2002	IEP, CED, PAA, Experts
Fieldwork for collecting additional data	August 2002	Experts
Filling in of data forms	November 2002	CED, PAA, Experts
Inserting of data in to the database	November 2002	MoE

<b>Mapping of boundaries of the proposed NATURA 2000 sites</b>		
Collection of existing data	March 2002	EIC, MoE
Preparation of maps	May 2002	CED, PAA, Experts
Fieldwork for mapping of site boundaries	September 2002	CED, PAA, Experts
Digitalising of site boundaries	November 2002	Experts
<b>Organisation of temporary protection of the proposed NATURA 2000 sites</b>		
Organisation of temporary protection of the proposed NATURA 2000 sites	December 2002	MoE
<b>Estimation of conservation management costs of the proposed NATURA 2000 sites</b>		
Estimation of conservation management costs of the proposed NATURA 2000 sites	November 2002	MoE, CED, PAA, Experts
<b>Training</b>		
Training	Continuous	MoE, CED, PAA, Experts
<b>Introduction of the objectives of the NATURA 2000 to the public</b>		
Introduction of the objectives of the NATURA 2000 to the public	Continuous	MoE, CED, PAA, Experts

## Acronyms:

CED	County Environmental Departments
EFN	Estonian Fund for Nature
EIC	Environmental Information Centre of the Ministry of the Environment
EOS	Estonian Ornithological Society
IEP	Institute of Environmental Protection of the Estonian Agricultural University
MoE	Ministry of the Environment
PAA	protected area administrations

To improve the protection of species listed in the EU Birds and Habitats Directives, species management plans have been prepared and confirmed (by decrees of the Minister of the Environment) in Estonia for the following species:

- the grey seal (*Halichoerus grypus*)
- the spotted eagle (*Aquila clanga*)
- *Cypripedium calceolus*
- Large mammals ( wolf, brown bear, lynx)

In addition, conservation management and guidance plans have been prepared for:

- the European mink (*Mustela lutreola*)
- the white-tailed eagle (*Haliaeetus albicilla*)
- *Castor fiber*
- *Ciconia nigra*
- *Tetrao urogallus*
- *Haliaeetus albicilla*
- *Ligularia sibirica*
- *Coeloglossum viride*
- *Margaritana margaritifera*

In 2002-2003, management plans will be prepared for *Crepis mollis*, *Rubus arcticus*, *frens* under the Ist category (*Botrychium matricarifolium* *Asplenium septentrionale* *Woodsia ilvensis*, *Cystopteris sudedica*, *Polystrichum lonchitis*), *Hirudo medicinalis*, *Grus grus* , *Gallinago media*, *Calidris alpina schinzii*, *Polysticta stelleri*, *Thymallus thymallus*, and *Lampetra fluviatilis*.

## Financing

Draft state budget for the next year includes EEK 5.2 million for the implementation of the National Programme *Estonian Natura 2000*.

In addition the following projects are supporting the *NATURA 2000* network:

### Phare 2001

*Nature Conservation Accession: Establishment of the Natura 2000 Network under the Habitats Directive*. February 2002 – August 2003, cost EUR 0,825 million, implementing agency: Ministry of the Environment of Finland.

### Bilateral assistance

- *Establishment of Special Protection Areas of the Natura 2000 network in Estonia* January 2001 – December 2002, financed by the Netherlands in the framework of Matra pre-accession projects programme, cost of the project NLG 4.97 million;
- *Regional Implementation of the Habitats Directive and Birds Directive in Lääne and Rapla Counties*. April 2000 – October 2002, financed by Denmark, cost of the project DKK 4 million;
- *Implementation of the Natura 2000 networks in Estonia regarding Freshwater and Brackish Water Species and Habitats*).

In 2001, Estonia joined the *LIFE III* Programme. In 2000 Estonia submitted four applications for the European Union co-financing from *LIFE-NATURA* sub-programme. Three of the applications were accepted:

- *Boreal Baltic Coastal Meadow Preservation in Estonia*, the application was submitted by the Ministry of the Environment, cost of the project EUR 0.9 million;
- *Recovery of *Mustela lutreola* in Estonia: captive and island populations*, the application was submitted by foundation “Lutreola”, cost of the project EUR 0.5 million;
- *Restoration and Management of the Häädemeeste wetland complex*, the application was submitted by Estonian Ornithological Society, cost of the project ca EUR 0.5 million.

In 2001, six proposals were submitted:

- ◆ *For nature and for people – facilitation of establishment of the NATURA 2000 Network in Estonia*), the proposal was submitted by SEI-Tallinn, cost of the project ca EUR 0.8 million;
- ◆ *Preservation of the NATURA 2000 biotopes in Karula National Park*, the proposal was submitted by Karula National Park, cost of the project ca EUR 0.3 million;
- ◆ *Aardla-Ihaste-Ropka humid meadows conservation project*), the proposal was submitted by Estonian Agricultural Museum, cost of the project ca EUR 1.375 million;
- ◆ *Protection of priority habitat types in Estonia*, the proposal was submitted by OÜ Eesti Metsakeskus, cost of the project ca EUR 1.56 million;
- ◆ *Priority alvars, bird areas, bog, dunes, forests, meadows in Saaremaa*, the proposal was submitted by Vilsandi National Park, cost of the project ca EUR 3.64 million;

- ◆ *Network of the NATURA 2000 grasslands in Western Estonia*, proposal was submitted by Estonian Seminatural Community Conservation, cost of the project ca EUR 3.1 million.

Other foreign aid projects related to EU nature conservation:

- ◆ *(Implementation of the Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES) and the related EU Legislation in Estonia and Latvia)*; October 2000 – October 2002, Financed by Denmark, cost of the project ca DKK 7 million;
- ◆ *Amphibians in Estonia – education and protection*; April 2000 – December 2003, Financed by Denmark, cost of the project DKK 2 million.

#### ***Administrative capacity***

Two additional positions were created to implement the *NATURA 2000* network in Estonia at the Nature Conservation Department of the Ministry of the Environment in 2001. The County Environmental Departments have had opportunities to develop their administrative capacity in the framework of the national programme *Estonian Natura 2000*. Several training courses were organised, study visits to Finland, Netherlands, and Denmark took place to get acquainted with choosing *the NATURA 2000* sites and protection management principles in these countries.

For the development of administrative capacity during 2002 – 2003 training courses, seminars and exchange of experiences with foreign partners will take place.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
1. Council Directive 92/43/EEC on Conservation of Natural Habitats and of Wild Fauna and Flora	<i>Nature Conservation Act</i>  <i>Hunting Management Act</i>	May 2002, entry into force in 2003  In the Parliament procedures, will be approved in March 2002	Partially the requirements were transposed in April and in November 2001. As a result of the approval of the <i>Protected Natural Objects Act</i> that will be replaced when the new <i>Protected Natural Objects Act</i> comes into force. As a result of amending the <i>Protected Natural Objects Act</i> , other Acts will be amended, e.g. <i>Environmental Impact Assessment and Auditing Act, Hunting Management Act, Planning Act.</i>
2. Council Directive 79/409/EEC of 2 April 1979 on the Conservation of Wild Birds.	<i>Nature Conservation Act</i>  <i>Hunting Management Act</i>	May 2002, entry into force in 2003  Submitted to the Parliament, will be approved in March 2002	Partially the requirements were transposed in November 2001. As a result to the approval of the <i>Protected Natural Objects Act</i> will be replaced when the new <i>Protected Natural Objects Act</i> comes into force.
3. Council Directive 83/129/EEC concerning the Importation into Member States of Skins of Certain Seal Pups and Products Derived Therefrom	<i>Nature Conservation Act</i>	May 2002, Entry into force in 2003	

4. Council Regulation (EEC) 338/97 of 9 December 1996 on the Protection of Species of Wild Fauna and Flora by Regulating Trade Therein	<p><i>Nature Conservation Act</i></p> <p>Regulation of the Minister of the Environment on the list of protected species, fossils and game trophies which import and export requires special permits and order of import and export.</p> <p>Regulation of the Minister of the Environment establishing Rules for Import and Export of CITES Species</p>	<p>May 2002, Entry into force in 2003</p> <p>Was approved in September 2000</p> <p>December 2002</p>	
5. Council Regulation (EEC) No 348/81 of 20 January 1981 on Common Rules for Imports of Whales or Other Cetacean Products.	<i>Nature Conservation Act</i>	May 2002, Entry into force 2003	

**Implementation and administrative capacity**

1.	2.	3.	4.	5.
Institution, planned measures (incl training), deadline	Legal basis, implemented legal act	Financing (State budget line, other sources)	Technical assistance needs	Remarks
Ministry of the Environment, implementation of the National Programme <i>the Estonian Natura 2000</i> , incl. training for programme participants (on EU nature conservation requirements, compilation of the lists of <i>the NATURA 2000</i> sites, determination of site boundaries, publishing, organisation of conservation of the sites, deadline 2007	Governmental Order No. 622-k, of July 2000	State Budget, 134, 01, 44	Phare (EUR 0.8 million) Bilateral assistance: Netherlands (NLG 4.97 million) Denmark, two projects in total (DKK 8.85 million)	
Ministry of the Environment, preparations for approval of the List of <i>the NATURA 2000</i> protected sites, deadline, December 2003	<i>Nature Conservation Act</i> ; Draft Regulation of the Minister of the Environment on Approval of the List of Protected Sites	State Budget, 134, 01, 44		
Ministry of the Environment, county environmental departments, drawing up management rules for protected areas, continuous	On the basis of the <i>Protected Natural Objects Act</i> , Governmental Regulations for Approval of the Management Rules of the Protected Areas,	State Budget, 134, 01, 44 Environmental Investment Centre		
Ministry of the Environment, county environmental departments, administrations of protected areas, drawing up management plans of protected areas	On the basis of the <i>Protected Natural Objects Act</i> , Ministerial Decree Approving the Species Management Plans	State Budget, 134, 01, 44 Environmental Investment Centre		
Ministry of the Environment, Drawing up species management plans, continuous	On the basis of <i>Protected Natural Objects Act</i> , Ministerial Decree Approving the Species Management Plans	State Budget, 134, 01, 44 Environmental Investment Centre		

## PROTECTION OF FORESTS

### *Approximation of Legislation*

Approximation of legislation regulating the protection of forests, *the Forest Protection Act* and of regulations based on it, with the relevant EU legislation is almost accomplished.

### *Implementation of the Legislation and Administrative Capacity*

To implement the Council Regulation (EEC) 2158/92 the studies are underway and preparations are being made for drawing up a forest fire protection plan for Estonia. For this purpose the Ministry of the Environment and the Rescue Board are co-operating. Further development of the information system on forest fires, launched within the Rescue Board system continues.

Public awareness work being focussed on informing the public of the degree of forest-fire risk, of appropriate behaviour of people in forests, and of the necessity of applying fire control measures in forests, continues. As a part of implementing Council Regulation (EEC) 3528/86, monitoring of forests will continue. The main responsibility for the work lies with the Forest Protection and Reforestation Centre.

Implementation of Council Regulation (EEC) 1615/89 - systemisation of the existing spatial forestry data, improvement of the quality of the data and entering data to the *National Register of Forest Resource*. Gathering data through total area surveys of forests and through statistical inventories will continue.

For implementing Council Regulation (EEC) 2080/92, necessary research programmes will be launched with financing from the EIC Forestry Programme, e.g. under the 2001 programme on afforestation of rural lands. Ministry of Agriculture is managing the implementation of the Regulation.



**Implementation and administrative capacity**

1.	2.	3.	4.	5.
Institution, planned measures (incl training), deadline	Legal basis, implemented legal act	Financing (State budget line, other sources)	Technical assistance needs	Remarks
<p>Ministry of the Environment, County Environmental Departments (CED-s). Implementation of the Legal Act and further training for experts, May 2002.</p> <p>Public awareness work and applying of measures for operative discovery of forest fires, May – October 2002.</p>	<p>Council Regulation (EEC) 2158/92 Forest Act, State Gazette (RT I 1998, 113/114, 1872; 1999, 54,583; 95, 843; 2000,51,319; 102,670; 2001,50, 282) and Ministerial Regulation establishing the Forest Protection Rules (RT L 1999, 68, 894; 2000, 30, 384) and <i>Rescue Act</i> (RT I 1994, 28, 424; 1998, 39, 598; 2000, 50, 316) and Ministerial Regulation establishing the Fire safety Requirements for Areas Covered with Forest or Other Vegetation (RT L1998, 2167217, 854).</p>	<p>State Budget, training</p>		
<p>Forest Protection and Reforestation Centre Carrying out of the forest monitoring. Procurement of relevant forest monitoring hardware</p>	<p>Council Regulation (EEC) 3528/89 <i>Environmental Monitoring Act</i> (RT 1999, 10, 154).</p>	<p>State Budget monitoring, Environmental Investment Centre, Forestry Programme, EEK 150,000</p>		

Ministry of the Environment Management of work of the National Forest Resources Accounting Register	Council Regulation 1615/89 Forest Act (RT I 1998, 113/114, 1872; 1999, 54,583; 95, 843; 2000,51,319; 102,670; 2001,50,282) and Governmental Regulation establishing a National Forest Resources Accounting Register.	Environmental Investment Centre, Forestry Programme, EEK 1,700,000		
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## **22.6. INTEGRATED POLLUTION PREVENTION AND CONTROL (IPPC) AND RISK MANAGEMENT**

### **Integrated Pollution Prevention and Control and Risk Management**

The state of the whole environment can be improved by applying integrated pollution prevention and control. A comprehensive application of BAT makes it possible to economize the input resources (water, energy, raw materials, etc.) and to reduce waste generation. At the same time, it decreases the risk level and enhances the possibilities to introduce environmental management systems in a large number of big enterprises and to apply for quality standards of ISO 14000 series.

#### **Long-term general objectives:**

1. to achieve considerable reduction of environmental pollution originating from large landfills and large-scale production;
2. to achieve considerable rise in the added value level of production input resources by introducing BAT;
3. to achieve increase in production competitiveness and decrease in the risk level by applying environmentally friendly methods;
4. to ensure better possibilities for implementing the principles of sustainable development.

#### **Objectives for the year 2002:**

1. to ensure further improvement of the administrative capacity of the Ministry of the Environment;
2. to ensure better information of the public and improvement of direct communication with the public;
3. to finalise setting up of the structure for dealing with technological aspects in the Ministry of the Environment.

#### ***Drafting of legislation for 2002-2003***

Transposition of the Directive 96/61/EC related to the arrangement of environmentally friendly production and waste management systems (the IPPC Directive) means transition from the current environmental ideology aimed at the protection of single environmental media to the ideology of sustainable development regarding the environment as a whole. *The Integrated Pollution Prevention and Control Act* conforming to the Directive 96/61/EC was passed by the Parliament on 10 October 2001, promulgated by Decision of the President of the Republic on 23 October 2001 and published in Riigi Teataja (RT) /State Gazette/ I 2001, 85, 512. Parallel to this draft Act, drafts of secondary legislation have been prepared for submission to the Government for approval in the year 2002.

The legal basis for transposition of the Directive 96/61/EC was created in 2001 and gradual completion of secondary legislation enables to start with applying and issuing the integrated permits.

#### **Specified objectives for the year 2002:**

- to enforce a Draft Governmental Regulation on *specified activities subject to integrated permitting and approving threshold capacities and deadlines for submission of permit applications*;

- to enforce a Preliminary Draft Ministerial Regulation establishing *forms for applications of the integrated permits annexes and guidelines for filling in the forms*;
- to enforce a Preliminary Draft Ministerial Regulation establishing *specified requirements on the content of the integrated permits and of permit applications*;
- to enforce a Preliminary Draft Ministerial Regulation establishing *forms for public notification*

### **Implementation**

According to the existing data, there are currently 141 enterprises that have to apply for an integrated permit in order to continue their operation. Many of them, i.e. 30 enterprises, are located in Harju County (including Tallinn); and in East-Viru County (18 enterprises). Hiiumaa County is the only county where the so-called IPPC enterprises are not found to date.

The following enterprises are currently included in the list: 35 industrial enterprises, 21 large combustion plants, 7 enterprises handling hazardous waste, 18 municipal landfills, 11 industrial landfills, 6 large poultry farms and 43 pig farms. This list is not final, as some of the enterprises may be shut down or partially dismantled, as well as the threshold capacities referred to in the Directive may be achieved.

The integrated permits must be issued to all the IPPC enterprises by 31 October 2007.

The work of the enterprises has to be brought into compliance with the established measures by applying the requirements set out pursuant to the Directive 96/61/EC and the other environmental directives and in compliance with the provisions of relevant Estonian acts and secondary legislation.

The costs of the application of BAT in the so-called IPPC enterprises are estimated to be up to EEK 20 billion. As the first calculations of the enterprises (data was presented by 2/3 of all the IPPC energy and technology enterprises) indicate, that the investment need is EEK 5.5 billion; whereas investments in waste management, which are estimated to extend up to EEK 7.5 billion, have not been taken into account.

Two new jobs have been created in the Environmental Management and Technology Department of the Ministry of the Environment with responsibility to deal with technology related problems.

Training activities aimed at ensuring implementation of the Directive 96/61/EC have been carried out since 1998. Within the framework of the Estonian - Danish IPPC project, completed in October 2000, integrated permits were drafted for 3 pilot enterprises (Sadolin, Kunda Nordic Tsement and Nakro). To date, 25 environmental officers of the county environmental departments, i.e. approximately half of the number of the personnel needed in the future, have participated in the relevant training courses.

In addition to the above-said, the application documentation has been previously prepared for two more pilot enterprises; Norma (galvanisation) and Tarmeko (timber industry, dyestuffs and varnishes) and approximately twenty environmental officers

have attended the training courses. The need for additional training has become evident, as the enterprises falling within the scope of the IPPC Directive differ from each other to a great extent, the same applies to the best available techniques to be selected and introduced at the enterprises. The relevant training programme is also needed for the inspectors of the Environmental Inspectorate.

### Seveso Directive

1. Implementation of *Seveso Directive* (96/82/EC) is continuing. For this purpose the following objectives have been set:
  - to accomplish approximation of the Estonian legislation with *Seveso II Directive*, at the moment drafting the amendments to relevant legal acts (*Chemicals Act* and implementing acts, Regulation of the Minister of Internal Affairs and of the Minister of Economic Affairs) has been accomplished;
  - to continuously promote awareness of staff members of the enterprises which present major accidents hazards, municipalities and rescue institutions. In 2001, the Rescue Board arranged two relevant seminars. Seminars' tradition will continue. Both of the above seminars were carried out in co-operation with foreign partners (Netherlands and Denmark);
  - establishing a database of enterprises presenting major accident hazards and sending data to *MAHB* (Major Accidents Hazard's Bureau) a subordinate institution to the European Commission. In 2001, the Rescue Board carried out an inquiry among the municipal rescue institutions, to renew the data on hazardous enterprises. To establish a database, a computer programme *SPIRS*, elaborated by *MAHB*, has to be introduced in 2002;
  - system for informing about hazards. To introduce computer programme *MARS* which was elaborated by *MAHB*, a training course has to be carried out in co-operation with *MAHB*;
  - to continue elaboration of the system for informing public about accidents.
2. Implementation of the *Convention on Transboundary Effects of Industrial Accidents* will continue. Implementation of the Convention is closely related to the tasks foreseen in *Seveso II Directive*. In addition, exchange of data with Central Secretariat of the convention is needed.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
96/61/EC concerning integrated pollution prevention and control, Annex I	Governmental Regulation establishing the Specified activities subject to Integrated permitting and approving threshold capacities and deadlines for enterprises for submission of the permit applications	15 April 2002, IV quarter of 2002.	
96/61/EC concerning integrated pollution prevention and control	Ministerial Regulation establishing the Forms for annexes of the integrated permit applications and guidelines for filling in the forms;	September 2002, IV quarter of 2002	
	Ministerial Regulation establishing the Specified requirements on the content of the integrated permits and of permit applications;	September 2002, IV quarter of 2002	
	Regulation of MoE establishing the Forms for submitting the integrated permit application and for receiving notification of the application	15 April 2002, IV quarter of 2002	
	Governmental Regulation establishing The integrated permits register.	December 2002	In the case the Environmental Register will be accomplished, there will be no need for establishing another register. The financing for implementation of above legislation is not available yet, but has been applied for by the Ministry's Legal Department.

<p>96/82/EC of 9 December 1996 on the Control of Major-accident Hazards Involving Dangerous Substances.</p>	<p>the <i>Chemicals Act Amendment Act</i> Regulation of the Minister of Economic Affairs establishing Upper Threshold and Limit Quantities of Dangerous Chemicals and Hazard Categories of Dangerous Enterprises and for Enterprises with Major Accident Hazard.</p> <p>Regulation of the Minister of Internal Affairs establishing the procedure for drawing up and presenting the information sheet, safety report and emergency plans and maintaining a list of enterprises with major accident hazards</p>	<p>March 2002</p>	<p>The common working group of the Rescue Board and the Ministry of Economic Affairs have accomplished the work in drafting legislation. The results of the work have been handed to the Ministry of Social Affairs.</p>
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**Implementation and administrative capacity**

1.	2.	3.	4.	5.
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
Estonian Chemicals Industry Federation, seminar for Ida-Viru County enterprises, 2 days, I quarter of 2002	<i>Integrated Pollution Prevention and Control Act</i>	A project of Estonian Chemicals Industry Federation.	Recommended	Experiences of the EU branch federations (CEFIC) would be useful.
Ministry of the Environment Compilation and publication of a booklet on IPPC.	<i>Integrated Pollution Prevention and Control Act</i>	Informing the public, IPPC project, EEK 50,000		
Ministry of the Environment Further training for permit issuers of county environmental departments of the Ministry of the Environment	<i>Integrated Pollution Prevention and Control Act</i>		Recommended	The number of trained permit issuers is not sufficient.
Environmental Inspectorate of the Ministry of the Environment To work out a training plan.	<i>Integrated Pollution Prevention and Control Act</i>		Recommended	



## 22.7. CHEMICALS SAFETY, GENETICALLY MODIFIED ORGANISMS

### 22.7.1. Chemicals safety

In 2002, development of the Chemicals Notification Centre, which was established in 1999 in the administrative field of the Ministry of Social Affairs, will continue. The Centre is responsible for gathering and forwarding information on chemicals produced in, imported into, exported from or transited through Estonia, and on dangers associated therewith. The Ministry of Social Affairs will also supplement the list of dangerous substances and the limit values for the dangerous substances in working environment.

The main objective in 2002, as in previous years, will be the implementation of secondary legislation based on the *Chemicals Act* (passed on 6 May 1998, amended on 28 April 1999). The Ministry of Social Affairs will prepare the draft *Biocide Act* to transpose the requirements of the directive 98/8/EC.

The Ministry of Social Affairs is responsible for keeping the database on restrictions concerning biocides.

Estonia intends to sign the Stockholm Convention requiring termination or limitation of the use of persistent organic compounds listed in the annexes of the convention till May 2002.

In the beginning of 2002, Internet based database of the Information and Technology Centre of the Ministry of the Environment on polychlorinated biphenyls (contention of polychlorinated biphenyls in oils from transformers, condensers and other instalments) will start operating.

A worldwide project of UN UNEP GEF "Regionally Based Assessment of Persistent Toxic Substances" on the distribution, pollution sources and risk assessment with the participation of Estonian experts (Estonia belongs to the region III) will be concluded by the end of 2002.

In co-operation with the Danish Environmental Protection Agency an industry branch based pilot inventory of highly toxic dioxins and furans will be completed.

In the framework of the programme "COMBINE" of the Helsinki Commission (HELCOM), monitoring of dangerous substances in Estonian coastal sea fishes will continue. In the framework of the Helsinki Commission (HELCOM) work with the project on dangerous substances aimed at identifying the legislative restrictions applied to the use, production, transport, etc., of dangerous chemicals in different Baltic Sea countries will also continue.

Training in issues related to toxicology will start on three levels in co-operation with other Baltic and Nordic countries in 2002. Commission to develop toxicology related training has been founded at the Ministry of Education.

Regular training of civil servants of the Baltic countries in issues related to EU legislation on chemicals safety is being organised by the Baltic Environmental Forum in the framework of the *Baltic countries' regional project on chemicals control*.

The Ministry of Social Affairs will continue the elaboration of the *chemicals safety development programme*.

Directives 87/18/EEC, 88/320/EEC and 89/569/EEC have been transposed by the regulation of 26 May 2000 of the Minister of Social Affairs Procedure *for Classifying, Identifying, Packaging and Labelling of Dangerous Chemicals*, which enters into force for laboratories on 1 January 2003.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
98/7/EC restrictions on the handling of biocides	Biocide Act	December 2002 June 2003	

**Financing:** MoSA EEK 40,000 State budget Part 141 Ch 01 Art 493

### **22.7.2. Genetically modified organisms (GMOs and GMMs)**

#### ***Drafting of legislation in 2002-2003***

In 2002, the Ministry of the Environment will amend the *Release Into the Environment of Genetically Modified Organisms Act* according to the new directive 2001/18/EC on the intentional release into the environment of GMOs. For the Member States, the new directive will enter into force in October 2002, Estonia plans to amend the act to meet the requirements of the directive at the same time.

Estonia signed the Cartagena Protocol on biosafety on 6 September 2000 in New York. As ratification of this protocol is mandatory for EU Member States, Estonia, too, has to enforce the protocol. Ratification of the protocol is planned for 2003.

Estonia has applied to UNEP (UN Environment Programme) concerning a project "Support to the Preparation of a National Biosafety Framework" (for establishing the national biosafety framework). Work on the project started in the end of 2001 and will continue till the end of 2002. The project costs USD 100,000. In the framework of the projects, the needs for amending the existing Estonian legal acts in connection with enforcement of the Cartagena Protocol will be identified and an action plan to implement the Protocol will be elaborated.

On 21 November 2001, *Contained Use of Genetically Modified Micro-organisms Act*, which is in complete compliance with the directives 90/219/EEC and 98/81/EC, was passed by the Riigikogu. Four regulations of the Minister of Social Affairs are planned to be elaborated in January 2002 to implement the act. EU requirements in the field of genetically modified micro-organisms will be completely met in 2002.

#### ***Implementation***

A Gene Technology Committee was established by a Regulation of the Government of the Republic (2 November 1999) pursuant to the *Release into the Environment of Genetically Modified Organisms Act*. The members of the Committee need to receive training on carrying out risk assessment of releases into the environment of genetically modified organisms. Governments of Scandinavian countries and Netherlands have agreed to finance the training. Also the inspectors of the Environmental Inspectorate need to receive training on survey and monitoring. Foreign partners mentioned earlier have consented to finance the training as well.

#### **Administrative capacity**

In accordance with the *Environmental Supervision Act*, control over release into the environment and placing on the market of GMOs is exercised by the Environmental Inspectorate, which will execute its duties in co-operation with the Customs Board and the Police. Data will be kept in the Environmental Register (*Draft Environmental Register Act*). The Environmental Laboratory has begun setting up the register, which will start operating presumably in 2002. It will be necessary to supplement the register continually while it has to include also the data on experiments with genetically modified animals and on contained use of genetically modified micro-organisms.

Pursuant to the Cartagena Protocol, Estonia has to establish a special biosafety database, which should include data on transboundary movement of GMOs.

### **Animal experiments**

The *Animal Protection Act* was passed on 13 December 2000. Permits for performing animal experiments will be issued by the Veterinary and Food Board, which will also be exercising control over the experiments.

The *Animal Protection Act* elaborated by the Ministry of Agriculture covers also protection of animals kept in zoos (in accordance with EU directive 1999/22/EC). According to the *Animal Protection Act*, the Ministry of the Environment has to draft two pieces of secondary legislation:

- pursuant to subsection 30(3) of the *Animal Protection Act: requirements on the planning and constructions of zoos*, and
- pursuant to subsection 3(4)3 and 28(4) of the *Animal Protection Act: governmental regulation on the Animal Protection Act: requirements on the keeping of zoo animals*.

The regulations will be drafted in co-operation with Tallinn Zoo in 2002.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
Directive of European Parliament and Council 2001/18/EC on Deliberate Release into the Environment of the Genetically Modified organisms and repealing of the Council directive 90/220/EEC	Amendment of the <i>Release Into the Environment of Genetically Modified Organisms Act</i>	I quarter 2003 End 2003	
	Cartagena Protocol Ratification Act	December 2002 End 2003	
<p>Council Directive <b>90/219/EEC</b> of 23 April 1990 on the contained use of genetically modified micro-organisms</p> <p>Council Directive <b>98/81/EC</b> of 26 October 1998 amending Directive 90/219/EEC on the contained use of genetically modified micro-organisms</p>	<p>Regulation of the Minister of Social Affairs "Procedure of Carrying Out the Risk Assessment for the Contained Use of Genetically Modified Micro-organisms and List of required data of the assessment "*</p> <p>Regulation of the Minister of Social Affairs "Requirements for Risk classis of the Contained Use "*</p> <p><i>Regulation of the Minister of Social Affairs "The Form of Permit for the Contained Use of Genetically Modified Micro-organisms *</i></p>	<p>January 2002 February 2002</p> <p>January 2002 February 2002</p> <p>January 2002 February 2002</p>	
<b>Financing:</b> EEK 35,000 from state budget + ca EEK 200,000 from UNEP funds for preparations for ratification of Cartagena Protocol			

Council Directive 86/609/EEC on the approximation of laws, regulations and administrative provisions of the Member States regarding the protection of animals used for experimental and other scientific purposes	Gov. regulation concerning the procedure for establishing a Committee for issuing permits for performing animal experiments, and the obligations and rules of procedure of the Committee	3 June 2002 1 July 2002	Draft of MoA
	Gov. regulation establishing the form of application for permit for performing animal experiments	3 June 2002 1 July 2002	Draft of MoA
	Gov. regulation establishing the form of an animal experiment protocol	3 June 2002 1 July 2002	Draft of MoA
	Gov. regulation establishing requirements for enterprises that breed, supply and use animals for experimental purposes and procedure for certification of such enterprises	7 May 2002 1 July 2002	Draft of MoA
	Gov. regulation establishing requirements on carrying out risk assessments for animal experiments and a list of data to be provided in the risk analysis	End of II quarter 2002 III quarter 2002	
Council Directive 1999/22/EC relating to the keeping of wild animals in zoos	Gov. regulation establishing requirements for planning and construction of zoos	June 2002 30 August 2002	State budget 2002 EEK 20,000 State budget 2002 EEK 10,000
	Gov. Regulation establishing a list of documents to be submitted when applying for an operating permit for a zoo, a procedure for processing the applications, and a procedure for issuing operating permits for zoos	April 2002 30 May 2002	Financing: planned EEK 15,000
	Gov. Regulation establishing requirements for keeping the animals in zoo	30 July 2002	
<b>Financing:</b> EEK 45,000 + EEK 10,000 from state budget			

**Implementation and administrative capacity**

1.	2.	3.	4.	5.
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
MoE, training programme for inspectors of EI on GMO monitoring	<i>Release Into the Environment of Genetically Modified Organisms Act Amendment Act</i>	Foreign financing	Foreign financing (Dancee; Governments of Scandinavian countries and Netherlands)	Foreign partners have principally agreed to finance the training
MoE, training for the members of the gene technology committee: on carrying out risk assessment of release into the environment of genetically modified organisms	<i>Release Into the Environment of Genetically Modified Organisms</i>	Foreign financing	Foreign financing (Dancee; Governments of Scandinavian countries and Netherlands)	Foreign partners have principally agreed to finance the training
Training related to implementing Cartagena Protocol, establishment of a central institution for co-ordinating transboundary movement of GMOs	Cartagena Protocol Ratification Act  <i>Release Into the Environment of Genetically Modified Organisms Act Amendment Act</i>	Foreign financing	Foreign financing (UNEP/GEF)	Project for 2002-2003 to implement Cartagena Protocol



## 22.8. PROTECTION AGAINST NOISE

To date, the EU directives related to the limit values for sound power levels of motor aircraft have been transposed.

Pursuant to the Aviation Act Governmental Regulation No 225 "*Environmental Requirements for Motor Aircraft*" of 7 July 2000 (RT I 2000, 59, 384) has been enforced. Supervision in this field is carried out by the Aviation Board within the administrative field of the Ministry of Transport and Communication. As establishment of a laboratory for checking the noise levels of motor aircraft is currently not economically feasible in Estonia, nor will it be in the future. This Regulation includes a provision (clause 4) according to which an aircraft is regarded to be in compliance with environmental requirements if the relevant certificate has been issued either by the manufacturer or by a competent aviation authority of some other country.

Directive on sound power level of household appliances: pursuant to *Energy Efficiency of Equipment Act Regulation of the Minister of Economic Affairs No 56 of 6 September 2001 on measuring sound power distributing in the air generated by the appliances and responsible certification of the appliances* has been finalised. Supervision in this field is carried out by the Technical Supervision Inspectorate. Deliverer will be responsible for presenting adequate information regarding sound power level and applying sound power level measuring methods established by the regulation.

### ***Drafting of legislation in 2002-2003***

*The Ministerial Regulation No. 42 "Limit Values for the Content of Pollutants in Exhaust Gases of Motor Vehicles and Standards for Permissible Sound Power Levels Generated by Vehicles"* of 24 July 1996, (RTL 1996, 144, 698) regulating the limit values for sound power levels of motor vehicles (cars), is at present already out-dated. New regulation of the Minister of Environment on *limit values for emission of pollutants contained in exhaust gases, smoke opacity and sound power levels of motor vehicles* has been drafted. In addition to cars the draft regulation establishes also sound power limit levels for two, three and four wheeled motorcycles. The draft regulation will be approved in April 2002.

Measuring methods for sound power level have been established with the Regulation No 50 of the Minister of Transport and Communication of 18 May 2001 on the *requirements for the motor vehicle and technical condition of trailers and appliances of such vehicles*.

Supervision in this field is carried out by the Motor Vehicle Registration Centre within the administrative field of the Ministry of Transport and Communication. The Motor Vehicle Registration Centre supervises technical inspection of motor vehicles and is involved in other national supervision systems, including type approval and inspection of product conformity. The equipment necessary for a successful functioning of the systems and for implementing the most recent requirements set out in EU directives has been procured and thus additional investments are not needed.

### ***Plans for 2002-2003***

In addition to ensuring compliance of motor aircraft with environmental requirements, works for drawing up noise maps of Ülemiste Airport (the most important airport in Estonia) have commenced. The compliance of noise maps with the actual situation will be checked by random measurements carried out by the possessor of the airport. This activity is included in the *National Development Programme (2000 - 2006) of Estonian Aviation*, approved by the Government of the Republic on 27 July 2000.

In 2000, Directive 2000/14/EC of the European Parliament and of the Council on the noise emission in the environment by equipment for use outdoors was approved. This directive replaces the earlier directives related to the limit values for sound power levels of construction plants and lawn mowers. Noise emission limits for use outdoors will be elaborated by December 2002. The draft act will be elaborated in co-operation between the Ministry of the Environment, Ministry of Social Affairs and Ministry of Economic Affairs. As no requirement has been set out in the *Energy Efficiency of Equipment Act* at present, the act will be amended relevantly.

Technical Supervision Inspectorate performs the supervision of the limit values of sound power levels of household appliances and will exercise the supervision of noise emission limits by equipment for use outdoors.

The draft directive 2001/C297/04/EC on assessment of the environmental noise and control will enter into force after 24 month of approving the directive. The draft obligates the Member States to carry out surveys, i.e. compile action plans and noise maps in areas like larger railway stations, airports, roads and areas with dense population where there are over 250,000 inhabitants (Tallinn). To be ready to meet all the requirements during 24 months of the approval of the directive preliminary activities commence in 2002 and will be carried out in close co-operation between the Ministry of the Environment, Ministry of Social Affairs and Ministry of Transport and Communication.

The draft regulation on *noise level limit values in living and recreation areas, in dwellings and public buildings and methods for measuring the level values* will be prepared by the Ministry of Social Affairs in 2002. Regulation will be based on the directive in elaboration 2000/C337E/41/EC on the assessment and treatment of the environmental noise.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
70/157/EEC and its supplements on sound power level of exhaust system of motor vehicles 97/24/EC on certain components and characteristics of two or three-wheel motor vehicles	Ambient Air Protection Act (new)	September 2002 Entry into force 2003	Presumably implementing acts after the enforcement of the act
2000/14/EC on the noise emission by equipment for use outdoors	Regulation of the MoEA on <i>noise emission limit values for equipment for use outdoors</i>	December 2002	Prior to it: MoEA amends Energy Efficiency of Equipment Act
2000/C337E/41/EEC draft directive on assessment and treatment of the environmental noise	Regulation of the MoSA on <i>noise level limit values in living and relaxation areas, in dwellings and public buildings and methods for measuring of noise levels</i>	August 2002 September 2002	

**Financing need:** Regulation of the MoEA on *noise emission limit values for equipment for use outdoors* – EEK 80,000 (SB)

**Implementation and administrative capacity**

1.	2.	3.	4.	5.
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
Specialists of the MoE, HPI, TSI Training in 2002-2003	Regulation of the MoEA on <i>noise emission limit values for equipment for use outdoors</i>  Regulation of the MoEA No 56 of 6 September 2001 <i>on measuring sound power distributing in the air generated by the appliances and responsible certification of the appliances (RTL 2001, 109, 1514)</i>		Financing and training need, PHARE, bilateral assistance	Estimated amount of the foreign assistance EUR 50,000
TSI Technical assistance, incl supervising equipment, training of the staff 2002-2003	Regulation of the MoEA on <i>noise emission limit values for equipment for use outdoors</i>  Regulation of the MoEA No. 56 of 6 September 2001 <i>on measuring sound power distributing in the air generated by the appliances and responsible certification of the appliances (RTL 2001, 109, 1514)</i>		Financing and training need, PHARE, bilateral assistance	Estimated amount of the foreign assistance EUR 200,000

## 22.9. NUCLEAR SAFETY AND RADIATION PROTECTION

### *Drafting of legislation in 2002-2003*

Drafting of *Radiation Act* was planned for the year 2001. Necessity for elaborating a new *Radiation Act* arose from the need to bring legal acts related to the field of radiation protection into full compliance with the EU legislation of and eliminate deficiencies and shortcomings appearing at implementation of the current *Radiation Act* and elaboration of secondary legal acts. Provisions of other directives regulating the field of nuclear safety and obligations under international agreements will be taken into account by drafting the act. Draft *Radiation Act* will, according to internationally acknowledged principles, stipulate with greater precision the obligations and liabilities of persons who have been issued licenses for activities involving radiation.

### *Plans for 2002-2003*

Tammiku radioactive waste repository and former nuclear site installations and intermediate repository of Paldiski are managed by the state owned company ALARA Ltd. Tammiku waste repository was temporarily shut down in 1996. At present, ALARA Ltd is working at:

- ◆ Clean-up and dismantling of the former liquid waste treatment facility at Paldiski;
- ◆ Emptying the liquid waste depository in Paldiski;
- ◆ Carrying out the environmental safety assessment for Tammiku waste repository.

Removal of radioactive waste from Tammiku repository and transferring it to Paldiski temporary repository has been planned during 2003-2006.

Waste massive contouring works in the frame of the project of decontamination of Sillamäe radioactive waste repository will continue. Final closing up of the repository is planned in 2006.

The company Silmet Ltd will continue elaborating new technology for managing radioactive waste generated in the production process. According to the plan Silmet Ltd has to finish depositing the generated waste in the existing repository by 1 July 2003.

### *Important international co-operation projects*

#### **1. International Atomic Energy Agency**

- ◆ RER/2/004 *Development of Technical Capabilities for Sustainable Radiation and Waste Safety Infrastructure* (2001 - 2004);
- ◆ EST/6/003 *Improvement of Dosimetry in Oncology* (2001 - 2002);
- ◆ EST/9/003 *Neutron Dosimetry* (2001 - 2002).

#### **2. PHARE**

- ◆ Sillamäe Project (1999 – 2006; aimed at liquidation of Sillamäe radiation waste repository

**3. European Commission**

- ◆ EC DG ENV.C.2/ETU/2000/0029 Project *Development and Evaluation of the Radioactive Waste Management Strategy*.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
Council Directive 97/43/Euratom of 30 June 1997 on health protection of individuals against the dangers of ionising radiation in relation to medical exposure	<i>Radiation Act</i>	October 2002, 2003	Relevant implementing acts of MoSA pursuant to Radiation Act
Council Directive 89/618/Euratom of 27 November 1989 on informing the general public about health protection measures to be applied and steps to be taken in the event of a radiological emergency	<i>Radiation Act</i>  Regulation of the MoE establishing requirements for information communicated to the population in emergency situations caused by ionising radiation	October 2002, 2003  2003	
Council Directive 90/641/Euratom of 4 December 1990 on the operational protection of outside workers exposed to the risk of ionising radiation during their activities in controlled areas	<i>Radiation Act</i>  Gov. Regulation on requirements for operational protection, radiation monitoring and the monitoring data of outside workers	October 2002, 2003  2003	
Council Directive 92/3/Euratom of 3 February 1992 on the supervision and control of shipments of radioactive waste between Member States and into and out of the Community	<i>Radiation Act</i>  Gov. Regulation on control and supervision of radioactive wastes on import, export and transit and the standard documents used	October 2002, 2003  2003	
93/552/Euratom: Commission Decision of 1 October 1993 establishing the standard document for the supervision and control of shipments of radioactive waste referred to in Council Directive 92/3/Euratom	<i>Radiation Act</i>  Gov. Regulation on control and supervision of radioactive wastes on import, export and transit and the standard documents used	October 2002, 2003  2003	

<p>Council Directive 96/29/Euratom of 13 May 1996 laying down basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionising radiation</p>	<p><i>Radiation Act</i></p> <p>Gov. regulation on intervention levels and action levels and limits for radiological emergency situations to be based on by developing emergency situation action plans</p> <p>Gov. regulation on requirements for the knowledge on radiation safety, instruction and training of radiation workers and outside workers</p> <p>Gov. regulation on requirements for the knowledge on radiation safety, instruction and training of radiation workers and outside workers</p> <p>Gov. regulation establishing limit values for effective radiation dose for radiation workers and population and for equivalent radiation dose for eye lense, skin and limbs</p> <p>Regulation of the MoE establishing requirements for the knowledge of qualified radiation experts and the procedure for issuing certificates</p> <p>Regulation of the MoE on classification of radioactive wastes and essential requirements for registering, management and transfer of radioactive wastes</p>	<p>October 2002, 2003</p> <p>2003</p> <p>2003</p> <p>2003</p> <p>2003</p> <p>2003</p> <p>2003</p>	
<p>87/600/Euratom: Council Decision of 14 December 1987 on Community arrangements for the early exchange of information in the event of a radiological emergency</p>	<p><i>Radiation Act</i></p>	<p>October 2002, 2003</p>	



**Implementation and administrative capacity**

1.	2.	3.	4.	5.
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
Radiation Protection Centre Improvement of procedures related to issuance of licences to persons whose activities involve radiation, 2002-2003	<i>Radiation Act</i>	Swedish Institute of Radiation Protection (SSI) Finnish Radiation Protection Centre (STUK)		
Rescue Board, Radiation Protection Centre Elaboration of national action plan for radiation emergency situation Training of specialists at IAEA seminars 2002-2003	Gov. regulation on intervention levels and action levels and limits for radiological emergency situations to be based on by developing radiation emergency situation action plans	IAEA SSI		
Radiation Protection Centre Establishing and equipping a special room for trainings and seminars	Gov. regulation on requirements for the knowledge on radiation safety, instruction and training of radiation workers and outside workers			
Radiation Protection Centre ÖkoSil Nuclear safety assessment of repository of NORM-waste, determining of compliance criteria for waste packaging	Regulation of the MoE on classification of radioactive wastes and essential requirements for registering, management and transfer of radioactive wastes	SSI IAEA		

## 22.10. CLIMATE CHANGE

### *Drafting of legislation in 2002-2003*

Estonia plans to ratify the *Kyoto Protocol of 1997 to the UN Framework Convention on climate change of 1992* in 2002. Pursuant to the Protocol, Estonia must reduce the emissions of greenhouse gases (CO<sub>2</sub>, CH<sub>4</sub>, N<sub>2</sub>O, HFCs, PFCs and SF<sub>6</sub>) originating from its territory by 8% as compared to the emissions of 1990 by 2008 - 2012.

The Protocol sets out other national obligations, the most important of which are:

- ◆ regular reporting on the actual emissions of greenhouse gases, prognoses of future emission trends, measures applied or designed by the state, etc.;
- ◆ national system of monitoring and assessment (in compliance with the relevant methodologies) of the emissions of greenhouse gases from anthropogenic sources, and of absorption of gases is planned to be established by 2007;
- ◆ development of a national strategy and action plan with regard to climate change;
- ◆ preparations for participating in the so-called flexibility mechanisms established by the Protocol as Joint Implementation, Emission Trading, Clean Development Mechanism.

Employment of additional experts, training of experts and establishment of new or restructuring of the existing structures are the preconditions that will enable Estonia to meet the obligations referred to above. Although it is currently relatively difficult to estimate the total funds needed for meeting the requirements under the Kyoto Protocol, the costs of meeting the above-listed tasks are estimated to be at least ca 500,000 EEK/year.

According to the provisions of *the UN Framework Convention on climate change* and *Kyoto Protocol*, the *national programme (2003 - 2012) for reducing emissions of greenhouse gases* is being elaborated. The programme will be approved pursuant to subsection 1 of section 4 of the *Sustainable Development Act*. Elaboration of the programme is planned to be carried out in 2 phases and it will be finalised in 2002. The total costs are estimated at EEK 300,000.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
<i>Activities continuing from years 2000-2001</i>			
Kyoto Protocol of 1997 to the UN Framework Convention on climate change; 93/389/EEC: Council Decision of 24 June 1993 for a monitoring mechanism of Community CO <sub>2</sub> and other greenhouse gas emissions 1999/296/EC: Council Decision of 26 April 1999 amending Decision 93/389/EEC for a monitoring mechanism of Community CO <sub>2</sub> and other greenhouse gas emissions Plans for 2002	Gov. Order adopting the national programme (2003 - 2012) for reducing emissions of greenhouse gases pursuant to subsection 1 of section 4 of the <i>Sustainable Development Act</i>	November 2002 December 2002	Start in 2001 Continuing in 2002
Kyoto Protocol of 1997 to the UN Framework Convention on climate change	<i>Kyoto Protocol of 1997 to the UN Framework Convention on climate change Ratification Act</i>	April 2002	

## **ENVIRONMENTAL AWARENESS PROGRAMME 2002**

Estonian National Environmental Strategy specifies ten principal goals, among which the promotion of environmental awareness with the purpose to maintain and stimulate environmental awareness of Estonian people, which has been formed throughout the history, encourage public participation in environmental decision-making, active environmental protection and supervision, to introduce basics of sustainable consumption to new generations and support environmentally sound consumption patterns have the priority.

The Ministry of the Environment has applied for EEK 1,850,000 from the state budget to finance the information of public and promoting the environmental awareness.

### **Environmental Investment Centre**

Sub-programmes of 2002 differ to some extent from the sub-programmes of the previous year. NGO projects do not form a separate section, while submitting them to other programmes enables to have a more distinctive overview of publications, trainings and other activities in this field.

A sub-programme of environmental campaigns and all-Estonian environmental activities will be created. It will include campaigns, a forest week, environment protection month, all-Estonian environmental quizzes and other activities concerning environmental information.

Sub-programmes are divided as follows:

- ◆ environmental education for youth;
- ◆ training for different target groups;
- ◆ publications;
- ◆ media campaigns;
- ◆ environmental campaigns and all-Estonian activities.

In 2002, the priority target group is youth in the wider meaning of the word. Not only primary and comprehensive school pupils are intended to be involved, but also a broader group from kindergarten children to active young persons up to 35 years. "Older" young people are presumably most able to encourage the public to consider environmental problems and participate in campaigns.

In 2002, all-Estonian nature of the activities will be emphasised. For example in the frame of the environment protection month thematic activities will be arranged in every county, as well as the activities of the forest week.

Monthly environmental page in a county newspaper is a new approach in promoting environmental awareness. It will presumably be of interest for every age group.

Nature and environmental youth camps, where youngsters will have immediate experiences and realise the problems easier than reading a textbook or watching a movie, will be also important. New knowledge can be tested at county quizzes or at Internet quizzes and environmental contests.

This year, importance of Internet will be stressed. Being the cheapest and the most reliable way of informing the public, it is also the most lasting in time due to its flexibility. The same principle is being applied to some publications that need to be issued regularly but content of which doesn't change essentially – for example regular statistic publications.

In the field of training, preference is given to supplementary training of working people, like, for example, introducing the EU requirements and changes in legislation to fishermen is essential.

In 2002, EEK 757,400 will be allocated from the state budget for the training of specialists of the Ministry of the Environment and county environmental departments. In addition, county environmental departments will receive separate funding from the Environmental Investment Centre to elaborate county programmes. Part of it is also meant for training of the staff of municipal governments and entrepreneurs.

In 2002, one of the priorities is project-based support to existing nature houses, societies and circles.

Overall planned cost of the environmental awareness programme of the Environmental Investment Centre in 2002 is EEK 12.8 million.

## **ENVIRONMENTAL INSPECTORATE**

In 2001, the Environmental Inspectorate has parallel to carrying out main tasks analysed its operating routine and elaborated strategic development plan. Tasks of the structure units and resources were critically reassessed and priority activities for the coming years determined. The supervision was strengthened in the areas where it was still deficient (for example supervision over ships fishing outside Estonian waters, supervision on nature protection areas). In the last quarter of the year, the emphasis was put on strategic development plan and on working plans of 2002.

In coming years, the Environmental Inspectorate intends to turn serious attention to the supplementary training of inspectors, supervision and its results, analysis of the enforcement of environmental legislation and determining of optimal resources necessary for the inspectors to carry out there tasks. In addition, the internal standards of the Environmental Inspectorate have been intended to elaborate in case of need. It is necessary to enhance the supervision in several nature conservation (trawl fishing at the Baltic Sea, CITES, GMOs) and nature protection areas (protection of the ozone layer, following MARPOL requirements, radiation protection).

The need to improve the institutional administrative capacity and quality and to meet the requirements of the legislation of the European Union has served as the basis for planning the activities of the Inspectorate.

The data concerning the drafting and the implementation of the legislation, also the administrative capacity related to the fishery is presented in co-operation with the Ministry of the Agriculture in relevant chapter.

**Implementation and administrative capacity**

<b>1.</b> <b>Institution, planned measures (incl training), deadline</b>	<b>2.</b> <b>Legal basis, implemented legal act</b>	<b>3.</b> <b>Financing (State budget line, other sources)</b>	<b>4.</b> <b>Technical assistance needs</b>	<b>5.</b> <b>Remarks</b>
Supplementary legal training 2002, 2003	Environmental Supervising Act, Training plan of EI	State budget		
Training on CITES requirements	Convention on International Trading in endangered animal and plant species, Animal Usage and Protection Act	CITES Implementation Project (Denmark), State budget		
Elaborating and implementing of the minimum criteria for carrying out the inspections according to the requirements of the EU, 2002	Minimum Criteria for Inspections			
Drawing up the development plan of the EI, 2002				
Drawing up the training plan of the EI for 2003, 2002		State budget		
Establishing the department of data processing and analysis of the EI, 2003				
Determining of the priorities of the environment supervision				
Drawing up the list of the standards of the EI and establishing necessary standards, 2003				
Carrying out inspectors post audit, 2003	Strategic development plan of the EI			

## NATIONAL ENVIRONMENTAL ACTION PLAN

On 12 March 1997, the *Riigikogu* approved the *National Environmental Strategy*, which was drawn up in 1996/97 with the assistance of the EU Phare programme. Specified short, medium and long-term goals for the years 2000, 2005 and 2010 were also established.

As the short-term (1998-2000) activities are finished, new plan has been elaborated. To compile this document the ten principal goals of the Estonian environmental policy specified in the *National Environmental Strategy* were taken into account: promotion of environmental awareness and encouragement of environmentally sound consumption patterns, introduction of environmentally sound technologies, reduction of negative environmental impact of energy, improvement of ambient air quality, including reduction of exhaust gases from vehicles, development of waste management, reduction of waste generation, promotion of waste recovery, elimination of past pollution, better use and protection of ground water resources, protection of surface water bodies and coastal sea and rational use of water bodies, maintenance of landscapes and biodiversity, improvement of the quality of built environment. Also the EU priority environmental requirements are taken into consideration. On the elaboration of the new action plan a group of economic experts, now consisting of only local specialists, was playing an important role. Their task was to estimate the cost and carry out economic analyses of chosen activities. The work done to update the action plan was summarised at the environmental forum that took place in the spring of 2001. The Government of the Republic approved the *National Environmental Action Plan* for the years 2001-2003 on 5 June 2001.

### Sustainable development in 2001-2003

Pursuant to the Government of the Republic decision (24 July 2001) the Ministry of the Environment arranges the elaboration of the national strategy of sustainable development *Sustainable Estonia 21* (SE21) according to the initial task approved by the Government of the Republic. At compiling SE21 the main principles of the strategy of sustainable development of the European Union (adopted in 2001) will be taken into account. In the years 2001-2002 Estonia compiles the report for the world summit on sustainable development (Rio+10) in 2002. At the meeting of the Commission of Sustainable Development on 20 June 2001, an *ad hoc* subcommittee for preparing Rio+10 was founded, including representatives of different ministries, Nordic Countries Bureau and representative of NGOs. Compiling of the report will be carried out according to the action plan approved at the same meeting and it is intended to be finished by September 2002.

Since 2001, Estonia participates in carrying out all sectoral activities of the Baltic Sea Agenda 21 (energy, fisheries, forestry, agriculture, transport, tourism, industry, education, spatial planning) and intersectoral activities. In co-operation with other participating countries Estonia is preparing a report intended to be completed in 2003.



## ISPA

### *State of projects in 2000 and 2001*

Five project applications have been approved of those submitted by the Ministry of the Environment. At present, the situation is as follows:

- ◆ Tartu Tunnel Collector (K2) – tender dossier has been submitted to the Delegation of European Commission for reviewing and approval for the second time in the end of November 2001;
- ◆ Narva City Sewage Treatment Plant Rehabilitation – tender dossier has been submitted to the Delegation of European Commission for the second time for reviewing and approval in of November 2001;
- ◆ Central Municipal Waste Water Treatment Plant in Viljandi – tender dossier has been submitted to the Delegation of European Commission for reviewing and approval on 1 November 2001. Comments of the Delegation regarding other dossiers have been taken into account;
- ◆ Tallinn Waste Management - Phase I – tender dossier has been submitted to the Delegation of European Commission for the second time;
- ◆ Tallinn Waste Management - Phase II – tender dossier has been reviewed at EIC and submitted to the Delegation in the middle of December.

### *Preparation of projects of 2002*

Presently, the Ministry of the Environment has submitted DG Regio through the Ministry of Finance the following investment projects (applications for ISPA support amount to a total of MEUR 32.3):

- ◆ Pärnu Waste Management – expected co-financing from ISPA MEUR 6.54, submitted in December 2000;
- ◆ Pärnu River Basin – Pärnu Town Water Project – expected co-financing from ISPA MEUR 8.96, submitted in the middle of August 2001;
- ◆ Expansion and Rehabilitation of Tartu Water and Sewage Network – expected co-financing from ISPA MEUR 12.77, submitted in the beginning of August 2001;
- ◆ Narva Water and Wastewater Network – expected co-financing from ISPA MEUR 4.03, submitted in the beginning of August 2001;

In addition to that, three applications for technical assistance to prepare future ISPA investment projects have been submitted to the European Commission (applications for ISPA support amount to a total of MEUR 1.16):

- ◆ Pärnu River Basin Water Management Project – support from ISPA MEUR 0.2, submitted to MoF in March 2001;
- ◆ East-Harju Water Management – support from ISPA MEUR 0.53, submitted in August 2001;
- ◆ Keila-Vasalemma River Basins Water Protection Project – support from ISPA MEUR 0.43, submitted in August 2001.

Preparations for submitting the following applications are being carried out:

North-East Estonian Sewage System Rehabilitation (Kohtla-Järve) project – initial task serving as a basis for the Ministry of the Environment to engage a consultant to draw up the application has been set up. The procurement will be announced in November. The application is expected to be completed in spring or summer 2002.

To prepare Narva Power Ash Disposal Rehabilitation project Eesti Energia has procured a consortium of three companies which are currently elaborating necessary materials to apply for ISPA support.

South-East Estonian Waste Management project – the site has been designed, official approval of the designation is still missing. After that, a Danish company COWI will start drawing up the application to ISPA. The application will be completed in 2002.

In 2002, three applications financed by ISPA Technical Assistance are expected to be completed for submitting:

- ◆ Pärnu River Basin Water Management Project
- ◆ East-Harju Water Management Project
- ◆ Keila-Vasalemma River Basins Water Protection Project

### **PHARE 2000-2002**

Phare is funding from its budget of 2000 the SMIP 17 towns (multilateral project of 17 towns or the local municipalities environmental investment programme), covering construction and rehabilitations of water and sewerage networks in Kiviõli, Otepää, Põltsamaa, Põlva, Sindi, Viljandi, Kadrina, Kärkla, Kunda, Maardu, Räpina, Türi, Järvakandi, Jõgeva, Paldiski, Võhma and Võru – construction and rehabilitation works, reinforcement of water companies, training for water entrepreneurs. Phare finances sub-projects in Võru, Jõgeva, Põlva, Kiviõli and Otepää in the total amount of MEUR 3.371. EUR 261,000 have been allocated from Phare PPF to prepare the tender dossier. The dossier will be drawn up in the beginning of 2002 by a framework consultant engaged at a public competition and the procurement will be announced in spring 2002.

MEUR 2.5 have been allocated from Phare 2000 additional budget to finance Tartu drinking water and water protection project. The tender dossier of the project has been completed, the procurement is expected to be announced in December 2001.

In 2001, MEUR 0.8 were allocated from Phare funds to support co-operation partnership project on creating the EU nature conservation network (NATURA 2000). Suggestions of Member States about carrying out the project have been reviewed and the work on the project will start in the beginning of 2002.

The Ministry of the Environment has submitted three projects to apply for Phare support from the 2002 budget. Development of Estonian air quality management system project is on the first priority list, which is expected to receive Phare support in the amount of MEUR 3.26.

The Ministry of the Environment has submitted Valga water and sewage network expansion project, which has been included in the ESC reserve projects list. Expected support from Phare amounts to MEUR 1.7 and the projects are in compliance with

regional development plans and the finance tabel. Secondly, Rapla water and sewage network expansion project has also been included in the ESC reserve projects list, Phare support amounting to MEUR 1.7 has been applied for. Although the project is placed outside the target region, application for its financing in advance from Phare 2003 budget is intended to be submitted.

## 23. CONSUMER AND HEALTH PROTECTION

### 23.1. Consumer protection

#### *Introduction*

On 26 September 2001 the *Riigikogu* adopted the *Law of Obligations Act*, harmonising thus the following directives in the field of consumer protection: Council Directive 85/374/EEC on the approximation of the laws, regulations and administrative provisions of the Member States concerning liability for defective products, Council Directive 85/577/EEC to protect the consumer in respect of contracts negotiated away from business premises, Council Directive 93/13/EEC on unfair terms in consumer contracts, Council Directive 90/314/EEC on package travel, package holidays and package tours, Council Directive 87/102/EEC for the approximation of the laws, regulations and administrative provisions of the Member States concerning consumer credit, Directive 97/7/EC of the European Parliament and of the Council on the protection of consumers in respect of distance contracts, Directive 94/47/EC of the European Parliament and the Council on the protection of purchasers in respect of certain aspects of contracts relating to the purchase of the right to use immovable properties on a timeshare basis, Directive 99/44/EC of the European Parliament and the Council on certain aspects of the sale of consumer goods and associated guarantees.

As regards Council Directive 90/314/EEC, the part of the directive stipulating the requirement for providing sufficient evidence of security by the organizer and/or retailer, has been harmonised with the *Tourism Act* that came in force on 1 March 2001.

#### *Approximation of legislation*

In order to fully transpose the *acquis* in the field of consumer protection, it is planned to harmonise the following EU directives in 2002:

1. Directive 98/6/EC of the European Parliament and the Council on consumer protection in the indication of the prices of products offered to consumers;
2. Directive 98/27/EC of the European Parliament and the Council on injunctions for the protection of consumers' interests.

Directives 96/6/EC and 98/27/EC will be harmonised with the new version of the *Consumer Protection Act*, the draft of which is being elaborated by the Trade Department of the Ministry of Economic Affairs. Directive 98/6/EC has been partly harmonised by "The General Rules for Stores and General Rules for Catering" approved by Regulation no 165 of the Government of the Republic of 4 April 1995. Directive 98/27/EC has been partly harmonised by the currently applicable *Consumer Protection Act*. The term for submitting the new draft *Consumer Protection Act* to the State Chancellery is May 2002 and the estimated time of entering into force of this act is 1 January 2003.

#### *Implementation of legislation and administrative capacity*

The Consumer Protection Board needs reinforcement and development in order to effectively implement new legal acts. One of the tasks of the Board is to provide regular training to officials, expressed mainly in the form of monthly joint information days for the Board's officials and for representatives of county services. The

Consumer Protection Board also makes use of international training projects for training of consumer protection officials.

In June 2000 a two-year Phare Twinning Project (ES99/IB/OT-029) was launched, supported by the respective institutions in Sweden and Greece. The project will last until 30 June 2002 and aims at developing and rationalising the activities of the Consumer Protection Board as a market surveillance institution and enhancing the activities directed to educating and informing the consumers. A development plan in the field of consumer protection for 2003-2006 will be elaborated in the framework of this project.

The Consumer Protection Board participates in a Phare 2001/2002 follow-up project on market surveillance, aiming at strengthening the Estonian market surveillance system through enhancing the efficiency and transparency of information exchange. The beneficiaries will be market surveillance institutions.

A co-operation project with Norway for NGOs was launched in January 2002. Under the project, three 2-days seminars will be organised with the aim at increasing the administrative capacity of the Estonian Consumer Protection Union.

In 2002, participation in

- TAIEX seminars concerning the EU legislation,
- Training events organised by the Nordic Council of Ministers,
- Various assistance projects provided by the EU member states

will be continued.

As a result of the implementation of new legal acts, the work volume of the Consumer Protection Board is growing, creating a need for additional financial and human resources. In 2002 the *Law of Obligations Act* will come in force. The Act has been harmonised with seven EU directives on consumer and health protection. In order to implement this Act, the Consumer Protection Board needs to hire two more specialists (lawyers).

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
Directive 98/6/EC of the European Parliament and the Council on consumer protection in the indication of the prices of products offered to consumers	New version of the <i>Consumer Protection Act</i> *	May 2002 January 2003	Directive 98/6/EC has been partly harmonised by “The General Rules for Stores and General Rules for Catering” approved by Regulation no. 165 of the Government of the Republic of 4 April 1995. Directive 98/27/EC has been partly harmonised by the currently valid <i>Consumer Protection Act</i> .
Directive 98/27/EC of the European Parliament and the Council on injunctions for the protection of consumers' interests			

**Implementation and administrative capacity**

1.	2.	3.	4.	5.
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
<u>Consumer Protection Board:</u> Training within the Board	New version of the <i>Consumer Protection Act</i> <i>The Trade Activities Act</i> <i>The Law of Obligations Act</i>	State Budget; Phare Twinning (ES99/IB/OT-029); Assistance from the UK	An application has been submitted to the assistance programme of the Government of the Netherlands to establish a settlement committee for consumer disputes. Project applications for bilateral work with Finland have been submitted for organising seminars on various topics in Tallinn. Project application for bilateral cooperation with Norway has been submitted in order to organise a one-week study visit to Norway and a two-day seminar in Tallinn.	Under the Phare Twinning project two seminars will be organised: - travel packages, - distant sale agreements and home door sale agreements.  In cooperation with the UK, a study visit to the UK will be organised for officials (topics: consumer credit, tourism, product safety, consumer counselling and training).
<u>Consumer Protection Board:</u> Issue of the brochures, development of web-site, information campaign		State Budget	An application for foreign assistance will be submitted to the Danish FEU Programme.	

## 23.2. Health Protection

In 2002 the field of health protection will be fully harmonized with the EU requirements.

In 2002 Regulation of the Minister of Social Affairs "*Limit Values of Non-ionizing Radiation Levels for Residential and Recreation Areas, Residential and Public Buildings and Methods of Measuring of Non-ionizing Radiation*" (1999/519/EC) enters into force.

Health Protection Inspectorate exercises inspection as regards the requirements of health protection. In the field of control over the delivery of food to a consumer a self-control system of handlers pursuant to the new application method will be introduced in more than 9000 undertakings and institutions in 2002. In order to fulfill the named task information days for handlers will be organized to give advice on the organization of the self-control system in the course of inspection of an undertaking or an institution, control the implementation of hygiene requirements regarding handling of food and carry out laboratory tests to decide upon the conformity of products to the safety requirements. The recognition procedure will be carried out in undertakings satisfying the safety requirements.

In the course of internal market surveillance control over the implementation of the safety requirements of dangerous chemicals to be sold to the public in the stage of wholesale, safety requirements of toys and random control over the health safety of other consumer goods brought into contact with consumers or used in residential rooms will be carried out and risk factors will be defined and assessed in laboratories to ensure the health safety of consumer products.

Control over the implementation of the necessary hygiene requirements during the provision of services will be carried out, laboratory tests will be made to define risk factors and assessment of health risks arising from these risk factors will be specified in 4800 undertakings providing the public with services.

Complaints of the public about the safety of consumer goods and services will be solved efficiently and measures will be taken to reduce the amount of complaints.



**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
<b>1999/519/EC:</b> Council Recommendation of 12 July 1999 on the limitation of exposure of the general public to electromagnetic fields (0 Hz to 300 GHz)	Regulation of the Minister of Social Affairs "Limit Values of Non-ionizing Radiation Levels for Residential and Recreation Areas, Residential and Public Buildings and Methods of Measuring of Non-ionizing Radiation"*	December 2001 September 2002	The regulation provides non-ionizing radiation limit values for residential and public buildings safe for the health of the public

**Implementation and administrative capacity**

1.	2.	3.	4.	5.
Institution, planned measures (incl training), deadline	Legal basis, implemented legal act	Financing (State budget line, other sources)	Technical assistance needs	Remarks
<b>Health Protection Inspectorate</b> Developing the Monitoring 3 new specialists Training the specialists “The valuing of risk factors, risk management and informing”  2003	Relevant regulations of MoSA 98/83/EC, 96/70/EC 76/160/EEC, 1999/519/EC	From state budget 2003 EEK 1 000 000	<i>Dutch assistance (MATRA project)</i>	Two years project, starting on 1 January 2002
<b>Health Protection Inspectorate</b> Procurement of missing laboratory equipment for the development of laboratory control over the nutrition content of special food  October 2003	Regulation of Government nr 436 of 29 December 1999 Regulation of Government no 198 of 20 June 2000		<i>Phare 2002 “Strengthening of Market Surveillance 2003/2004”</i>  Total cost of the project: EEK 27 million (incl. EEK 6,7 million as co-financing)	Lacking laboratory equipment of the cost of almost EEK 8 million should be procured
<b>Health Protection Inspectorate</b> Replacement of old laboratory equipment with new for the implementation of national inspection over microbiological safety of food and drinking water  May 2003	Food Act <u>Regulation of Government nr 166 of 25 May 2000</u>  89/437/EEC, 91/492/EEC, 91/493/EEC, 92/46/EEC, 94/65/EC, 93/51/EEC		<i>Phare 2002 “Strengthening of Market Surveillance 2003/2004”</i>  Total cost of the project: 27 million EEK (incl. EEK 6,7 million as co-financing)	Outdated laboratory equipment should be replaced with new equipment to maintain the accreditation of methods (cost EEK 3,6 million)

### 23.3. Tourism

#### *Introduction*

*The Tourism Act* and *the Law of Obligations Act* are fully harmonised with Council Directive 90/314/EEC on package travel, package holidays and package tours.

In order to harmonise Council Directive 95/57/EEC on the collection of statistical information in the field of tourism, collection of information should be improved. As to the classification of accommodation establishments, the *Tourism Act* has been harmonised with the directive.

#### *Implementation of legal acts and administrative capacity*

Estonia must be capable of using the assistance of the EU structural funds upon accession. Institutional preparedness of the supporting structures (agencies and regional bureaus of the Entrepreneurship Development Foundation) and of supporting instruments (assistance schemes and projects) is a precondition for receiving the assistance. The European Union pre-structural funds make it possible to establish supporting structures and elaborate the supporting instruments, as well as to test their implementation through pilot investments.

#### *Foreign Assistance Programmes*

##### The Danish FEU Project

Under the Danish FEU Project a seminar will be organised for accommodation establishments and local governments on the following topics: ranking of accommodation establishments, quality management.

##### Green Key Project

The objective of the environmental programme *Green Key* is the development of ecotourism. The *Green Key* co-operation project with the Danish Tourism Board was launched in 2000, aiming at the creation of a certification system in the Estonian accommodation sector following the principles of environmental sustainability. The results of the project will include environmentally sustainable use of energy and water, waste disposal and favouring environment-friendly suppliers in the accommodation sector. The project is carried out in 2000-2002.

##### Phare 2000 North-East Estonia and South-Estonia economic and social development projects

Development of the tourist infrastructure in North-East Estonia (Ontika) and South-Estonia (Haanja and Peipsiveere) is one of the priorities of the Phare 2000 North-East Estonia and South-Estonia economic and social development projects. The project aims at increasing the role of tourism in these regions taking into consideration the local cultural inheritance and diversity of nature. The project will increase the number of providers of various tourism services and lower the unemployment rate in the regions. The project is carried out in 2001-2002.

##### Phare 2001

Under the Phare 2001 Economic and Social Cohesion Programme an application has been submitted for two sub-projects in the sector of tourism:

- Sub-project 1 (2002-2004) – increasing the institutional capacity of the Entrepreneurship Development Foundation (incl. the Estonian Tourism Board), as a result of which the sectoral agencies and regional bureaus of the Entrepreneurship Development Foundation will be capable of implementing business support schemes.
- Sub-project 2 (2002-2003) – support scheme for the tourism infrastructure, i.e. supporting tourism in regions (in North-East Estonia, South-Estonia and West-Estonia).

#### Phare 2002

Under the Phare 2002 Economic and Social Cohesion Programme an application has been submitted for a sub-project in the sector of tourism:

- Sub-project (2003-2004) – support scheme for the tourism infrastructure, i.e. supporting tourism in regions (in North-East Estonia, South-Estonia and West-Estonia).

**Implementation and administrative capacity**

1.	2.	3.	4.	5.
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
<u>Estonian Tourism Agency:</u> Training within the agency		State Budget; Phare 2001		
<u>Estonian Tourism Agency:</u> A seminar for accommodation providers and local government officials on the ranking of accommodation establishments and quality management			An application for foreign assistance has been submitted to the Danish FEU Programme	
<u>Estonian Tourism Agency:</u> Improvement of the tourism infrastructure through a support scheme		State Budget; Phare 2001		

## 24. CO-OPERATION IN JUSTICE AND HOME AFFAIRS

According to the Treaty of the European Union and Protocol No. 2 to the Treaty establishing the European Community on the integration of the Schengen *acquis* in European Union legislation all candidate countries have to fully accept the Schengen *acquis* and further measures, adopted by related institutions, in order to join the European Union.

According to the Minister of Internal Affairs Directive No. 33 of 24 January 2001 an inter-agency working group was formed whose main task is to ascertain the necessities for the implementation of Schengen requirements and to prepare a detailed action plan which includes financial resources, foreign assistance, investment, drafting of legislation, co-operation with member states of the EU and other candidate countries and training on European integration needed for the implementation of the Schengen Agreement, as well as the timetable for attaining these goals. Since the abolition of controls on internal borders is certainly not possible before the end of 2005 (by that time the Schengen Information System will be completed and Estonia will be able to join it) the Schengen Action Plan has been divided into two stages: ensuring readiness for joining the European Union (activities up to 2003) and preparations for being ready for the abolition of controls at internal borders (activities up to 2006). The Government approved the Schengen Action Plan on 24 July 2001.

This Chapter has been prepared by also taking into account the priorities of the Schengen Action Plan for the years 2002-2003.

## 24.1. Guarding of external borders

### Border controls and border guarding

In order to join the European Union the Schengen Convention requirements concerning border controls and border guarding must be implemented at the Estonian border. Also the border controls and guarding must be abolished on those parts of the state border which will become internal borders of the European Union:

1. Requirements established on the border control and border guarding of the external borders of the European Union must be applied at the eastern border of Estonia and at its sea border, as well as at the Estonian-Latvian border until Latvia joins the European Union. The following measures must be taken:
  - Introduce at the border-points the border control equipment specified in the Schengen Common Manual;
  - In order to guard the green border, patrolling methods and technical surveillance equipment, which meet the established requirements, have to be used and the number of staff engaged in patrolling has to be increased;
  - Ensure that the training of the border guards meet the established requirements and are up to date in content;
  - Develop the infrastructure necessary for border guarding (construction of missing border guard buildings and, if necessary, the restoration of existing buildings);
  - In order to ensure effective guarding of borders the vehicles, including land and water vehicles and aircraft, used currently by the border guard forces, must be reconditioned and supplemented;
  - Implement the Schengen Information System when carrying out border controls;
  - Ensure the around-the-clock operational capacity of the management and communication systems at all levels (on parallel as well as horizontal levels) and in all conditions;
  - Enhance co-operation with Schengen Agreement countries and border guard and police authorities of neighbouring countries.
2. If Latvia accedes to the European Union and the Estonian-Latvian border becomes an internal border of the European Union the following modifications must be carried out:
  - End the permanent control of persons crossing the border at border-points and the guarding of the green border;
  - Remove traffic barriers from roads;
  - Implement the necessary compensation measures in order to reduce the possible negative effects of the abolition of the border control and border guarding on the security of Estonia and the European Union. (SCH/Com-ex (94) 1 rev 2 26.4.94)
3. At international airports and the ports of Tallinn, the control of passengers who arrive from, or departure to, European Union member states has to stop. In order to physically separate passengers who arrive from, or leave for, third countries

from European Union citizens any necessary rebuilding must be done in airports and ports. (SCH/Com-ex (94) 17 rev 4 22.12.94)

Until the entry into force of the European Union Amsterdam Treaty (1 May 1999) the information concerning Schengen requirements remained confidential and thus available only to member states. This Action Plan has been prepared on the basis of the *acquis* screened during the accession negotiations with the EU. Since part of the Schengen *acquis* is still confidential, the Action Plan may be renewed and amended when Estonia gains access to all documents.



**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
Schengen Convention Article 3	Secondary legislation implementing the <i>Border Guard Act</i>	The deadline for the submission depends on the adoption and entry into force of the new Boarder Guard Act	
1965 Convention on the Facilitation of International Sea Traffic; Schengen Common Manual, Chapter 6, Clauses 6.4 and 6.5	Gov. Regulation on the procedure for keeping in touch with the shore and allowing members of the crew on the shore	Submission: 04.2002 Entry into force: 12.2002	

**Implementation and administrative capacity**

1.	2.	3.	4.	5.
Institution, planned measures (incl. training), deadline	Legal basis, implemented legal act	Financing (State budget line, other sources)	Technical assistance needs	Remarks
<p>Construction of the infrastructure necessary for guarding the sea border and the modernisation of technical devices. Reconstruction and construction of border stations, construction of radar towers, reconstruction of bases.</p> <p>Responsible authority: the Board of the Border Guard (hereafter BBG) Deadline: 2002–2003</p>	<p><i>SCH/Com-ex 97 decl 4</i></p>	<p>BBG budget Chapter 97 Article 71</p> <p>State loan 2002: EEK 20.1 million</p>		
<p>Ensuring the patrolling of the sea border and border waters. Procurement of floating craft necessary for guarding the state border and the replacement of obsolete equipment.</p> <p>Responsible authority: BBG Deadline: 2002–2003</p>	<p><i>SCH/Com-ex (97) decl 4</i></p>	<p>BBG budget Chapter 41 Article 30</p> <p>Needs: 2002: EEK 70 million 2003: EEK 70 million</p>		
<p>Patrolling of the green border. Procurement of vehicles necessary for guarding the state border and the replacement of obsolete equipment.</p> <p>Responsible authority: BBG Deadline: 2002–2003</p>	<p><i>SCH Convention, Article 6; SCH/Com-ex (98) 26</i></p>	<p>Needs: 2002: EEK 10 million 2003: EEK 15 million</p>		
<p>Patrolling of the state border. Maintenance of vehicles.</p> <p>Responsible authority: BBG Deadline: Continuous activity</p>	<p><i>SCH Convention Article 6; SCH/Com-ex (98) 26</i></p>	<p>BBG budget Chapter 41 Article 30</p> <p>Needs: 2002:EEK 33.3 million</p>		

<p>Reconstruction and construction of border stations – Luhamaa, Narva, Narva-Jõesuu, Tallinn, Vasknarva</p> <p>Responsible authority: BBG Deadline: 2002–2003</p>	<p><i>SCH/Com-ex (97) decl 4</i></p>	<p>Needs: 2002: EEK 13 million 2003: EEK 31 million</p>		
<p>Reinforcement of guarding of the state border by adding supplementary surveillance devices at the Estonian-Russian border. Procurement of additional thermo-cameras, video-surveillance systems and sensors.</p> <p>Responsible authority: BBG Deadline: 2002–2003</p>	<p><i>SCH/Com-ex (97) decl 4</i></p>	<p>Needs: 2002: EEK 8 million 2003: EEK 18 million</p>		
<p>Construction of a temporary infrastructure at the southern border. Reconstruction of border stations and construction of new light-construction border stations (Murati, Vastseroosa, Taheva, Lilli, Massiaru, Mõisaküla, Valga, Kihnu). Installation of temporary border points and communication systems at the Estonian-Latvian border. The adjustment of passport control at the Estonian-Latvian border with the principles of the Schengen Common Manual (SCH Common Manual).</p> <p>Responsible authority: BBG Deadline: 2002–2003</p>	<p><i>SCH Common Manual, Chapter 1.3</i></p>	<p>Needs: 2002: EEK 5.5 million</p>		

<p>Preparations for the introduction of the Schengen Information System in carrying out border controls Development of the existing information system. and organisation of training in order to ensure the integration of the national information system with the SIS and the preparation of the staff for working with the system. Procurement and installation of the necessary software and hardware, modernisation of the existing information system and training for users.</p> <p>Responsible authority: BBG Deadline: until the introduction of the SIS in 2005-2006</p>	<p><i>SCH/Com-ex (98)26</i></p>	<p>BBG budget Chapter 98 Article 37</p> <p>Needs: 2002: EEK 3 million</p>	<p>Phare 2001 project “Developing the readiness to implement the SIS”</p>	
<p>Adjustment of the technical equipment at the border checkpoints with EU norms. Procurement of the necessary equipment for passport control and for checking vehicles.</p> <p>Responsible authority: BBG Deadline: 2002–2003</p>	<p><i>SCH/Com-ex (98) 26</i></p>	<p>BBG budget Chapter 41 Article 30</p> <p>Needs: 2002: EEK 1.3 million 2003: EEK 8 million</p>		
<p>Introduction of a border crossing registration stamp which complies with the EU common format. Announcement of a tender for public procurement for preparing and purchasing border crossing registration stamps meeting the requirements; implementation of the procurement; provision of border checkpoints with such stamps and instructions for their use.</p> <p>Responsible authority: BBG Deadline: 12.2002</p>	<p><i>SCH/Com-ex (94) 16</i> <i>SCH Common Manual,</i> <i>Chapter 2</i></p>	<p>BBG budget Chapter 41 Article 30</p> <p>Needs: 2002: EEK 0.5 million</p>		

<p>Development of communication systems</p> <p>Responsible authority: BBG Deadline: 2002-2003</p>	<i>SCH/Com-ex (95) 21</i>	<p>BBG budget Chapter 41 Article 30</p> <p>Needs: 2002: EEK 4 million 2003: EEK 12 million</p>		<p>Establishment of the common radio network, integration of the border stations guarding the southern border and the sea border to the common data communication network; improvement of the radio communication system</p>
<p>Creation and implementation of the sea surveillance information system</p> <p>Responsible authority: BBG Deadline: 12.2002</p>	<i>Schengen Convention, Article 95-100</i>	<p>BBG budget Chapter 98 Article 37</p> <p>Needs: 2002: EEK 1 million</p>		<p>Procurement of the necessary hardware and software for sea surveillance and sea rescue</p>
<p>Establishment of the Border Guard joint information system</p> <p>Responsible authority: BBG Deadline: 2002-2003</p>	<i>Schengen Convention, Article 95-100</i>	<p>BBG budget Chapter 98 Article 37</p> <p>Needs: 2002-2003 up to EEK 20 million</p>	Phare 2001 project "Developing the readiness to implement the SIS"	<p>Designing of the common border guard information system, creation of the necessary software, training</p>
<p>Adjustment of the Border Guard organisation with EU requirements – increase in the number of staff at the external border. Increase in the number of staff used for the border control at external borders and recruiting personnel for new positions (<i>ca</i> 50 people a year).</p> <p>Responsible authority: BBG Deadline: 2002–2003</p>	<i>SCH Common Manual, Chapter 2.2</i>	<p>BBG budget Chapter 41 Article 10,21,22,26,27,30</p> <p>2002: EEK 4.8 million</p>		

<p>Ensuring that the degree of surveillance at the external border is in compliance with EU principles. Increasing the number of patrolling and surveillance staff at border stations by manning vacancies. By the date of accession the total of 320–350 people.</p> <p>Responsible authority: BBG Deadline: 2002–2003</p>	<p><i>SCH Convention, Article 6;</i> <i>SCH/Com-ex (98) 26</i></p>	<p>BBG budget Chapter 41 Articles 10,21,22,26,27,30</p> <p>Needs: 2002: EEK 12 million 2003: EEK 25 million</p>		
<p>Training of border guards for their new assignments. Organising training for border guard to perform more efficiently the following tasks: dealing with refugees and asylum seekers, organising and carrying out the expulsion of persons.</p> <p>Responsible authority: BBG Deadline: 2002 – 2003</p>	<p><i>Aliens Act;</i> <i>Prohibition on Entry and</i> <i>Obligation to Leave Act</i></p>	<p>BBG budget Chapter 41 Article 30</p> <p>Needs: 2002: EEK 1 million 2003: EEK 2 million</p>		
<p>Creation of conditions for organising training which meet the professional requirements established for border guards. Reconstruction of the Border Guard School and the development of the training system and the material technical basis.</p> <p>Responsible authority: BBG Deadline: 2002–2003</p>	<p><i>SCH/Com-ex (98) 26</i></p>	<p>BBG budget Chapter 41 Article 30</p> <p>Needs: 2002: EEK 18 million 2003: EEK 7.4 million</p>		

<p>Organising supplementary training on border guarding of European Union external borders for the administration and the personnel carrying out the actual border control.</p> <p>Supplementary training for border guard officials on passport control and border guarding of the external and internal borders of the European Union.</p> <p>Training for document experts on the detection of falsified documents. On the basis of the training a new training programme for experts and trainers will be prepared.</p> <p>Responsible authority: BBG Deadline: 2002–2003</p>	<p><i>SCH/Com-ex (98) 26</i> <i>SCH/Com-ex (98) decl 1</i></p>	<p>BBG budget Chapter 41 Article 30</p> <p>Needs: 2002: EEK 0.8 million</p>	<p>A co-operation project with the Swedish Police is being prepared</p>	
<p>Participation in the work of international organisations: CIREFI, IATA (International Air Transport Association), IMO (International Maritime Organisation), etc.; continuation of co-operation with police and border guard authorities of neighbouring countries in order to prevent illegal immigration.</p> <p>Responsible authority: BBG Deadline: 2002, will continue after accession to the EU</p>	<p><i>SCH/I-front (94) 4 rev,</i> <i>SCH/Com-ex (94) decl 8</i></p>	<p>BBG budget Chapter 41 Article 30</p> <p>Needs: 2002: EEK 1.9 million 2003: EEK 2.4 million</p>		
<p>Development of the Baltic Sea border control co-operation (BSRBCC) – participation in the work of relevant working groups, planning and organisation of, and participation in, joint operations; organisation of the exchange of information.</p> <p>Responsible authority: BBG Deadline: 2002, will continue after accession to the EU</p>	<p><i>SCH/Com-ex (98) 26</i></p>	<p>BBG budget Chapter 41 Article 30</p> <p>Needs: 2002: EEK 0.5 million 2003: EEK 0.1 million</p>		

Continuation of co-operation within the framework of the Budapest process (IBPC, ICMPD). Participation in the work of relevant working groups and joint operations, organisation of the exchange of information.  Responsible authority: BBG Deadline: 2001, will continue after accession to the EU	<i>SCH/Com-ex (94) decl 8</i>	BBG budget Chapter 41 Article 30  Needs: 2002: EEK 0.1 million 2003: EEK 0.1 million		
Phare horizontal programme on visas, migration and border guarding lasting from 2001 to 2002.  Responsible authorities: CMB, BBG , MFA Deadline: 05.2002		CMB, BBG, MFA, MIA co-financing parts 140, 144 operational costs	Phare horizontal programme	Assessment of the implementation of the EU <i>acquis</i> in practice and the relevant training
Introduction of the EURODAC fingerprint system.  Responsible authorities: BBG, CMB Deadline: 2003 – 2004	<i>Council Regulation No. 2725/2000 on the introduction of the Eurodac system for comparing fingerprints for more efficient implementation of the Dublin Convention, 11 November 2000</i>	BBG, CMB budget Chapter 97 Article 76  Needs: from 2003 to 2004 EEK 18.455 million from the state budget	Phare 2003 project application “Efficient management of migration flows” amount: 55.365 million	
Improvement of the detection of forged documents at the state border and participation in the respective international co-operation.  Responsible authority: BBG Deadline: 12.2002	<i>SCH/Com-ex (98) decl 1</i>	BBG budget Chapter 41 Article 30 Needs: 2002: EEK 2 million		Procurement of the necessary technical equipment for the Travel Documents Assessment Centre (digital camera, document scanner, etc.)

Abbreviations: BBG-Board of Border Guard,  
CMB - Citizenship and Migration Board,  
MFA - Ministry of Foreign Affairs,  
MIA - Ministry of Internal Affairs



## Visas

In 2002 Estonia will continue the alignment of its legislation related to the issue of visas (*the Aliens Act*, the Visa Regulation, the Regulation of the Ministry of Foreign Affairs on the design of the visa sticker and the procedure for its completion) to EU requirements. The Estonian consular instructions are being harmonised with those of the EU on the basis of the Common Consular Instructions of the EU which were translated into Estonian in 2001.

Estonia has concluded agreements on abolition of the visa requirement with those countries whose nationals have the right to enter Schengen member states without a visa, and has harmonised its respective legislation with the new list annexed to European Union Regulation (EC) No 539/2001. Estonia has concluded readmission agreements with 16 countries.

Estonian legislation related to visas is fully aligned with the EU *acquis* and, at the latest, by the accession of Estonia to the European Union the requirements of the Common Consular Instructions (CCI) will be fully implemented according to the information contained in the document: "List of provision of the Schengen Acquis". The regulation of the Ministry of Foreign Affairs, which will establish the requirements for the visa sticker proceeding from the *acquis* will be adopted in 2002.

As a result of the co-operation between the Estonian Citizenship and Migration Board, the Ministry of Foreign Affairs and the Board of the Border Guard a Central Visa Register has been established. The Citizenship and Migration Board has been using the Register since 27 August 2001. In September 2001 the Register was taken into use in border-points and since the 1<sup>st</sup> November all Estonian representations abroad and consular authorities have been using the new Visa Register.

**Approximation of legislation**

<b>1.</b>	<b>2.</b>	<b>3.</b>	<b>4.</b>
<b>EU legal act</b>	<b>Estonian legal act</b>	<b>Deadline for submission, indicative date of entry into force</b>	<b>Remarks</b>
Council Regulation (EC) No. 1683/95 of 29 May 1995 laying down a uniform format for visas	Regulation of the Minister of Foreign Affairs on the introduction of the visa sticker which meets EU requirements	Entry into force: 2002, 4 <sup>th</sup> quarter	

**Implementation and administrative capacity**

1.	2.	3.	4.	5.
Institution, planned measures (incl. training), deadline	Legal basis, implemented legal act	Financing (State budget line, other sources)	Technical assistance needs	Remarks
Implementation of the National Visa Register  Responsible authorities: CMB, BBG, MFA Deadline: 02.2002	Schengen Convention, Article 17 (connected with Articles 5, 15, 16, 96); Annexes 5, 14 to the Common Consular Instructions (CCI) ; Decision of the Executive Committee SCH/Com-ex (93)21	CMB, BBG, MFA budgets Chapter 98 Article 37 operational costs	Phare 2001 project "Developing the readiness to implement the SIS"	
Preparations for the design, development and implementation of the VISION consultation system in Estonia.  Responsible authorities: MIA, CMB, MFA Deadline: 2002, 4 <sup>th</sup> quarter	Schengen Convention, Article 17 (connected with Articles 5, 15, 16, 96); Annexes 5, 14 to the Common Consular Instructions	MIA, CMB, MFA operational costs	Phare 2001 project "Developing the readiness to implement the SIS"	
Phare horizontal programme on visas, migration and border guarding, 2001 – 2002  Responsible authorities: CMB, BBG, MFA Deadline: 05.2002		CMB, BBG, MFA, MIA co-financing parts 140, 144 operational costs	Phare horizontal programme	Assessment of the implementation of the EU <i>acquis</i> in practice and the respective training
Introduction of the visa sticker which meets EU requirements  Responsible authorities: CMB, BBG, MFA Deadline: 2003	Council Regulation (EC) No. 1683/95 of 29.05.1995 laying down a uniform format for visas	MFA budget part 144 operational costs		

Abbreviations: BBG-Board of Border Guard,  
CMB - Citizenship and Migration Board,  
MFA - Ministry of Foreign Affairs,  
MIA - Ministry of Internal Affairs

## 24.2. Migration

In 2002 Estonia will make substantial amendments to the legislation concerning aliens in order to fully align Estonian legislation with the European Union *acquis* related to migration.

Instead of the new version of the *Aliens Act* the *European Union Nationals Act* is planned to be adopted in 2002. This Act will, in accordance with the requirements of the *acquis*, provide for the conditions of entry, stay and employment of European Union citizens in Estonia.

*The Aliens Act Amendment Act* to be adopted in 2002 will harmonise the *Aliens Act* with the European Union legislation related to family reunification and the fight against marriages of convenience.

In addition to the above-mentioned amendments the *Aliens Act* will detail the provisions related to the stay of third country nationals in a member state for reasons of employment, self-employment or for study. The amendments will also concern provisions, which deal with long-term residence in a country.

In 2002 a new identity document system will be introduced in Estonia. Starting from the 1<sup>st</sup> quarter of 2002 new generation Estonian citizen's passports and ID cards have been issued. The security level of these documents meets European Union requirements established for the security of identity documents.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
Council Resolution of 20 June 1994 on limitations on admission of third-country nationals to the territory of the Member States for employment.	<i>Aliens Act Amendment Act</i>	Submission: April 2002 Entry into force: according to the general procedure	The draft amendments concern the employment of third country nationals in Estonia.
Council Resolution of 30 November 1994 relating to the limitations on the admission of third-country nationals to the territory of the Member States for the purpose of pursuing activities as self-employed persons.			
Council Resolution of 04 March 1996 on the status of third-country nationals residing on a long-term basis in the territory of the Member States (396Y0318(02)); Council Resolution of 30 November 1994 on the admission of third-country nationals to the territory of the Member States of the European Union for study purposes. (396Y0919(04))	<i>Aliens Act Amendment Act</i>	Submission: 12.2002 Entry into force: 01.2003	The draft amendments concern long-term residents and the migration for studying.

**Implementation and administrative capacity**

1.	2.	3.	4.	5.
Institution, planned measures (incl. training), deadline	Legal basis, implemented legal act	Financing (State budget line, other sources)	Technical assistance needs	Remarks
Transfer of the National Register of Residence and Work Permits to the new software platform  Responsible authority: CMB Deadline: 12.2002	Schengen Convention, Article 25	CMB co-financing Chapter 98 Article 37	Phare 2001 project "Developing the readiness to implement the SIS"	
Application of the National Register of Prohibitions on Entry  Responsible authority: CMB Deadline: 12.2002	Schengen Convention, Article 96	CMB co-financing Chapter 98 Article 37	Phare 2001 project "Developing the readiness to implement the SIS"	
Transfer of the Database of aliens residing in Estonia illegally to the new software platform.  Responsible authority: CMB Deadline: 12.2002		CMB co-financing Chapter 98 Article 37	Phare 2001 project "Developing the readiness to implement the SIS"	
Application of the new identity documents system. The issue of new ID cards.  Responsible authority: CMB Deadline: 03.2002  Start of the issue of new Estonian passports.  Responsible authority: CMB Deadline: 03.2002	Council Resolution of the representatives of the Governments of the Member States, meeting within the Council of 17 October 2000 supplementing the resolutions of 23 June 1981, 30 June 1982, 14 July 1986 and 10 July 1995 as regards the security characteristics of passports and other travel documents (2000/C 310/01)	CMB budget Chapter 61 Article 44		

<p>Training for document experts for detecting forged documents in co-operation with EU member states and parties to the Schengen Agreement.</p> <p>Responsible authorities: MIA, CMB, BBG, PB Deadline: continuous activity</p>		<p>MIA, CMB, BBG, PB budget Chapters 01,61,41,31 Article 30</p>		
<p>Phare horizontal programme on visas, migration and border guarding, 2001 – 2002.</p> <p>Responsible authorities: CMB, BBG, MFA Deadline: 05.2002</p>		<p>CMB, BBG , MFA, MIA co-financing parts 140, 144 operational costs</p>	<p>Phare horizontal programme</p>	<p>Assessment of the implementation of the EU <i>acquis</i> in practice and the respective training</p>

Abbreviations: BBG-Board of Border Guard,  
CMB - Citizenship and Migration Board,  
MFA - Ministry of Foreign Affairs,  
MIA - Ministry of Internal Affairs,  
PB - Police Board

### 24.3. Asylum issues

In order to implement the European Union *acquis* related to asylum *the Aliens Act and Refugees Act Amendment Act* will be adopted which will establish the minimum guarantees for the asylum procedures, the procedures for dealing with manifestly unfounded asylum applications and the provisions concerning safe countries of origin.

*The Refugees Act Amendment Act* will fully align Estonian legislation with the Dublin Convention and the secondary legislation implementing the Convention, as well as with the new *acquis* adopted in 2000 which Estonia has to adopt, at the latest, by the date of accession.

The 2002 amendments to the *Refugees Act* are also aimed to regulate the procedure for the payment of subsidies to asylum seekers, to simplify the accommodation of refugees in local government units and to specify the distribution of duties of different state authorities.

During the years 2002-2003 the organisation of different training programmes will be continued in order to improve the administrative capacity of the employees of the Iluka Reception Centre for Asylum Applicants.

Estonia will start using the Eurodac fingerprint system established for the more effective implementation of the Dublin Convention immediately after accession to the European Union. Estonia has, within Phare 2003, submitted a project application for the implementation of the system.



**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
<ul style="list-style-type: none"> <li>• Convention determining the State responsible for examining applications for asylum lodged in one of the Member States of the European Communities (Dublin Convention), Dublin, 15.06.1990</li> <li>• Decision No 1/97 of 9 September 1997 of the Committee set up by Article 18 of the Dublin Convention of 15 June 1990, concerning provisions for the implementation of the Convention;</li> <li>• Council Decision No. 2/97 of 9 September 1997 of the Committee set up by Article 18 of the Dublin Convention of 15 June 1990, establishing the Committee's Rules of Procedure;</li> <li>• Decision No 1/98 of 30 June 1998 of the Committee set up by Article 18 of the Dublin Convention of 15 June 1990, concerning provisions for the implementation of the Convention;</li> <li>• Decision No 1/2000 of 31 October 2000 of the Committee set up by Article 18 of the Dublin Convention concerning the transfer of responsibility for family members in accordance with Article 3(4) and Article 9 of that Convention</li> <li>• Council conclusions of 28 September 2000 on reception conditions for asylum seekers ( ref. doc. 13117/1/00 rev 1)</li> </ul>	<p><i>Refugees Act Amendment Act</i> and the secondary legislation for its implementation</p>	<p>Submission: 12.2002 Entry into force: upon accession to the EU</p>	
<p>28 July 1951 Geneva Convention Relating to the Status of Refugees</p>	<p>Government Regulation "Affirmation of the procedure for the issue, replacement and revocation of travel documents of refugees, the term of their validity and the list of documents and data to be submitted upon the application for a travel document of a refugee, and the form of the travel document of refugees"</p>	<p>Submission: 05.2002 Entry into force: 07.2002</p>	

	<i>Refugees Act Amendment Act</i>	Submission: 12.2001 Entry into force: 01.2003	Improvement of the procedure for paying subsidies to asylum seekers. Simplification of the procedure for accommodating refugees in local government units and the division of duties between authorities.
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**Implementation and administrative capacity**

1.	2.	3.	4.	5.
Institution, planned measures (incl. training), deadline	Legal basis, implemented legal act	Financing (State budget line, other sources)	Technical assistance needs	Remarks
<p>Application of the National Register of Refugees.</p> <p>Responsible authority: CMB Deadline: 12.2003</p>		<p>CMB Chapter 98, Article 37</p> <p>Needs: 2002: EEK 205 000 2003: EEK 824 000</p>		<p>Maintenance of relevant software and hardware. Design and implementation of the Register.</p>
<p>Introduction of travel documents of refugees: printing of travel documents and their application forms.</p> <p>Responsible authority: CMB Deadline: 07.2002</p>		<p>CMB budget Chapter 61 Article 30</p>		
<p>Introduction of the EURODAC fingerprint system</p> <p>Responsible authorities: BBG, CMB Deadline: 2003 – 2004</p>	<p>Council Regulation (EC) No 2725/2000 of 11 December 2000 concerning the establishment of 'Eurodac' for the comparison of fingerprints for the effective application of the Dublin Convention</p>	<p>BBG, CMB budget Chapter 97, Article 76</p> <p>Needs: 2003 - 2004 EEK 18.455 million from the state budget</p>	<p>Phare 2003 project application "Efficient management of migration flows" amount: EEK 55.365 million</p>	
<p>Psychology and self-determination courses for the employees of the Illuka Reception Centre for Asylum Applicants.</p> <p>Responsible authority: Ministry of Social Affairs (MSA) Deadline: 12.2002</p>	<p><i>Refugees Act</i> § 10(2)</p>	<p>MSA budget Illuka Reception Centre for Asylum Applicants part 141, Chapter 45</p>		<p>In order to increase the self-confidence of employees and to improve the results of their work.</p>

Course on management for the employees of the Illuka Reception Centre for Asylum Applicants. Responsible authority: MSA Deadline: 12.2002	<i>Refugees Act § 10(2)</i>	MSA budget The Illuka Reception Centre for Asylum Applicants part 141, Chapter 45		In order to improve the organisation of the work in the Reception Centre and to increase the competence of the managerial staff of the Centre.
Language courses (English and Arabic) for the Illuka Reception Centre for Asylum Applicants. Responsible authority: MSA Deadline: 12.2003	<i>Refugees Act § 10(2)</i>	The Illuka Reception Centre for Asylum Applicants part 141 Chapter 45		In order to improve the communication skills of employees.

Abbreviations: BBG-Board of Border Guard,  
CMB - Citizenship and Migration Board,  
MSA - Ministry of Social Affairs,

#### 24.4. Police co-operation

The task of the Estonian Police is to assist every individual in the protection of his/her rights and in fulfilling his/her duties.

In order to improve the administrative capacity of the police force the following measures must be taken:

- Enhance international police co-operation, including the exchange of liaison officers and the continuation of concluding bilateral agreements between countries on the prevention of crime;
- Improve the administrative capacity of police officers, including training of liaison officers, English courses for police officers and offering regular in-service training;
- By the year 2004 the network of liaison officers has to be developed in co-operation with neighbouring countries and main co-operation partners;
- Develop the co-operation between the different law enforcement authorities of Estonia, including the establishment of necessary databases and common use of the latter;
- Participate in international working groups and programmes.

The Estonian Police needs a new up-to-date organisational culture. Communication skills and procedures must be intrinsically improved. In 2001 an in-service training project was started with the aim of attaining, by the end of 2002, a breakthrough in the communication skills of policemen. The mission, goals and priorities of police work must be explained to every member of the staff.

Local authorities must start to participate in planning the activities of the police authorities. Ensuring security and the fight against violations of laws must become the task of the police as well as of the local authorities. In 2002 the draft of *the Local Government Organisation Act (LGOA) Amendment Act* will be prepared.

The competence and the technical means of the Interpol Department must be expanded by the end of 2003 so that in the future it will carry out the tasks of Interpol - Europol National Unit and the Schengen Sirene Office.

Another important measure to be taken is the formation of a crisis unit for managing mass riots and disorders, and for ensuring public order during illegal demonstrations and meetings, as well as for ensuring public order and the suppression of violence at sport and cultural events, including football matches.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
Europol Convention, 26 July 1995 (Brussels)	<i>The Europol Convention Ratification Act</i>	Signing and ratification will be carried out after accession to the EU	
United Nations Convention Against Transnational Organised Crime	<i>The United Nations Convention Against Transnational Organised Crime Ratification Act</i>	Submission: 06.2002 Estimated entry into force: 06.2003	The Convention was signed in December 2000.
Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention Against Transnational Organised Crime	<i>The Protocol Ratification Act</i>	Submission: 06.2002 Estimated entry into force: 06.2003	
Protocol Against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention Against Transnational Organised Crime	<i>The Protocol Ratification Act</i>	Submission: 06.2002 Estimated entry into force: 06.2003	
Protocol Against the Illicit Manufacturing of, and Trafficking on, Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention Against Transnational Organised Crime	<i>The Protocol Ratification Act</i>	Submission: 06.2002 Estimated entry into force: 06.2003	

**Implementation and administrative capacity**

1. Institution, planned measures (incl. training), deadline	2. Legal basis, implemented legal act	3. Financing (State budget line, other sources)	4. Technical assistance needs	5. Remarks
Sending a liaison officer to the Europol headquarters in the Hague  Responsible authority: Police Board (PB) Deadline: 03.2002	Co-operation Agreement between Estonia and Europol (10 October 2001)	Reserve of the Government of the Republic (RGR)		Training a candidate to be sent to the Hague.
A liaison officer in Russia for the improvement of the police co-operation.  Responsible authority: PB Deadline: continuous activity		PB budget Chapter 31, Article 10,21,30  Needs: EEK 1.6 million		
Merging of police prefectures in accordance with the administrative reform currently being implemented and the formation of optimal network of police stations and police departments  Responsible authority: PB Deadline: 12.2002		PB budget Chapter 31 operational costs		This has repeatedly been recommended in the reports of missions of the European Commission
Formation of a crisis unit for managing mass riots and disorders, and for ensuring public order during illegal demonstrations and meetings, as well as for ensuring public order and for the suppression of violence at sport and cultural events, including football matches.  Responsible authority: PB Deadline: 2002 – 2003	396Y0503(02) European Convention on the Violence and Violations of the Law of Audience During Sports Events, especially During Football Matches (1985)	PB co-financing Chapter 31  Needs: EEK 7.8 million	Project application for the funding within the framework of the Phare programme. Total cost: 31.28 million, incl. 23.46 million from PHARE	The project application has been rejected by the Commission.

<p>Joining the measures to prevent disorder connected with football matches, including the preparation of an annual report concerning measures taken in order to prevent and restrain disorder connected with football matches.</p> <p>Responsible authority: PB Deadline: 2002 –2003</p>	396Y0503(02)	<p>PB co-financing Chapter 31</p> <p>Needs: EEK 7.8 million</p>	<p>Project application for funding within the framework of the Phare programme. Total cost: EEK 31.28 million incl. PHARE EEK 23.46 million</p>	<p>The project application has been rejected by the Commission.</p>
<p>Conclusion of bilateral agreements on the fight against crime: the Memorandum of Understanding concluded between the Republic of Estonia and the United Kingdom of Great Britain and Northern Ireland; the Agreement concluded between the Republic of Estonia and the Republic of Poland on the fight against organised crime; the Co-operation Agreement concluded between the General Directorate of St. Petersburg and Leningrad <i>Region</i> and the Police Board of the Republic of Estonia</p> <p>Responsible authorities: MIA, PB Deadline: 12.2002</p>		<p>MIA; PB budget Chapter 01,31 Article 30</p>		
<p>Participation in the work of international organisations (CEPOL, UN, Council of Europe, IPA, AEPC etc.) and different working groups (PAPEG, FINESTO, etc.). Conclusion of co-operation agreements and establishment of contacts.</p> <p>Responsible authority: PB Deadline: continuous activity</p>	<p>Principles 3 and 4 of the Pre-accession Act on the Prevention of Organised Crime</p>	<p>PB budget Chapter 31, Article 57</p> <p>Membership fee: EEK 446,000</p>		



<p>Implementation of the Phare 2000 project "Police training and education system".</p> <p>Responsible authority: PB Deadline: 12.2002</p>		<p>PB co-financing Chapter 31 Article 10: EEK 598 000 Article 21: EEK 198 000 Article 30: EEK 701 300</p>	Phare 2000 project	<p>During the implementation of the project the models of competence for the main police activities are created and, on the basis of these models, the police education system will be established.</p>
<p>English courses for police officials, including senior police officials, lecturers of police educational institutions and cadets.</p> <p>Responsible authority: PB Deadline: 12.2002</p>		<p>PB budget Chapter 31 Article (491) Article 30: EEK 400 000</p>		<p>In order to implement EU and Schengen requirements</p>
<p>Participation in the training programmes for candidate countries offered by the European Police College (CEPOL), which was founded on the basis of the Council of Europe decision, and in the 13 training courses carried out by the CEPOL in EU member states</p> <p>Responsible authority: PB Deadline: 12. 2002</p>	<p>EU Summit in Tampere; 12.2000</p>	<p>PB budget Chapter 31 Article 30: EEK 420 000</p>		<p>The European Police College (CEPOL), which was founded on the basis of the Council of Europe Decision of 22 December 2000, will organise from 2002 to 2003 three special training courses for EU candidate countries on the "Police Ethics", "Illegal Immigration" and "The European Police Co-operation"</p>
<p>Courses on the misdemeanour procedure</p> <p>Responsible authorities: Ministry of Justice (MJ), Estonian Law Centre, PB Deadline: 2002 – 2003</p>	Misdemeanour Procedure Act	<p>MJ, Estonian Law Centre, PB budget parts 131, 140 operational costs</p>		<p>In order to explore the misdemeanour procedure special courses are organised for senior officials. These courses aim at linking up the Penal Code and other legislation related to the Penal Code, which include provisions on misdemeanour, with the general in-service courses on amendments to laws.</p>

<p>Preparations for EU police missions. Participation in the two-weeks courses of the Finnish International Police Forces organised by the Finnish Police School.</p> <p>Responsible authority: PB Deadline: 12.2002</p> <p>Participation in the training programme which meets EU educational standards</p> <p>Responsible authority: PB Deadline: 12.2003</p>	Principle 6 of the Pre-accession Pact	<p>PB budget Chapter 31, Article 30</p> <p>Needs: EEK 30 000</p>		Participation in the two-week courses of the Finnish International Police Forces organised by the Finnish Police School in order to contribute to the EU Police Unit
<p>Participation in the CEPOL courses “ Non-military crisis management”</p> <p>Responsible authority: PB Deadline: 12.2003</p>	Principle 6 of the Pre-accession Pact	<p>PB budget Chapter 31, Article 30</p> <p>Needs: 2002: EEK 30 000 2003: EEK 250 000</p>		
<p>Improvement of the police information system POLIS</p> <p>Responsible authority: PB Deadline: 2002 – 2003</p>		<p>PB co-financing Chapter 98, Article 37</p>	Phare 2001 project “Developing the readiness to implement the SIS”	Renewal of the software in order to link up national registers with SIS databases
<p>Development of the joint National Bureau of Europol, Interpol and Schengen</p> <p>Responsible authority: PB Deadline: 12.2002</p>		<p>PA budget Chapter 31, Article 30</p>		The international police operative co-operation department within the Central Criminal Police
<p>Analysis of the need for liaison officers and coordinators and the development of the network of contacts</p> <p>Responsible authorities: MIA, PB Deadline: 12.2004</p>	Principle 14 of the Pre-accession Pact	<p>MIA, PB budget Chapters 01, 31 operational costs</p>		

<p>Development of the Training Centre for Police Dogs: Unification of the Training Centre for Police Dogs and the Training Centre for Border Guard Dogs</p> <p>Responsible authorities: PB, BBG Deadline: 12.2003</p>		<p>BBG ; PB budget Chapter 31,41 operational costs</p>		
<p>Establishment of the database of DNA –forensic examinations</p> <p>Responsible authority: PB Deadline: 12.2002</p>	<p>Recommendation of the Committee of Ministers of the Council of Europe No. R(92)1 10 February 1992</p> <p>Final Report of the Interpol 67 General Assembly adopted in October 1998 in Kairo concerning the exchange of data and the establishment of new databases</p>	<p>PB budget (2 new positions will be created, 2 person's salary) Chapter 31 operational costs</p>		<p>Data concerning blood and/or saliva samples of certain persons, as well as secretions found on crime scenes or taken from victims will be entered into the database.</p>

Abbreviations: BBG-Board of Border Guard,  
MIA - Ministry of Internal Affairs,  
PB - Police Board,  
MJ – Ministry of Justice

## 24.5. Prevention of money laundering

An interagency working group is currently being formed within the Ministry of Internal Affairs, which will prepare proposals for amendments to the *Money Laundering Prevention Act* in order to align it with Directive 91/308 (*Council Directive 91/308/EEC on Money laundering: prevention of the use of the financial system*). The working group will aim to prepare proposals for the amendments to the Money Laundering Prevention Act so that the amendments can be adopted in the 2<sup>nd</sup> half of 2002. A representative of the Financial Supervisory Authority will participate in the work of the working group.

The newly founded Financial Supervisory Authority includes a person whose special competence includes matters related to the prevention of money laundering.

During the period from 2000 to 2001 the Banking Supervision Department of the Bank of Estonia carried out an assessment of the adequacy of measures being taken in credit institutions in order to prevent money laundering, by inspecting these institutions' work on the spot. The inspection had the following aims:

- assessment of non-resident clients and the risks such clients entail to banks
- assessment of the banks' risk management:
  - procedures for the identification of clients
  - implementation of the principle of "know your customer"
  - selective documentation control of clients originating from off-shore regions
- monitoring of the implementation of the Money Laundering Prevention Act and the President of the Bank of Estonia Regulation No. 20 of 09.07.1997 by banks:
  - identification of clients
  - implementation of internal security measures established to prevent money laundering
  - the activities of persons who have been appointed to keep contact with the Financial Information Unit
  - ascertainment of suspicious and extraordinary transactions and the efficiency of the methods used for analysis
  - the activities of internal control in the prevention of money laundering and the ascertainment of suspicious transactions.

At the end of the inspection, if necessary, precepts for the rectification of deficiencies will be issued to banks or the Financial Information Unit will be informed about them. Banks are notified of the term for the rectification of deficiencies, which depends on the character of the deficiency. The longest term is up to six months.

**Approximation of legislation**

<b>1.</b>	<b>2.</b>	<b>3.</b>	<b>4.</b>
<b>EU legal act</b>	<b>Estonian legal act</b>	<b>Deadline for submission, indicative date of entry into force</b>	<b>Remarks</b>
Directive 2001/97/EC of the European Parliament and of the Council of 4 December 2001 amending Council Directive 91/308/EEC on prevention of the use of the financial system for the purpose of money laundering.	<i>The Money Laundering Prevention Act Amendment Act</i>	Submission: 12.2002 Entry into force: 2003	

**Implementation and administrative capacity**

1.	2.	3.	4.	5.
Institution, planned measures (incl. training), deadline	Legal basis, implemented legal act	Financing (State budget line, other sources)	Technical assistance needs	Remarks
Project "Fight against economic and financial crimes in Estonia"  Responsible authority: MIA Deadline: 05.2002		MIA co-financing Chapter 01, Article 30 operational costs	The Dutch foreign support organisation SENTER	Training of employees and trainers
Development of the information system between the financial information units of the Central and East-European countries and joining the FIU.NET  Responsible authority: PB Deadline: 12.2002	Principle 13 of the Pre-accession Act	PB budget Chapter 98, Article 37		
Renewal and up-dating of financial investigation techniques  Responsible authorities: MIA; Ministry of Finance (MF); Bank of Estonia (BE); PB Deadline: 06.2002		MIA; PB; MF; BE budget parts 140, 139 Chapter 01,31 operational costs		Development of the national plan for the prevention of money laundering by the co-ordination committee formed within the Ministry of Internal Affairs.

Abbreviations: MF - Ministry of Finance,  
MIA - Ministry of Internal Affairs,  
PB - Police Board

## 24.6. Drugs

In order to join the European database for drugs and drug addiction and co-operate with the European Drugs Monitoring Centre, organization of surveys and unification of indicators and statistical monitoring will be carried out pursuant to the EU Regulation 302/93 on the establishment of a European Monitoring Centre for Drugs and Drug Addiction. In 2002 a database of Treatment of Drug Addiction will be compiled.

Implementation of the programme "Prevention of Alcoholism and Drug Abuse 1997 – 2007" will continue in 2002. 6 247 000 EEK has been applied from the state budget of 2002 for the implementation of the named programme. In 2002 the priorities of the programme are development of national prevention strategy and establishment of treatment and rehabilitation network for adolescents as well as adults with addiction disturbance.

A national strategy of the prevention of drug addiction will be completed in 2002. Drug Councils set up in all counties will approve the "*Action Plan of Prevention of Drug Addiction*" drawn up in counties.

Work regarding prevention of drug addiction will be carried on at schools and treatment and rehabilitation network of drug addiction will be established on the basis of psychiatric institutions and possibilities of in-patient medical treatment of addicts of eighteen years of age and younger will be expanded.

The EU PHARE 2000 (EE00/JH-01) *twinning* project in co-operation with the Ministry of Internal Affairs "Support to the National Strategy and Implementation Plan of Prevention of Drug Addiction" to enhance the prevention against alcoholism and drug addiction has been successfully launched. Within the framework of this project a common strategy of drug addiction concerning the demand and offer will be drawn up and the Estonian rehabilitation system will be developed. PHARE is financing the following activities within the period of 2001-2003:

- EEK 5 155 950 for drawing up the strategy and implementing tools of combating drug addiction;
- EEK 1 565 000 for rehabilitation and prevention work;
- EEK 3 677 750 for furnishing of rehabilitation centres;
- EEK 1 784 100 for the development of a drug information centre.

In 2002 the *Narcotic Drugs and Psychotropic Substances Act* will be amended as regards precursors. Amendments will be made to the definitions of the act, list of precursors as well as to the Regulation of the Minister of Social Affairs "*Procedure of.../ Handling of/ ...Narcotic Drugs and Psychotropic Substances*".

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
Commission Regulation (EC) No 1485/96 of 26 July 1996 laying down detailed rules for the application of Council Directive 92/109/EEC, as regards customer declarations of specific use relating to certain substances used in the illicit manufacture of narcotic drugs and psychotropic substances	<i>Amendments to the Narcotic Drugs and Psychotropic Substances Act *</i>	Submission: 10.2002 Entry into force: 03.2003	
Commission Regulation (EC) No 1533/2000 of 13 July 2000 amending Regulation (EC) No 1485/96 laying down detailed rules for the application of Council Directive 92/109/EEC, as regards customer declarations of specific use relating to certain substances used in the illicit manufacture of narcotic drugs and psychotropic substances	<i>Amendments to the Narcotic Drugs and Psychotropic Substances Act *</i>	Submission: 10.2002 Entry into force: 03.2003	
Council Decision 1999/615/JHA of 13 September 1999 1999 defining 4-MTA as a new synthetic drug which is to be made subject to control measures and criminal penalties	<i>Amendments to MSA Regulation No 39 of 4 November 1997 on the "Procedure for handling of narcotic and psychotropic substances for medical and scientific purposes and the procedure for the related record-keeping and reporting."*</i>	Submission: 12.2002 Entry into force: 03.2003	Adding new substances to the lists annexed to the Regulation; corrections to the restrictions of issuing permits and specification of activities.
United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988	<i>Amendments to the Narcotic Drugs and Psychotropic Substances Act</i>	Submission: 10.2002 Entry into force: 03.2003	Amendments to the act have to be made with regard to the definitions of precursors (handling, delivery) and provisions regarding classifications of precursors into schedules (precursors have categories in the EU)



**Implementation and administrative capacity**

1.	2.	3.	4.	5.
Institution, planned measures (incl. training), deadline	Legal basis, implemented legal act	Financing (State budget line, other sources)	Technical assistance needs	Remarks
<p>Conclusion of bilateral agreements on the fight against crime (incl. drug related crime): the Memorandum of Understanding concluded between the Republic of Estonia and the United Kingdom of Great Britain and Northern Ireland; the Agreement concluded between the Republic of Estonia and the Republic of Poland on the fight against organised crime; the Co-operation Agreement concluded between the General Directorate of St. Petersburg and Leningrad <i>Region</i> and the Police Board of the Republic of Estonia</p> <p>Responsible authority: MIA Deadline: Continuous activity</p>		<p>MIA budget Chapters: 01, 31 Article 30 operating costs</p>		
<p>National Drug Prevention Strategy and related programmes</p> <p>Responsible authority: PB Deadline: 2002 – 2003</p>	<p>Financial Memorandum concluded between the EU and the Ministry of Finance on 04. 09. 2001</p>	<p>PB co-financing Chapter 31 operating costs</p> <p>Needs: 2002 – 2003: EEK 60 000</p>	<p>Phare 2000 project ES0007-1 "EU Phare support to develop and implement the national drug strategies and programmes".</p>	

Abbreviations: MIA - Ministry of Internal Affairs,  
PB - Police Board

## 24.7. Fight against terrorism

In Estonia terrorism has been declared a criminal offence against the state. The Security Police Board is responsible for the prevention of terrorism and the obstruction of terrorist acts. The above-mentioned Board also conducts the preliminary investigation of terrorist related crimes.

After the events of 11 September 2001 in New York and Washington D.C. the Republic of Estonia joined the anti-terrorist coalition. This raised completely new demands on the whole country, as well as on the Security Police Board, in the fight against terrorism.

With reference to the threat of terrorism and the increasing risk of bio-terrorism the Security Police Board has assessed the action plans for the fight against terrorism and the efficiency of means for dealing with possible crises. The Republic of Estonia has prepared detailed plans for such crises and there are also special action plans in the event of any crisis proceeding from terrorism. Despite the fact that there are special action plans and resources for handling any terrorism related crisis, Estonia has to increase its capabilities for fighting terrorism while taking into account the current threats and potential new and unusual forms of terrorism.

Among the newest and unusual forms of terrorism the following should be mentioned:

- Nuclear, biological and chemical terrorism (*NBC terrorism*). Bearing in mind this aspect of terrorism the transit of weapons of mass destruction and other arms through the territory of Estonia has to be excluded and the techniques of forensic examinations must be modernised;
- Cyber-terrorism. Several specialists are of the opinion that vital information sources are often not adequately protected. The goal of cyber-terrorism is similar to the goals of other forms of terrorism, i.e. to spread the threat and create a highly emotional atmosphere, as well as to cause dangerous social reactions. The spread of cyber-terrorism is fostered by its anonymous effect.

Besides the prevention of terrorism and the ascertainment of persons committing terrorist acts the fight against terrorism includes the detection of persons involved in illegal arm and explosive trafficking whose actions may develop into terrorism. One of the sources of funding terrorism is the trafficking in illegal goods and this is also the area where terrorism overlaps with organised crime. Therefore, it is important to gather information about organised crime groups who stay in, or transit through, Estonia. Another source for funding terrorism is the possible transit of financial transactions through Estonia. No country can be successful in the fight against the funding of terrorism without involving other countries. The effective collection and analysis of information is surely of great importance.

The PHARE 2001 project, which focuses on the up-dating of information systems, enables an upgrade in the gathering of information and makes the criminal and intelligence analysis and the preliminary investigation carried out by the Police Board and the Security Police Board more effective. Estonian law enforcement authorities are at the stage where they have enough information but they are not able to analyse and associate it as quickly as is necessary.

In order to ensure the efficient performance of the above-mentioned tasks and to be able to contribute to the fight against international terrorism more training, the modernisation of forensic examination equipment and an increase in personnel are needed. Certainly the resources for improving the gathering of information in order to fight terrorism must be increased. This concerns human resources as well as technological means. The gathering of information is focused on the exclusion of the threat of terrorism in a stable society, not on the fight against its aftermath.

### **Demining**

The Rescue Board is responsible for organising and carrying out demining works within the scope established by the *Rescue Act*. Bomb threats, bomb suspicion, technical checks on bombs and post-explosion work which are all part of demining are directly linked to the fight against terrorism.

#### Priorities

The priorities of demining works in 2002-2003 are the following:

- full staffing of demining units of single-rescue companies and training of the personnel,
- increasing safety during demining works and the procurement and introduction of the equipment needed for this,
- preparation for the fight against terrorism,
- enhancement of international co-operation in the field of demining,
- gradual increase in the number of planned demining works,
- development of co-operation with the defence forces in the area of demining.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
	Draft Government Regulation concerning the Procedure for informing the authorities about the crisis situation and requirements to the distributed information	Submission: .05.2002 Entry into force: 07.2002	Emergency Preparedness Act, § 28 (2)
	Draft Government Regulation "The National Plan for Crisis Management"	Submission: 05.2002 Entry into force: 07.2002	Emergency Preparedness Act, § 6 (4)
International Convention against the Taking of Hostages	<i>Criminal Code, Penal Code</i>	Currently being read by the <i>Riigikogu</i>	
Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation.	<i>Criminal Code, Penal Code</i>	Currently being read by the <i>Riigikogu</i>	
International Convention for the Suppression of the Financing of Terrorism	<i>The Convention Ratification Act</i>	Currently being read by the <i>Riigikogu</i>	<i>The Criminal Code and the Penal Code enable to implement the Convention</i>
International Convention for the Suppression of Terrorist Bombings	<i>The Convention Ratification Act</i>	Currently being read by the <i>Riigikogu</i>	<i>The Criminal Code and the Penal Code enable to implement the Convention</i>
Anti-terrorist declaration prepared by ministers of justice and home affairs which was adopted on 14 October 1995 (La Gomera Declaration);	<i>Criminal Code, Penal Code</i>	Entry into force: after accession to the EU	
Joint Action adopted on the basis of Article K.3 of the EC Treaty on 15 October 1996 concerning the creation and maintenance of a Directory of specialised counter-terrorist competencies, skills and expertise to facilitate counter-terrorist co-operation between the Member States	<i>Criminal Code, Penal Code</i>	Entry into force: after accession to the EU	
30 November 1993 Declaration against the funding of terrorism	<i>Criminal Code, Penal Code</i>	Entry into force: after accession to the EU	

**Implementation and administrative capacity**

1.	2.	3.	4.	5.
Institution, planned measures (incl. training), deadline	Legal basis, implemented legal act	Financing (State budget line, other sources)	Technical assistance needs	Remarks
<p>In-service training for officials dealing with the fight against terrorism, including operative-surveillance methods used against terrorist groups; in the prevention of terrorism, in crisis situations and in the training for special squads.</p> <p>Responsible authorities: Security Police Board (SPB), PB, Rescue Board (RB) Deadline: continuous activity</p>	<p><i>The Security Authorities Act, the Code of Criminal Procedure, the Criminal Code</i></p>	<p>Part 140 operating costs</p> <p>Bilateral co-operation with member states</p>	<p>Co-operation in training with the French Police special RAID squad will continue. Planned Anti-terrorist project within the framework of the European integration action plan "Great Britain and Estonia in Europe: Action Plan of the United Kingdom". Planned FEU project for the improvement of the fight against terrorism.</p>	
<p>Continuation of the training on dealing with explosions</p> <p>Responsible authorities: SPB, PB, RB Deadline: continuous activity</p>	<p><i>The Security Authorities Act, the Code of Criminal Procedure, the Criminal Code</i></p>	<p>Bilateral co-operation with member states</p>		
<p>Procurement of the special forensic examination equipment needed to fight terrorism</p> <p>Responsible authority: SPB</p>	<p><i>Security Authorities Act</i></p>			<p>It is necessary to increase the resources for gathering information needed in the fight against terrorism</p>
<p>Increase in the number of the Security Police Board officers who will deal with the fight against terrorism by 5</p>	<p><i>The Security Authorities Act, the Police Service Act</i></p>			<p>It is necessary to increase the resources for gathering information needed in the fight against terrorism</p>
<p>Establishment of the crime analysis information system (Procurement of 28 Analyst Workstations)</p> <p>Responsible authorities: PB, SPB, Tax Board, MIA Deadline: 2002 – 2003</p>	<p><i>The Code of Criminal Procedure, the Criminal Code</i></p>	<p>PB, SPB, Tax Board, MIA co-financing part 140,139</p>	<p>PHARE 2001 project</p>	

<p>Conclusion of bilateral co-operation agreements with other countries: co-operation agreements between the Republic of Estonia and the Russian Federation on the sea rescue on the Gulf of Finland and in the prevention of emergency situations; an agreement between the governments of the Republic of Estonia and the Republic of Poland on co-operation in emergency situations</p> <p>Responsible authority: MIA Deadline: 12.2002</p>		<p>MIA budget Chapter 01 Article 30</p>		
<p>Preparation and introduction of the procedure for the communication of materials and information necessary for the international demining co-operation and for the improvement of the fight against terrorism according to the administrative capacity of the concerned organisations.</p> <p>Responsible authority: RB Deadline: 12.2002</p>	<p>Joining the programmes of the Information Management System for Mine Action (IMSMA) and Partnership for Peace Information Management System (PIMS). Legislation based on Article K.3 of the EC Treaty and other legislation related to fight against terrorism</p>	<p>RB co-financing Chapter 51 operating costs</p>	<p>Foreign assistance is needed. USA foreign support and co-operation programmes</p>	
<p>In-service training for demining personnel on international terrorism offered by different international training programmes (ATAP-Anti-Terrorist Assistance Program) and, if possible, co-operation on training with such organisations as ATF - Alcohol, Tobacco and Firearms, IABTI-International Association of Bomb Technicians and Investigators and FBI - Federal Bureau of Investigation.</p> <p>Responsible authority: RB Deadline: 2002-2003</p>	<p>Joining the programmes of the Information Management System for Mine Action (IMSMA) and Partnership for Peace Information Management System (PIMS). Legislation based on Article K.3 of the EC Treaty and other legislation related to fight against terrorism.</p>	<p>RB co-financing Chapter 51 operating costs</p>	<p>Foreign assistance is needed. USA foreign support and co-operation programmes</p>	

<p>Joining the international IMSMA computer programme (a digital Estonian CD-card is needed) and with the PIMS.</p> <p>Responsible authority: RB Deadline: 12.2002</p>	<p>Joining the programmes of the Information Management System for Mine Action (IMSMA) and Partnership for Peace Information Management System (PIMS). Legislation based on Article K.3 of the EC Treaty and other legislation related to the fight against terrorism.</p>	<p>RB co-financing Chapter 51</p>	<p>Foreign support is needed. USA foreign support and co-operation programmes</p>	
<p>Preparation and introduction of the demining monitoring system of construction sites by using detectors which are connected with a computer programme. Procurement of the necessary equipment.</p> <p>Responsible authority: RB Deadline: 2003 – 2004</p>	<p>Gov. Regulation “The Procedure for Demining Works”</p>	<p>RB co-financing Chapter 51</p>		
<p>Procurement of demining equipment (small excavators) and training for using it.</p> <p>Responsible authority: RB Deadline: 2002 – 2003</p>	<p>Gov. Regulation “The Procedure for Demining Works”</p>	<p>RB budget Chapter 97 Article 76</p>		<p>The continuation and enlargement of the RIP programme in the following years is necessary.</p>
<p>Increasing the public awareness about the risks accompanied by bomb threats.</p> <p>Responsible authority: RB Deadline: continuous activity</p>	<p><i>Rescue Act</i></p>	<p>RB budget Chapter 51 Article 30</p>		
<p>Adjustment of sites meant for destroying explosive items for demining works (according to the possibilities).</p> <p>Responsible authority: RB Deadline: continuous activity</p>		<p>RB budget Chapter 51, 58</p>		

Procurement of bomb containers  Responsible authority: RB Deadline: 2003-2004		PB budget Chapter 97 Article 76		
Preparation of the demining personnel for international demining operations (IMAS-International Mine Action Standards).  Responsible authority: RB Deadline: 2002-2003	EU new civil defence concept	PB budget Chapter 51 operating costs		
Furnishing of demining training classes and procurement of training facilities.  Responsible authority: RB Deadline: 2002-2003		PB budget Chapter 51 operating costs		
Language training for the demining personnel  Responsible authority: RB Deadline: 2002-2003		PB budget Chapter 51 operating costs		
Training for bomb dogs and bringing the training on an international level  Responsible authority: RB Deadline: 2002-2003	<i>Rescue Act</i>	PB budget Chapter 51 operating costs		
Procurement of new explosive substances (plastic explosives, special charges).  Responsible authority: RB Deadline: 2002-2003	Minister of Internal Affairs Regulation No. 53 of 07.09.2000	PB budget Chapter 51 Article 43		
Risk analysis at the municipal level  Responsible authority: local government Deadline: 12. 2002	<i>Emergency Preparedness Act</i>	MF budget part 139  Needs: 2002: EEK 3.5 million		



Risk analysis at the county/regional level Responsible authority: county governors Deadline: 12. 2002	<i>Emergency Preparedness Act</i>	MF budget part 139		
Basic and supplementary training for officers who plan the preparedness for emergency situations Responsible authority: RB Deadline: 2002 – 2003	<i>Emergency Preparedness Act</i>	RB budget Chapter 51 Article 30 Needs: 2002: EEK 500 000 2003: EEK 500 000		

Abbreviations: MIA - Ministry of Internal Affairs,  
 PB - Police Board,  
 RB - Rescue Board,  
 SPB - Security Police Board

## 24.8. Judicial co-operation in civil and criminal matters

### Judicial co-operation in criminal matters

#### Completion of the penal law reform.

In order to complete the penal law reform, it is necessary to support the reading of the *Code of Criminal Procedure* and the *Code of Misdemeanour Procedure* in the Riigikogu, so that they could be adopted in year 2002; but also to secure the preparation of their implementation in the second half of the year 2002 and the pertinent training of the officials. In order to enforce the *Penal Code* in the second half of the year 2002, it is necessary to support the reading of the *Implementation Act of the Penal Code* so that it could be adopted in the first quarter-year of 2002.

#### Preparation for accession to the European Union conventions.

The Ministry of Justice has started preparation for accession to several conventions, elaborated in the framework of the European Union, such as the Convention on Protection of the Financial Interests of the European Union and its additional protocols, Convention on Driving Disqualification, Convention on Recognition of the Foreign Court Decisions and Convention on Simplified Extradition, Convention on Transposition of the EU Criminal Procedure and the European Union Convention on Extradition. All the above-mentioned conventions concern the Third Pillar of the European Union and the complete accession to these is possible only after Estonia has become a member of the European Union. Thus in Estonia the preparation of the acts of accession to these conventions has been planned for the year 2003.

#### Fight against corruption

It is necessary to become a member of the working group of the OECD Convention on Combating Bribery Crimes, Committed in International Business Transactions by a Foreign Official, thereafter to sign the above convention and to elaborate a Draft Law for its ratification. The corresponding OECD working group has so far expressed its negative opinion regarding Estonian accession, and for that reason joining the convention does not depend on the sole will of the Estonian Government.

For the years 2002-2003 it is planned to prepare for accession to the *May 26, 1997 Convention on Combating Corruption, concerning the EU Officials and the Officials of the EU Member States*.

One important objective is to improve fair legal proceedings by enhancing the quality and capacity of the Estonian Forensic Medicine Bureau (under Ministry of Justice since 1 January 2002, formerly under Ministry of Social Affairs) which has to be developed with the view to receive the certificates of accreditation and meet international standards.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
Convention on Protection of the Financial Interests of the European Communities and its additional protocols.	<i>The Act on Ratification of the Convention, Penal Code, Code of Criminal Procedure</i>	Submission in the 4 <sup>th</sup> quarter-year of 2003.  Signature and ratification after accession to the European Union	The Code of Criminal Procedure, presented in the table, is at the moment of adoption of the action plan in the status of a Draft Law, being read by the Riigikogu.
The Convention between the Member States of the European Union on Deprivation of Driving Rights	<i>The Act on Ratification of the Convention, Penal Code, Code of Criminal procedure</i>	Submission in the 4 <sup>th</sup> quarter-year of 2003.  Signature and ratification after accession to the European Union.	
The Convention between the EC Member States of the European Communities on Enforcement of Foreign Sentences.	<i>The Act on Ratification of the Convention, Code of Criminal Procedure</i>	Submission: in the 4 <sup>th</sup> quarter-year of 2003  Signature and ratification after the accession to the EU	
The Convention between the EU Member States on Simplified Extradition Procedure	<i>The Act on Ratification of the Convention, Code of Criminal Procedure</i>	Submission: in the 4 <sup>th</sup> quarter-year of 2003  Signature and ratification after the accession to the EU	

Convention between the Member States on Transposition of Criminal Procedure	<i>Act on Ratification of the Convention, Code of Criminal Procedure</i>	Submission: in the 4 <sup>th</sup> quarter-year of 2003  Signature and ratification after the accession to the EU	
Convention, drawn up by the Council under Article 34 of the European Treaty on Mutual Legal Assistance between the EU Member States in Criminal Matters	<i>Act on Ratification of the Convention, Code of Criminal Procedure</i>	Submission: in the 4 <sup>th</sup> quarter-year of 2003  Signature and ratification after the accession to the EU	
Convention between the EU Member States on Extradition	<i>Act on Ratification of the Convention, Code of Criminal procedure</i>	Submission in the 4 <sup>th</sup> quarter-year of 2003  Signature and ratification after the accession to the EU	
OECD Convention on Combating Bribery Crimes, Committed in International Business Transactions by a Foreign Official	<i>Act on Ratification of the Convention, Code of Criminal Procedure</i>	Depends on Estonia becoming a member of the corresponding OECD working group	
Convention on Combating Corruption, Concerning the EU Officials and the Officials of the EU Member States	<i>Act on Ratification of the Convention, Code of Criminal Procedure</i>	Submission: in the 4 <sup>th</sup> quarter-year of 2003  Indicative entry into force in 2004	

**Implementation and administrative capacity**

1.	2.	3.	4.	5.
Institution, planned measures (incl training), deadline	Legal basis, implemented legal act	Financing (State budget line, other sources)	Technical assistance needs	Remarks
Ministry of Justice, training for prosecutors and judges in the 1 <sup>st</sup> half-year of 2002. Elaboration of study materials	<i>Penal Code</i>	Ministry of Justice		
Ministry of Justice, training for prosecutors and judges in the 4 <sup>th</sup> quarter-year of 2002.	<i>Code of Criminal Procedure</i>	Ministry of Justice		

**Legal co-operation in civil matters**

Legal co-operation in the European Union in civil matters is regulated mainly with the help of regulations and conventions between the Member States. During 2000 most of the conventions, concluded between the European Union and the Member States during the period prior to the Amsterdam Treaty have been replaced with the European Council Regulations. The Ministry of Justice will carry on with the analyses of the above regulations in order to be ready for their direct application upon Estonian accession to the European Union. Estonia has acceded to most of the international conventions concerning the co-operation in civil matters, mentioned in the *acquis*. Estonia can ratify the Convention on the Law, Applied to the 1980 Roman Treaties only after accession, as the convention is open for signature only for the member states of the European Union.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
Council Regulation No 1346/2000 on bankruptcy procedure	The Directive of the Minister of Justice on approval of the examination and attestation programme of the trustees in bankruptcy.	Submission and entering into force: 1 <sup>st</sup> quarter-year of 2002	Regulation of the EU bankruptcy procedure as a topic shall be added to the programme of trustees' in bankruptcy examination and attestation. According to the programme the applicants, running for the office of a trustee in bankruptcy and the trustees in bankruptcy, must acquire knowledge on the EU bankruptcy law. The training of the trustees in bankruptcy will be organised by the Chamber of the Trustees in Bankruptcy.
Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in respect of Parental Responsibility and Measures for the Protection of Children.	<i>Act on Accession to the Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in respect of Parental Responsibility and Measures for Protection of Children.</i>	Submission: 1 <sup>st</sup> quarter-year of 2002.  Indicative entry into force: 4 <sup>th</sup> quarter-year of 2002	The convention will enter into force on January 1 <sup>st</sup> , 2002. The convention is the only legal act, mentioned in the acquis of the Chapter on Co-operation in Legal Matters that Estonia can join prior to the accession.
	<i>Draft Bankruptcy Law</i>	Submission: 1 <sup>st</sup> quarter-year of 2002.  Indicative entry into force in the 1 <sup>st</sup> quarter-year of 2004	The draft law is important for amendment and improvement of the regulation of Estonian bankruptcy procedure. At drawing up the draft law the Council Regulation (EC) No 1346/2000 on bankruptcy procedure from May 29, 2000 has been taken into account

	<i>Code of Civil Procedure</i>	Submission: 1 <sup>st</sup> quarter-year of 2002 Indicative entry into force: 3 <sup>rd</sup> quarter-year of 2003	The draft law is of essential importance in improving the quality of the Estonian court procedure. While drafting the Council Regulation (EC) No 1348/2000 on the service in the EU Member States of judicial and extra-judicial documents in civil and commercial matters from May 29, 2000 has been taken into account
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**Implementation and administrative capacity**

1.	2.	3.	4.	5.
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
Ministry of Justice, Training of judges in the field of European Union bankruptcy law in the 2 <sup>nd</sup> quarter-year of 2002	European Union Council Regulation No 1346/2000 on bankruptcy procedure	Ministry of Justice		The training of judges will be carried out in connection with elaboration of the new Draft Bankruptcy Law. The EU Bankruptcy Law will also be dealt with, among other issues.
Ministry of Justice Training of judges in the field of private law  2 <sup>nd</sup> and 4 <sup>th</sup> quarter-year of 2002	European Union Council Regulation No 44/2001 on jurisdiction and the recognition and enforcement of judgements in civil and commercial matters.  EU Regulation No 1347/2000 on jurisdiction and the recognition and enforcement of judgements in matrimonial matters and in matters related with parental responsibility.	Ministry of Justice		

<p>Ministry of Justice Preparation of court bailiffs 1<sup>st</sup> and 2<sup>nd</sup> quarter-year of 2002, 2<sup>nd</sup> half-year of 2002 till the 1<sup>st</sup> half-year of 2003.</p>	<p>EU Regulation No 44/2001 on jurisdiction and the recognition and enforcement of judgements in civil and commercial matters.</p> <p>EU Regulation No 1347/2000 on jurisdiction and the recognition and enforcement of judgements in matrimonial matters and in matters related with parental responsibility.</p>	<p>The preparation, carried out in the 1<sup>st</sup> and 2<sup>nd</sup> quarter-year of 2002 will be financed from the budget of the Ministry of Justice</p> <p>The preparation, carried out from the 2<sup>nd</sup> half-year of 2002 till the 1<sup>st</sup> half-year of 2002 will be financed by the Chamber of Court Bailiffs</p>	<p>Need for foreign assistance in training court bailiffs.</p>	<p>Training on the subject of recognition and enforcement of foreign judgements, including judgements made in the member states of the EU is provided in the training programme of the court bailiffs.</p>
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### **24.9. Data protection**

The main task of the Data Protection Inspectorate is to protect the basic rights and freedoms of individuals with respect to processing personal data and do it in accordance with the right of every individual to have access to public information.

In order to attain its goals the Inspectorate:

- a) makes proposals for amendments to legislation related to the basic rights and freedoms of individuals;
- b) carries out state supervision over processing of personal data, the maintenance of databases and the access to public information, as well as over the manners and scope of making certain information public;
- c) gives recommendations to chief processors and authorised processors of databases.

The priorities of the Data Protection Inspectorate during the forthcoming years include the continues development of the Inspectorate, the preparation of necessary amendments to the *Personal Data Protection Act* and the *Databases Act*, as well as the training of officials of the Inspetorate to prepare them for the implementation of requirements of the EU *acquis*.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
Schengen Convention, Articles 102-118	<i>The Personal Data Protection Act and the Databases Act Amendment Act</i>	Submission: 06.2002 Entry into force:2003	
Schengen Convention, Articles 102-118	<i>The Personal Data Protection Act and the Databases Act Amendment Act</i>	Submission: 11.2002 Entry into force:2003	

**Implementation and administrative capacity**

1.	2.	3.	4.	5.
<b>Institution, planned measures (incl. training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
<p>Designation of a national data protection supervision authority of the Schengen Information System and appointment of 2 liaison officers to the supervision authority consisting of representatives of participating countries.</p> <p>Responsible authority: Data Protection Inspectorate (DPI) Deadline: upon joining the Schengen Information System</p>	<p><i>Schengen Convention, Articles 114 – 115</i></p>	<p>Budget of the DPI Chapter 02 operating costs Needs: EEK 215,000 a year</p>		
<p>Designation of an independent data protection supervision authority and appointment of 2 liaison officers to the supervision authority consisting of representatives of participating countries.</p> <p>Responsible authority: DPI Deadline: upon accession to the European Union</p>	<p><i>Europol Convention Articles 23 (1) - 24 (1)</i></p>	<p>Budget of the DPI Chapter 02 operating costs  Needs: EEK 215,000 a year</p>		
<p>Designation of an independent data protection supervision authority and appointment of 2 liaison officers to the supervision authority consisting of representatives of participating countries.</p> <p>Responsible authority: DPI Deadline: upon accession to the European Union</p>	<p><i>Customs Information System (CIS) Convention Article 3 (13 – 14)</i></p>	<p>Budget of the DPI Chapter 02 operating costs  Needs: EEK 215,000 a year</p>		

<p>Participation in different working groups (Project Group on Data Protection; European Institute of Public Administration; MIS training (audit and information security training)) and development of co-operation with data protection authorities of EU member states</p> <p>Responsible authority: DPI Deadline: continuous activity</p>		<p>Budget of the DPI Chapter 02 operating costs</p> <p>Needs: EEK 379,029 a year</p>		
<p>Special training for the personnel of the Data Protection Inspectorate on the implementation of supervision requirements established by the <i>acquis</i> for member states of the European Union.</p> <p>Responsible authority: DPI Deadline: continuous activity</p>		<p>Budget of the DPI Chapter 02 operating costs</p> <p>Needs: EEK 744,000 a year</p>		

Abbreviations: DPI – Data Protection Inspectorate

## **24.10. Schengen Information System**

### Public awareness in 2002 to 2003

The Ministry of Internal Affairs, the Police Board, the Board of the Border Guard and the Citizenship and Migration Board are responsible for informing the public about the changes brought along by implementation of the Schengen Convention.. Informing of the public about accession to the Schengen Convention started in 2001. So far the information given has been reactive but in 2002-2003 a systematic proactive public relations effort must be started to present the changes caused by application of the Schengen Convention.

The aim of the information is to present the Schengen requirements to the Estonian population by explaining the European Union border crossing procedures and the documents related to it. The techniques to be used for informing the public depend on the target group. The public awareness raising of the Schengen Convention will be carried out in three languages - in Estonian, Russian and English - and mainly through mass media such as newspapers, radio and television.

Public relations co-ordination methods include press conferences, press releases and media events i.e. PR-events. The effectiveness of this process can be measured by the number and quality of mentions or articles in the press. If necessary, visits to border regions of Estonia must be organised.

The Public Relations Department of the Ministry of Internal Affairs, in co-operation with the Police Board, the Board of the Border Guard and the Citizenship and Migration Board, is the main information channel to the public and the press about the implementation of the Schengen Convention.

Informing the public during 2002 - 2003 does not involve direct implementation costs. The public will be informed about the implementation of Schengen requirements by public relations specialist through mass media.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
Schengen Convention, Articles 112, 113  Schengen Convention, Article 116  Schengen Convention, Article 92	Preparation and application of legislation necessary for accession to the Schengen Convention and participating in the Schengen Information System: - preparation and application of amendments to the legislation by which actions of Estonian police and border guard officials in the territory of foreign countries will be regulated, as well as legal basis for actions of foreign police and border guard officials in Estonia will be established; - Harmonisation of internal legislation concerning requirements of data preservation.	2003 – 2005  2003  2003-2005	It will be possible for Estonia to join the Schengen Information System not earlier than at the end of 2005



**Implementation and administrative capacity**

<b>1.</b>	<b>2.</b>	<b>3.</b>	<b>4.</b>	<b>5.</b>
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
Application of the Visa Register  Responsible authority: CMB Deadline: 02.2002	Schengen Convention, Article 17	CMB co-financing Chapter 98, Article 37 operating costs	Phare 2001 project "Developing the readiness to implement the SIS"	
Transfer of the National Register of Residence and Work Permits to the new software platform  Responsible authority: CMB Deadline: 12.2002	Schengen Convention, Article 25	CMB co-financing Chapter 98, Article 37	Phare 2001 project "Developing the readiness to implement the SIS"	
Application of the National Register of Prohibitions on Entry  Responsible authority: CMB Deadline: 2002	Schengen Convention, Article 96	CMB co-financing Chapter 98, Article 37	Phare 2001 project "Developing the readiness to implement the SIS"	
Transfer of the databases of identity documents to the new software platform  Responsible authority: CMB Deadline: 12.2002	Schengen Convention, Article 100	CMB co-financing Chapter 61, Article 44	Phare 2001 project "Developing the readiness to implement the SIS"	
Transfer of the National Register of Refugees to the new software platform  Responsible authority: CMB Deadline: 12.2003		CMB co-financing Chapter 98, Article 37	Phare 2001 project "Developing the readiness to implement the SIS"	
Transfer of the Database of Aliens Staying in Estonia Illegally to the new software platform  Responsible authority: CMB Deadline: 12.2002		CMB co-financing Chapter 98, Article 37	Phare 2001 project "Developing the readiness to implement the SIS"	

Improvement of the police information system POLIS  Responsible authority: PB Deadline: 2002 - 2003		PB co-financing Chapter 98, Article 37	Phare 2001 project "Developing the readiness to implement the SIS"	
Prototype of the Sirene Bureau management software  Responsible authority: PB Deadline: 2002 - 2003		PB co-financing Chapter 98, Article 37	Phare 2001 project "Developing the readiness to implement the SIS"	The deadline may be changed depending on the beginning of the project
Development of the communication system  Responsible authority: BBG Deadline: 2002-2003	SCH/Com-ex (95) 21	BBG budget Chapter 41, Article 30  Needs: 2002: EEK 4 million 2003: EEK 12 million		Establishment of the joint radio network, integration of the border stations guarding the southern and the sea border to the joint data communication network; improvement of the radio communication network
Creation and implementation of the sea surveillance information system  Responsible authority: BBG Deadline: 12.2002	Schengen Convention, Articles: 95-100	BBG budget Chapter 98, Article 37  Needs: 2002: EEK 1 million		Procurement of the necessary software and hardware for carrying out sea surveillance and rescue missions
Creation of the border guard joint information system  Responsible authority: BBG Deadline: 2002-2003	Schengen Convention, Articles: 95-100	BBG budget Chapter 98, Article 37  Needs: 2002-2003 up to 20 million kroons	Phare 2001 project "Developing the readiness to implement the SIS"	Design and creation of the software necessary for the implementation of the Phare 2001 project "Developing the readiness to implement the SIS" and training necessary for its use
Adjustment and integration of national information systems with requirements of the Schengen Convention  Responsible authority: MIA Deadline: 2002 – 2003	Schengen Action Plan Chapter 3 (24 July 2001)	MIA co-financing part 140, Chapter 98, Article 37	Phare 2001 project "Developing the readiness to implement the SIS"	The deadline may be changed depending on the beginning of the project

Preparation of the Schengen training strategy Responsible authority: MIA Deadline: 05.2002	Schengen Action Plan, Chapter 5 (24 July 2001)	State budget (2-4% from the pay-roll fund)  Parts: 139, 140, 131, 144	The need for foreign assistance will be determined after the completion of the strategy	An inter-agency working group is currently being formed (MIA, MJ, MFA, PB, BBG, CMB, DPI, Customs, Public Service Academy) for the preparation of the training strategy
Training on the needs of a Sirene Bureau and N.SIS Responsible authority: MIA; PB; CMB; BBG; DPI; MFA; Customs Deadline: 2002 – 2005	Schengen Action Plan, Chapter 5 (24 July 2001)	MIA and its agencies; MFA; Customs co-financing Parts: 139, 140, 131, 144	Phare 2001 project “Developing the readiness to implement the SIS”	

Abbreviations: BBG-Board of Border Guard,  
CMB - Citizenship and Migration Board,  
MFA - Ministry of Foreign Affairs,  
MIA - Ministry of Internal Affairs,  
PB - Police Board,  
DPI – Data Protection Inspectorate

### 24.11. Fight against corruption

*The Anti-corruption Act* which entered into force on 20 February 1995, and which was amended on 28 February 1999, is the main law providing a basis for the fight against corruption in Estonia. *The Anti-corruption Act* should be considered together with the *Public Service Act*, the *Public Procurement Act* and the respective provisions of the *Criminal Code*, all of which together form the framework for determining corruption, as well as for providing the rules and procedures which public servants must follow when performing their tasks.

The *Code of Administrative Offences* was amended in parallel with the adoption of the Anti-Corruption Act. Administrative liability is imposed for several infringements in case of an official who has committed an offence, criminal punishment is applied only for repeated offences.

Thus Estonia has all the necessary legislation needed for the fight against corruption and since the *Penal Code* was adopted in 2001 and will enter into force in 2002 the European Union *acquis* is fully applicable.

Bearing in mind the main goals of the fight against corruption, its priorities include the improvement of the work of internal control and internal audit units. The main aim of internal control is to check how the employees of an organisation perform their tasks and to rationalise the working methods. As regards corruption the implementation of internal control has mainly a preventive effect.

Besides the internal fight against corruption carried out within organisations, it is also important to improve the working methods of authorities that are generally responsible for the fight against corruption. According to the *Code of Criminal Procedure* the responsibility for the investigation of corruption-related crimes, is divided between the Security Police Board and the Police Board. The Security Police Board investigates mainly those corruption-related crimes in which senior public servants are involved. During recent years the fight against corruption has become much more effective. However, training and special projects to improve the knowledge and skills of staff are still needed. In addition, the use of information technological resources must be improved as today its not only important to gather information on violations of the law but also to analyse it, thus enabling more efficient preparation of an anti-corruption strategy, as well as accelerating the criminal procedure.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
OECD Convention of 17 December 1997 on Combating Bribery of Foreign Public Officials in International Business Transactions.	<i>The Convention Ratification Act, the Criminal Code, the Penal Code</i>		Accession to the Convention depends on the date when Estonia will become a member of the relevant working group of the OECD
Convention of 26 May 1997 on the Fight Against Corruption Involving Officials of the European Communities or Officials of Member States of the European Union.	<i>The Convention Ratification Act, the Criminal Code, the Penal Code</i>	Submission: 2003, 4 <sup>th</sup> quarter. Estimated entry into force: 2004	

**Implementation and administrative capacity**

1.	2.	3.	4.	5.
<b>Institution, planned measures (incl. training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
Preparation of, and participation in, the training programme for specialists introducing methods of investigation of corruption and malfeasance.  Responsible authority: Security Police Board (SPB) Deadline: 12.2002	<i>Security Authorities Act, Police Act</i>	The Netherlands foreign support organisation PSO	In 2002 the joint project between Estonia and the Netherlands for combating economic and financial crime will continue	
Creation of the criminal analysis information system (Procurement of 28 <i>Analyst Workstations</i> )  Responsible authorities: PB; SPB; Tax Board, MIA Deadline: 12.2002	<i>Criminal Code; Code of Criminal Procedure</i>	PB; SPB, Tax Board, MIA co-financing	PHARE 2001 project	
Increasing the personnel of the Security Police Board by six policemen who deal with corruption.	<i>Security Authorities Act, Police Service Act</i>			
Language training for civil servants in order to train security police officials whose language knowledge (incl. Professional terminology) meets European Union requirements  Responsible authority: SPB Deadline: continuous activity				

<p>Development of co-operation with EU member states and other candidate countries; participation in the work of international organisations and working parties and co-operation with several police authorities abroad.</p> <p>Responsible authority: SPB Deadline: continuous activity</p>				<p>Participation in GMC - <i>Multidisciplinary Group on Corruption</i>, GRECO - <i>Group of States Against Corruption</i>, FBI - <i>Federal Bureau of Investigation</i>, DEA - <i>Drug Enforcement Administration</i>, AEPC - <i>Association of European Police College</i>) and co-operation with foreign police authorities (e.g. co-operation within the framework of the Nordic-Baltic Police Academy (NBPA))</p>
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Abbreviations: MIA - Ministry of Internal Affairs,  
PB - Police Board,  
SPB – Security Police Board

### **24.12. Crime prevention**

*The Crime Prevention Strategy up to 2005* provides for the responsibilities of all parties in carrying out preventive activities within their sphere of competence. In order to have a better overview of crime prevention activities, information has been gathered on different prevention projects carried out throughout the country. Besides that interviews have been organised in county governments and local authorities to find out what they have done in this area. The work of the Crime Prevention Division of the Ministry of Justice will be made more efficient so as to improve the co-ordination of crime prevention activities carried out by different ministries. The co-operation with the European Union Crime Prevention Network (EUCPN) will be enhanced.

Within Phare 2000 project training on crime prevention for the local authorities and police officers of three Estonian regions is being carried during the 2<sup>nd</sup> quarter of 2002. In order to plan crime prevention activities more effectively, trends of crime must be mapped.



**Implementation and administrative capacity**

1.	2.	3.	4.	5.
Institution, planned measures (incl. training), deadline	Legal basis, implemented legal act	Financing (State budget line, other sources)	Technical assistance needs	Remarks
Obstruction of crime by the implementation of crime prevention measures on national level  Responsible authority: PB Deadline: 2002 – 2003	Implementation of the 2002 action plan of the “National Crime Prevention Strategy up to 2005”	PB budget Chapter 31 operational costs		
Increasing the responsibility of local governments in the fight against crime  Responsible authority: PB Deadline: 2002 - 2003	Implementation of the 2002 action plan of the “National Crime Prevention Strategy up to 2005”	PB budget Chapter 31 operational costs		
Increasing of public awareness on legal matters  Responsible authority: PB Deadline: 2002 – 2003	Implementation of the 2002 action plan of the “National Crime Prevention Strategy up to 2005”	PB budget Chapter 31 operational costs		

Abbreviations: PB - Police Board

## 25. CUSTOMS UNION

On 17 October 2001 the Estonian *Customs Code* was adopted and will enter into force on 1 July 2002. The *Customs Code* is in full compliance with the EU Customs Code (Councils regulation 2913/92). At the same date, 40 Government regulations and 14 Minister of Finance regulations, based on the *Customs Code* and regulating the area more precisely, will be enforced. All these regulations have been drafted in accordance with the implementation regulations of the EU Customs Code (Commission Regulation 2454/93), which ensures the compliance of these regulations to the EU legislation. The submission and enforcement of the draft legislation was planned to the period from November 2001 to March 2002, to enable the business sector and customs officials to become familiar with the new legal acts and to make necessary adjustments in their work management. Hereby, the most significant and voluminous part of the Customs Union *acquis* will be harmonised by 1 July 2002, including the harmonisation of the provisions regulating customs free zones.

*The Prohibition of Import and Export of Goods Infringing Intellectual Property Rights Act* and its implementing regulations entered into force on 1 September 2001.

Estonia has submitted its application for joining the Convention on a *Common Transit Procedure and Convention on the Simplification of Formalities in Trade in Goods* already on 1 April 1996. The relevant draft acts will be submitted after receiving the invitation for joining to the above- mentioned conventions.

The *Act of Relieves from Customs Duty* drafted on the basis of the Council Regulation 918/83 will be submitted to the Government in March 2002 and it will enter into force on 1 January 2003.

Next year, in addition to the mentioned drafts, it is planned to submit the draft of the *Act on Acceding to the Convention on Customs Treatment of Pool Containers Used in International Transport* (Council Decision 137/95).

The *Customs Tariffs Act Amendment Act* introducing the unilateral most-favoured-nation customs duties will be submitted to the Government in 2002. Under the Act Estonia offers to the underdeveloped countries preferential customs duty similar to the Generalised System of Preferences applicable in the European Union. The Act ensures the effective implementation of tariffs and tariff related measures upon accession to the EU and in accordance with the schedule for implementing the tariff measures approved by the Government.

According to the plan, these acts will enter into force on 1 January 2003 and herewith the harmonisation of the main legal acts in the customs area is concluded.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
Council Decision 95/137/EC on the Convention on Customs Treatment of Pool Containers used in International Transport	Act on acceding to Convention on customs treatment of pool containers used in international transport	16 September 2002, 1 January 2003	
	Customs Tariffs Act Amendment Act	1 May 2002, 1 January 2003	
<b>Financing:</b> Section 139 of MoF's budget, chapter 01, lines 10 and 21			

**Implementation and administrative capacity**

1.	2.	3.	4.	5.
Institution, planned measures (incl training), deadline	Legal basis, implemented legal act	Financing (State budget line, other sources)	Technical assistance needs	Remarks
1. Implementation of the Customs Code <ul style="list-style-type: none"> <li>• Training of customs officials and customers for implementation of the code: stage I, July 2002</li> <li>• Readjustment of customs information systems: stage I, July 2002</li> <li>• Translation/publication of the documentation on classification and origin of goods: II half of 2002/ I half of 2003</li> <li>• Uniform application/simplification of customs procedures and risk assessment: 31 Dec. 2003</li> </ul>	<ul style="list-style-type: none"> <li>• Customs Code and the implementing regulations</li> <li>• 92/2913/EEC</li> <li>• 93/2454/EEC</li> </ul>	Section 139 of the budget, chapter 71 and 97	<ul style="list-style-type: none"> <li>• Danish bilateral assistance</li> <li>• PHARE 2002(II) – “Administrative capacity”</li> </ul>	
2. Phare 2000 project “Computerised master tariff system (code ES0005-2)” realisation <ul style="list-style-type: none"> <li>• stage I: Drafting of the system specification, tenders for the software procurement - August 2002</li> <li>• stage II: Installation and test of the system software - April 2003</li> </ul>	<ul style="list-style-type: none"> <li>• 87/2658/ EEC</li> <li>• Customs Code</li> <li>• Customs Duty Exemption Act</li> </ul>	Co-financing from the budget: <ul style="list-style-type: none"> <li>- MEEK 5.5, section 139 of the 2002 budget, chapter 71</li> <li>- MEEK 2.2, 2003 budget</li> </ul>	PHARE 2000: <ul style="list-style-type: none"> <li>- MEEK 9.4 (MEUR 0.6) twinning</li> <li>- MEEK 23.5 (MEUR 1.5) IT development</li> </ul>	
3. Training on implementation of tariff measures for customs officials and for business community according to the Government action plan deadlines	On 20 February 2001 the Government approved action plan <i>Schedule of Implementation of Tariffs and other Tariff measures</i> and the listed legal acts in it	Section 139 of the budget, chapter 71 and 97	Swedish bilateral assistance	
4. Introduction of the EU compatible system for collection, accounting and reporting on the customs revenue Deadline: will be defined with the MoF decision	2000/597/EEC	Section 139 of the budget, chapter 71 and 97	<ul style="list-style-type: none"> <li>• Danish FEU program 2001-2002</li> <li>• Twinning (MoF)</li> </ul>	The working group on budget of the MoF is working on mapping the issues/responsibilities. SAP software supports the accounting the EU own resources

<p>5. Consolidation of the internal audit into EU internal audit system and training Deadline: 31 Dec. 2003</p>	<ul style="list-style-type: none"> <li>• Government of the Republic Act</li> <li>• Government Regulation No 329 of 18 October 2000</li> <li>• 99/1260/EEC</li> <li>• 2001/438/EEC</li> </ul>	<p>Section 139 of the budget, chapter 71 and 97</p>	<p>PHARE (MoF), TAIEX</p>	
<p>6. Preparation of the implementation of the Common Agricultural Policy measures Preparation for the implementation of the market management measures (administration of importation and exportation licenses, nomenclature and administration of the refunds on exportation, administration of the intervention buying-in, introduction of the common tariff on agricultural products Deadline: will be determined by the Ministry of Agriculture</p> <ul style="list-style-type: none"> <li>• Training of the customs officials on control and post- control of enterprises exporting agricultural products</li> </ul> <p>Deadline: will be determined by the Ministry of Agriculture</p>	<ul style="list-style-type: none"> <li>• 3719/88, 1162/95, 1370/95, 1371/95, 1445/95, 1464/95, 2190/86, 800/99, 2038/99, 174/99, 1291/2000, 2221/95, 1167/97, 696/98</li> </ul>		<p>PHARE or TAIEX or bilateral assistance</p>	<p>The PHARE project on the market management system implementation is due to start and the inter-institutional working group has been set up (MoF and Customs Board experts are presented) for reaching objectives and allocation of responsibilities of institutions. The project deadlines will be adopted by the MoA.</p>
<p>7. Establishment of a customs laboratory:</p> <ul style="list-style-type: none"> <li>• Feasibility Study</li> <li>• Designing, construction, procurement of equipment and staffing</li> <li>• Personnel training</li> </ul> <p>Deadline: 1 July 2003</p>	<ul style="list-style-type: none"> <li>• 89/397/EEC, 93/99/EEC</li> <li>• Customs Board Statutes</li> </ul>	<p>Co-financing from budget up to 25% (MEEK 7.02)</p>	<p>PHARE 2002 (II): – MEUR 1.8 (MEEK 28.1)</p>	

<p>8. Establishment of excise warehouses for fuel and tobacco products Training for customs officials and customers Deadline: Act enters into force on 01.01.2003 Executing the ITdevelopment project on alcohol excise warehouses to ensure compatibility with the excise data exchange system SEED of the DG TAXUD. Deadline: 1 Dec.2003</p>	<ul style="list-style-type: none"> <li>Alcohol, Tobacco and Fuel Excise Duty Act</li> <li>92/12/EEC</li> </ul>		<p>Bilateral assistance: - Finland</p>	
<p>9. Preparations for joining the DG TAXUD information systems</p> <ul style="list-style-type: none"> <li>Uniform communication network/ systems interface (CCN / CSI)</li> </ul> <p>Deadline: 1 Oct. 2002</p> <ul style="list-style-type: none"> <li>other TAXUD systems: European classification decision (EBTI), quota/surveillance goods (QUOTA), quota suspensions (QUOTA SUSPENSIONS), unit values (UNIT VALUES), European customs list of chemicals substances (ECICS), inward processing relief (INWARD PROCESSING RELIEF), TCO/TCT</li> </ul> <p>Deadline: 1 Dec. 2003</p>	<p>European Commission document: "Interconnectivity Strategy with TAXUD systems"</p>	<p>Section 139 of the budget, chapter 71 and 97</p> <p>Co-financing from the budget (requested MEUR 0.125, request is unconfirmed)</p>	<ul style="list-style-type: none"> <li>Implementation of the CCN is financed by EU Commission (Networking Program)</li> <li>PHARE 2002 (I): - requested MEUR 3.2, unconfirmed</li> </ul>	
<p>10. Establishment of the common technical support centre of the Baltic countries for the development of the Customs declarations processing system ASYCUDA Deadline: 1 July 2002</p>	<p>MoF/UNCTAD agreement</p>	<p>Budget (USD 60,000 ~ MEEK 1.0 for each year of the agreement)</p>		

<p>11. Implementation of the Action Plan for bringing the border control into compliance with the EU requirements Transfer of the know-how Training the customs officials Bringing the technical equipment into conformity with the EU requirements (mobile x-ray equipment, , hidden survey cameras, radio communication systems, night observation instruments, land and water transport means Deadline: 31 Dec. 2003</p>	<ul style="list-style-type: none"> <li>• Schengen Agreement</li> <li>• 91/3648/EEC</li> <li>• 91/3356/EEC</li> <li>• 92/ 3912/EEC</li> </ul>	<p>Co-financing from the budget (requested MEUR 0.125, request is unconfirmed)</p>	<ul style="list-style-type: none"> <li>• PHARE 2002 (II): <ul style="list-style-type: none"> <li>- requested for technical assistance MEUR 0.75, request is unconfirmed</li> </ul> </li> <li>• PHARE 2002(II): <ul style="list-style-type: none"> <li>- requested MEUR 1.7 for equipment deliveries, request is unconfirmed</li> </ul> </li> </ul>	<p>Action plan will be realised as a project, which brings the following areas into full compliance with EU requirements:</p> <ul style="list-style-type: none"> <li>• Management of the border control and personnel</li> <li>• Legal basis of the border control</li> <li>• Infrastructure and technical equipment of the border point</li> <li>• Cross border co-operation</li> <li>• Use of risk analysis</li> </ul>
<p>12. Reinforcement of the measures for fighting against the corruption</p> <ul style="list-style-type: none"> <li>• Improvement of work conditions</li> <li>• Computerisation of the work processes</li> <li>• Increase in the salary level of the customs officials</li> <li>• Improvement of the social guarantees for customs officials</li> <li>• Working out the measures for fighting against corruption and facilitation of ethical behaviour in all customs work areas</li> </ul>	<ul style="list-style-type: none"> <li>• Public Service Act</li> <li>• Convention on fight against corruption (497A0625(01), 498Y1215(01))</li> </ul>	<p>Section 139 of the budget, chapter 71 and 97</p>	<p>Under Netherlands PSO program (administrated by Ministry of Internal Affairs)</p>	
<p>13. Increasing the Customs enforcement capacity and the quality of client service Deadline: 31 Dec. 2003</p>	<p>Customs Union <i>acquis</i></p>	<p>Co-financing from the budget (requested 25%, request is unconfirmed)</p>	<p>PHARE 2000 (II) subproject</p>	
<p>14. Preparation for fulfilling the requirements proceeding from accession to the convention <i>Mutual assistance and co-operation between customs administrations</i> Deadline: 31 Dec. 2003</p>	<p>498A0123(01)</p>	<p>Section 139 of the budget, chapter 71 and 97</p>		
<p>15. Preparation for fulfilling the requirements proceeding from accession to the convention <i>Use of information technology for customs purpose</i> Deadline: 31 Dec. 2003</p>	<p>495A1127(02)</p>	<p>Section 139 of the budget, chapter 71 and 97</p>		

<p>16. Preparation for fulfilling the requirements proceeding from accession to the COTIF convention Deadline: by the end of 2002.</p>	<ul style="list-style-type: none"> <li>• Directive 2001/6/EC</li> <li>• COTIF-convention (1985)</li> </ul>	<p>Section 139 of the budget, chapter 71 and 97</p>	<p>TAIEX or bilateral assistance</p>	
<p>17. Preparation for accession to the <i>Common Transit Convention</i></p> <ul style="list-style-type: none"> <li>• Introduction of the NCTS: Stage I: NCTS pilot phase 3.1 according to the minimum functionality and introduction of the national transit Deadline: 01.01.2003 Stage II: NCTS further developments (interface for the declarations processing system, guarantees, selectivity etc).</li> </ul> <p>Deadline: 31 Dec. 2003</p>	<ul style="list-style-type: none"> <li>• Common Transit Convention</li> <li>• SAD Convention</li> <li>• COTIF Convention</li> </ul>	<p>Co-financing from the budget (requested 25%, request is unconfirmed)</p>	<p>PHARE 2002 (I): - request is submitted, request is unconfirmed</p>	
<p>18. Implementation of the Business Process Re-engineering (BPR) to ensure the required administrative capacity in the EU</p> <ul style="list-style-type: none"> <li>• Mapping of processes/procedures, preparatory training</li> <li>• Gaps and needs analysis</li> <li>• Elaboration of the ideal processes and drafting the plan of the changes</li> <li>• Drafting of the business strategies and the Strategic Plan of ECB for 2003-2006</li> <li>• Training on Management of Changes</li> <li>• Implementation of organisational changes</li> </ul> <p>Deadline: 31 Dec. 2003</p>	<ul style="list-style-type: none"> <li>• D(98) 37139/XXI/A/4/rs “Customs key indicators”</li> <li>• Customs Union <i>acquis</i></li> <li>• Strategy for the Customs Policy in the EU COM 51(2001)</li> <li>• 2000/2700/EC</li> </ul>	<p>Co-financing from the budget (requested MEUR 0.8, request is unconfirmed)</p>	<ul style="list-style-type: none"> <li>• Bilateral assistance: - PPF-2002 (MoF) - Finland, Denmark (partly)</li> <li>• PHARE 2002(I) subproject 2 “Reengineering of the main customs processes”</li> </ul>	<p>Several 1 column activities are taking place in parallel to enable to achieve the maximum preparedness, when Phare 2002 financing will open (Nov-Dec 2002)</p>



## 26. EXTERNAL RELATIONS

### 26.1 Trade and International Economic Relations

#### *Introduction*

On the basis of the screening results of this chapter, Estonia is capable of taking over the EU *acquis* in the field of external relations from the date of accession. The principles of Estonia's foreign relations are in conformity with those of the EU. These principles concern primarily bilateral relations with third countries, instruments of EU common commercial policy in the framework of the World Trade Organization, development policy, rendering humanitarian aid, protection of human rights and mechanisms for imposing sanctions. As the *acquis* in this Chapter is composed of acts concerning relations between the European Communities, their member states and third countries or organisations, it is possible to transfer these acts into the Estonian legal system only from the formal accession to the Union.

#### World Trade Organization (WTO)

In the Protocol of Accession to the WTO, Estonia has undertaken to become a party to WTO Agreement on Government Procurement. Estonia has presented its initial offer and is actively conducting accession negotiations with other members to the Agreement. The above-mentioned Agreement, to which the EU Member States have acceded, lays down common principles of a government procurement system. Estonia's accession to the Agreement will contribute to harmonisation of the system of government procurement in Estonia.

In its activities in the WTO, Estonia follows the general outlines of the external trade policy of the European Union and consults with the Commission on a regular basis.

#### *Plans for 2002/3*

Estonia hopes to conclude the negotiations on the accession to the WTO Agreement on Government Procurement by December 2002 and thereafter ratify the Accession Protocol in *Riigikogu*.

#### **Strategic goods**

The system of controlling export, import and transit of strategic goods has been created and implemented.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
294 A 1223(21) Uruguay Round multilateral negotiations (1986-1994) Annex 4 – Agreement on Government Procurement (WTO) OJ L336 23.12.94. p. 273	Ratification of the Protocol of Accession to the Agreement on Government Procurement	Depending on the speed of negotiations: 1 <sup>st</sup> half of 2003	

**Implementation and administrative capacity**

1.	2.	3.	4.	5.
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
MFA, External Economic Relations Department, European Integration Department, Political Department (total of 30 officials) – training in <i>modi operandi</i> and administrative structure of the Council (esp in the field of external economic relations)		Budget of the Ministry of Foreign Affairs	-	It needs to be assured that upon rotation, new officials would receive the same training.
MFA, External Economic Relations Department – training in the field of EU external trade policy		Budget of the Ministry of Foreign Affairs	-	
MFA, External Economic Relations Department – training in the field of EU policies on steel, services, textiles, conformity assessment and motor vehicles		Budget of the Ministry of Foreign Affairs	-	

### **Export credit and guarantees**

In 2000 preparations were started to draft legal acts for the approximation of Estonian legislation with two EU directives concerning state export credit and guarantees – Council Directive 98/29/EC on harmonisation of the main provisions concerning export credit insurance for transactions with medium and long-term cover and Council Directive 84/568/EEC concerning the reciprocal obligations of export credit insurance organizations of the Member States acting on behalf of the State or with its support, or of public departments acting in place of such organizations, in the case of joint guarantees for a contract involving one or more subcontracts in one or more Member States of the European Communities. In June 2002 the *State Export Guarantees Act Amendment Act* and the new regulations pertaining to this act will be submitted to the Government.

In this approximation work Estonia is assisted by the Danish Ministry of Foreign Affairs and the Danish Export Guarantee Fund under a cooperation project approved by Denmark in 2001.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
Council Directive 98/29/EC on harmonisation of the main provisions concerning export credit insurance for transactions with medium and long-term cover	<i>State Export Guarantees Act Amendment Act</i> and elaboration of the regulation based on it	Act June 2002 Regulation November 2002 Immediate entry into force	In order to introduce the secondary legislation the provision related to authority and the essential provisions of the Directive will be added to the State Export Guarantees Act through the Amendment Act
Council Directive 84/568/EC concerning the reciprocal obligations of export credit insurance organizations of the Member States acting on behalf of the State or with its support, or of public departments acting in place of such organizations, in the case of joint guarantees for a contract involving one or more subcontracts in one or more Member States of the European Communities	<i>State Export Guarantees Act Amendment Act</i> and elaboration of the regulation based on it	Act June 2002 Regulation November 2002 Immediate entry into force	In order to introduce the secondary legislation the provision related to authority and the essential provisions of the Directive will be added to the State Export Guarantees Act through the Amendment Act

**Implementation and administrative capacity**

1.	2.	3.	4.	5.
Institution, planned measures (incl training), deadline	Legal basis, implemented legal act	Financing (State budget line, other sources)	Technical assistance needs	Remarks
<u>Ministry of Economic Affairs, foundation KredEx:</u> Elaboration of <i>State Export Guarantees Act Amendment Act</i> and secondary legislation based on it.	Council Directives 98/29/EC and 84/568/EEC	State Budget, Danish FEU project		

## 26.2. Development co-operation

### *Introduction*

Estonian policy of development co-operation is based on “The Principles of the Development Co-operation for the years 1999-2000”, approved by the *Riigikogu* on 20 January 1999, which defines development and humanitarian aid as an integral part of Estonian foreign policy. In accordance with the NPAA of 2001, the Ministry of Foreign Affairs will prepare a new document setting out Estonian development co-operation policy, after the *Riigikogu* has passed the law on development co-operation. In order to carry out activities in accordance with the plan, the existence of necessary financial resources as well as an increase in administrative capacity is necessary. From 1998 to 2000, development co-operation expenditure had a designated budget line in the state budget. In 2001 the same amount was specifically allocated from the Government reserve. The Government aims to gradually increase the ratio of development aid resources to the GDP.

Estonia has translated the 2000 Cotonou Agreement between the European Union and African, Caribbean and Pacific states and, keeping in mind that upon accession to the European Union, Estonia will finance activities within the framework of the Agreement, analyses it in 2002.

The number of officials of the development co-operation division of the Ministry of Foreign Affairs will be increased in 2002 to assure adequate administrative capacity to tackle issues of development co-operation both on a wider scale and in more specific areas.

### *Plan of action for 2002/3*

- *Development Co-operation Act* will be passed in the first half of 2002, regulating the administration of development and humanitarian aid.

As stipulated by that Act, a Council for Development co-operation will be created to advise the Minister of Foreign Affairs. Decisions concerning development aid will be made by the Foreign Minister, instead of the Cabinet of Ministers. Proposals for financing will be submitted by the Development Co-operation Commission, consisting of representatives of the Ministries of Foreign Affairs, Finance and Economic Affairs. This will make financing of development co-operation faster and more transparent.

In 2002, after the new Act has been adopted, the Ministry of Foreign Affairs will present proposals for renewal of the principles of development co-operation, in order to adjust them to the changing situation in the world.

- Analysis of legislation

In order to increase coherence between development co-operation policy and other fields of Estonian external and internal policies (security concept, crisis management, peacekeeping, etc.), the Ministry of Foreign Affairs will analyse Estonian legislation (*Preparedness for Emergency Situation Act, Government of the Republic Act, External Relations Act*, draft regulation concerning formation of teams participating in international rescue operations, assuring their preparedness, dispatching and financing, *Public Procurement Act, Value Added Tax Act*, etc.) and, if necessary, make suggestions for amendments.

- Relations with international organisations

The Ministry of Foreign Affairs continues to strengthen ties with international organisations involved in the field of development co-operation (EU, OECD, UN, NATO, etc).

- Informing the public

Semi-annually, the Minister of Foreign Affairs addresses *Riigikogu* on the priorities of the Government's foreign policy, including development co-operation.

- Co-operation with NGOs and other ministries

The Ministry of Foreign Affairs devotes particular attention to supporting development and humanitarian aid projects developed upon the initiative of non-governmental organisations (Estonian Red Cross, the Estonian Council of Civic Organisations, Jaan Tõnisson Institute, etc). Co-operation between other parts of public administration and the NGOs in the field of development co-operation is very important.

- Trilateral co-operation

The Ministry of Foreign Affairs develops bilateral relations with other donor countries in order to find possibilities for trilateral co-operation.

- Training

There is a continued need for training for officials (new officials – on the general level, existing civil servants – specific issues) as many new directions in international development co-operation policy need to be adjusted to Estonian situation.

### **Aid to Transition Countries**

Current successful co-operation with Ukraine and Russia in sharing reform experience will be continued. Depending on the economic policy situation, it is also envisaged to support development of Belarus.

### **Development Aid**

South-East Europe, Southern Caucasus and Central Asia continue to be priority regions for Estonian development co-operation policy. Estonia's strength is in sharing experience of state sector reform, economic liberalisation and information technology. More attention will be devoted to assisting the development of Balkan countries.

### **Humanitarian Aid**

Estonia participates in international rescue operations in accordance with the *Rescue Act* (RT I 1994, 28, 424; 1998, 39, 598; 2000, 50, 316), and gives crisis assistance in accordance with the *Emergency Preparedness Act* (RTI 2000, 95, 613).

Estonia will continue to support international humanitarian aid organisations through donations and co-operate with the aid structures of other countries.

### **Plans for 2002-2003**

- Assure the increase of the ratio between amounts dedicated to development co-operation and GDP
- *Development Co-operation Act* should be passed within the first half of 2002
- Review of principles of development co-operation in 2002.



- Steady increase in the number of people involved in development co-operation policy and training of the new officials.
- Continued analysis of Estonian legislation on the basis of development co-operation policy.
- Continued analysis of the Cotonou Agreement.

**Implementation and administrative capacity**

1.	2.	3.	4.	5.
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
Ministry of Foreign Affairs (MFA) Training of Foreign Ministry officials on new directions in development co-operation policy, learning from practice of donor states, Cotonou Agreement, etc.		Budget of MFA 3 x 1 week: <u>Daily allowance</u> 21 x 500 = 10 500.- <u>Housing</u> 18 x 1 400 = 25 200.- <u>Transport</u> 3 x 6 000 = 18 000.- <u>Total</u> 53 700 EEK, additional resources as assistance from EU Member States, if needed		Participation in training programs of other countries (esp. Nordic countries), participation in training programs of international organisations (esp. the UN)

## **27. COMMON FOREIGN AND SECURITY POLICY (CFSP)**

### **Introduction**

According to the National Security Concept the aim of the Estonian foreign and security policy is to maintain the sovereignty and territorial integrity of Estonia, to safeguard the existence and progressive development of Estonia as a democratic state, to promote national welfare and preserve the cultural heritage, to safeguard the Estonian language as well as Estonian identity while promoting international co-operation in the globalising world. Active contribution to regional stability and further development of good-neighbourly relations with Russia remain key elements of Estonia's foreign policy. The aims and principles of Estonian foreign and security policy fully correspond to those of the European Union. In 2001 Estonia joined all common positions and declarations that the European Union invited the candidate states to join.

The most significant development for Estonia in the international environment is the Euro-Atlantic integration process: the continued enlargement of the European Union and NATO. Estonia fully shares the democratic ideas and goals that the EU and NATO are based upon and aims to gain full membership in both organisations. Since their inception, the EU and NATO have guaranteed peace, stable social development and economic growth in their area. For Estonia, these structures offer a real and historically unique opportunity to secure its democracy and sovereignty.

### **Political dialogue. Co-operation with third countries and international organisations**

In 2002 Estonia will continue its active participation in the political dialogue with the EU based on the Europe Agreement: meetings on ministerial, senior officials' and expert level, information exchange with the EU on the activities within the context of the CFSP. Estonia intends to continuously align itself with the EU declarations, common positions, joint actions and other instruments of the CFSP. Estonia also intends to continue its close co-operation with the EU in international and regional organisations.

Within the UN, Estonia plans to associate itself with the EU declarations and initiatives. Estonia will continue to seek membership in the Western European Group (WEOG) of the UN in 2002. Within the OSCE and the Council of Europe Estonia intends to further strengthen close co-operation between Estonia and the EU.

After the terrorist attacks of 11 September it has been possible to witness the creation of a uniquely extensive coalition of nations for fighting against terrorism. Estonia contributes to this cause by increasing its military preparedness and continued fulfilment of international obligations, like stringent control of the borders, prevention of international financial crimes as well as increasing internal security to prevent terrorist and other organised crime activities. Estonia intends to align itself with the EU initiatives in the fight against terrorism.

In the framework of regional co-operation, Estonia intends to give an active support to the activities of the Council of the Baltic Sea States during the present Russian

presidency and also during the Finnish presidency. Special attention will be paid to the implementation of programmes elaborated in the CBSS for the EU Northern Dimension Action Plan (especially *Northern eDimension Action Plan*).

Estonia's participation in the political dialogue with the EU based on the Europe Agreement is financed through a separate EU Integration Budget within the MFA budget. Specialised CFSP Division within the MFA Political Department is responsible for the implementation of the Political Dialogue. The budget and the administrative structures are constantly updated according to the developments and intensification of the Political Dialogue.

### **European Security and Defence Policy (ESDP)**

Estonia supports the development of the ESDP and actively participates in consultation and co-operation mechanisms in this field. Estonia announced its initial contribution to the European Headline Goal at the EU Capabilities Commitment Conference in November 2000. During the Headline Goal review process it will be further specified how to integrate Estonia's contribution most efficiently to the EU's crisis management system and planning mechanisms, keeping in mind Estonia's possible participation in the future crisis management operations led by the EU.

Estonia has also expressed its interest to participate in the civilian crisis management initiative of the EU, underlining the importance of unconventional security risks and the necessity for a multi-dimensional approach to crisis management, guaranteeing the maximum co-ordination between the military and civilian side of crisis management. Estonia has expressed its readiness to make concrete contribution in this field.

### **Implementation of the Negative Measures of the EU**

Through the resolutions of the UN General Assembly and Security Council and also in the framework of the co-operation between the EU and Estonia on the CFSP, Estonia has aligned itself with several international negative measures. These measures establish sanctions and restrictions for the states and persons whose activities constitute a danger for international peace and security or are related to a large-scale violation of human rights.

In order to facilitate the system of the implementation of negative measures, a draft law on implementing international sanctions was elaborated in Estonia in 2001. The draft law will hopefully be enforced from the middle of 2002. The aim of this law is to create a detailed legal basis and practical mechanisms for the domestic implementation of the UN resolutions and EU's negative measures. The CFSP Division in MFA is co-ordinating the alignment and the preparations for speedy adoption of appropriate Government decrees to implement negative measures. The law will establish the decision-making mechanism, the co-operation between respective ministries and other public institutions and the procedures to guarantee the implementation of adopted decisions. The *Penal Code* establishes penalties for failing to fulfil the obligations taken in the framework of international co-operation. All necessary institutions for implementation have been created.

### **Estonia's steps to implement the criteria of the EU Code of Conduct on Arms Exports**

The amended *Weapons Act* adopted by the Estonian Parliament in June 2001 states that the stockpile management, marking and record-keeping of weapons will be regulated by relevant regulations of the Government. These regulations will be prepared by the Ministry of Internal Affairs and the Ministry of Defence and adopted in 2002.

### **Common Diplomatic and Consular Protection**

In order to facilitate Estonia's participation in the common diplomatic and consular protection of the European Union, the process of harmonisation of Estonian relevante legislation: the *Consular Act* with EU legal acts will continue in 2002.

With regard to consular assistance provided by Estonian representations abroad, the problem of repayment of financial assistance to citizens who have run into financial difficulties abroad will be solved during 2002. The Ministry of Foreign Affairs is preparing an amendment to the *Consular Act* to create the legal basis for emergency assistance.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
OJ L314, 28.12.1995 and its implementation measures 11107/95 of 19. December 1995; OJ L 168 6.7.1996; Guidelines for Protection of Nationals in case of a Political or Natural Disaster Coreu HAG 1386/91; Council Decision of 27 June 1996, 8386/	Consular Act	December 2002	
EU common positions: negative measures	Law on the Application of International Sanctions	July 2002	This law is a prerequisite for the full adoption of the <i>acquis</i> regarding the negative measures of the EU; it specifies some procedures of co-operation with the EU under Art. 4-7 of the Europe Agreement

**Implementation and administrative capacity**

1.	2.	3.	4.	5.
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
The Ministry of Foreign Affairs, the Ministry of Internal Affairs: (Citizenship and Migration Board, Estonian Board of Border Guard, National Police Board, Security Police Board) Measure: regular training courses	EU Common Diplomatic and Consular Protection.  Consular Act	State budget, Support of EU		Regular training course for consuls and consular officers. The participants will receive a respective certification.

## 28. FINANCIAL CONTROL

The chapter of financial control was closed in 2001. The legislation of internal control and internal audit corresponds to the EU requirements. There is no need for further legislative work in order to implement the public internal financial control (PIFC) since the existing legislation already covers the above-mentioned fields.

Since September 2001, the officials responsible for internal control and internal audit have been appointed in all ministries, county governments and government agencies. This completed the first phase of launching the internal control system in the Government institutions: it included drafting and adopting the required legal framework and appointing the internal auditors.

### *Plans for 2002*

In 2002, the development and improvement of the internal control and internal audit system of the PIFC institutions will continue.

The second phase will focus on strengthening the qualification level and the administrative capacity of the Estonian internal auditors and preparation for the audit of EU structural funds.

The training for the government sector internal auditors and the audit traineeships in Ireland in the framework of EU PHARE programme will continue during the next two years (2002-2003). The program focuses on preparing the government sector internal auditors in the area of financial control and financial audit. The aim of the traineeships in Ireland is to provide the internal auditors the training and hands-on experience on auditing the EU structural funds.

In 2002, audits of the European Union pre-structural instruments (ISPA, SAPARD and PHARE) will be continued and preparations for auditing the use of the European Union structural instruments and their own resources will be started. The compliance audit of the Enterprise Estonia Foundation (EEF) is being carried out. The aim of the audit is to ascertain the readiness of the EEF for the use of resources of the EU Regional Development Fund according to the requirements of the extended decentralised implementation system (EDIS).

With reference to the forthcoming need for auditing the European Union structural instruments and their own resources and in order to increase the administrative capacity of the Financial Control Department the number of employees of the department will be increased in 2002. In addition to the currently employed auditors one more auditor will be responsible for supervising each EU structural instrument and its own resource.

The actual readiness of the officials of the Financial Control Department to audit the EU structural instruments and their own resources depends on the completion of the general administrative framework created for the use of the European Union structural funds

Estonia will be able to administer and manage the EU structural instruments and its own resources starting from the date of accession to the European Union.



In order to organise competent financial control and financial audit the manual for auditing ISPA projects will be prepared in 2002. At the same time the drafting of manuals for auditing the EU structural instruments and own resources will be started.

During 2002, the preparation of strategic and annual plans for the internal audit, reporting and audit trail, the unification of the respective procedures and the preparation of the manual of financial control and financial audit and methodical instructions will continue. In the area of protection of the EU financial interests, Estonia is preparing to join the respective convention (from 26 July 1995) upon accession to the EU.

The new *State Audit Act* is currently being read in *Riigikogu*. The direct co-operation partner of the State Audit Office in *Riigikogu* is the Finance Committee. Estonia does not intend to create additional institutions, committees, working groups or other working institutions to formalise the work between the State Audit Office and *Riigikogu*.

The EU legislation, which indirectly regulates the performance of the internal control and audit system, will be implemented upon accession to the EU.

During 2002-2003, in the context of European integration, no new legislation in the field of internal and financial control is foreseen. The relevant Estonian legislation is already compatible with the EU financial control principles.

**Approximation of legislation**

1.	2.	3.	4.
EU legal act	Estonian legal act	Deadline for submission, indicative date of entry into force	Remarks
	State Audit Act	Being read in Riigikogu	
The Convention on the protection of the European Communities financial interests From 26 July 1995 and it's protocols from 27 September 1996, 29 November 1996 and 19 June 1997	Ratification Act of the Convention on the Protection of the EC Financial Interests	Oct. 2003 Jan. 2004	Riigikogu will ratify the convention within the integrated package at the moment of accession to the EU.

**Implementation and administrative capacity**

1.	2.	3.	4.	5.
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
Ministries, State Chancellery, county governments, state offices	To implement the <i>Government of the Republic Act § 92</i> and the Government Regulation No 329 and to fulfil the standard requirements of EU and IIA (the Institute of Internal Auditors)	In the frame of PHARE 2000 programme. Estonian co-financing covers the cost of office facilities and the transportation costs of the trainees.	Additional need for foreign assistance has been identified in the following fields, which are not covered by the existing Phare project: - training of the IT auditor's - performance of on-the-spot control	The training of the government sector internal auditors will be completed according to the IIA programme within 2 years (2001-2003). About 90 internal auditors will be trained.

## 29. BUDGET

The firm target for the Estonian Government is to ensure the readiness to participate in the EU common budgetary process by 1 January 2003. Main attention at this process is focused on the procedures of collecting, accounting and informing about the assets that are transferred to the EU budget. To participate in the integrated IT system, a common interface of electronic databases is under development. Reliable exchange of data assures the operative flow of information between the EU institutions, the Estonian representation in Brussels and the Estonian ministries. After accession to the EU, Estonia is able to use this IT system for participating directly in the common EU budgetary process.

### *Plans for 2002*

The most important document for drafting the state budget is the fiscal strategy for a period of four (the following year + forecast for 3 years) years. The fiscal strategy will be approved by the Government and adjusted every pending fiscal year. All financial resources receivable as grants or foreign assistance, will be included in the state budget on the revenue side. This guarantees improved monitoring of the stipulated use of the foreign aid projected for the fiscal year, including the stipulated use of the co-financed activities.

*The State Budget Act*, being valid since 1 January 2000, complies with the rules and standards of the EC and with the Stability and Growth Pact. The new provisions in the amended *State Budget Act* will be implemented during the year 2002, while compiling the state budget for the year 2003. Changes in the Act are caused by the execution of the budgetary reform in Estonia. By supplementing the Act, the overview of revenues, expenditures, financing transactions, financial assets and liabilities will be improved.

In 2002, it is planned to elaborate a new classification of the state budget. The amendments in classification of the revenues and expenditures would, under the principles of the fiscal surveillance, allow compiling necessary reports according to the EU methodology.

The purpose of the budgetary reform is to increase the budgets' transparency and to make *the State Budget Act* into a basic document of the modern public financial management.

The Procedure of evaluation and monitoring of the national programmes and projects is under the special attention of the Ministry of Finance. During the budget process four working groups are formed in the Ministry. These working groups analyse the budgetary expenditure applications depending on the specification. The specifications are 1) legitimate expenditures and project financing, 2) operational expenditures, 3) subsidies and IT expenditures 4) investments.

The activities for improving the surveillance of the projects and programmes in 2002 include:

- A new regulation for preparing strategic development plans is under elaboration. The regulation defines the requirements and hierarchy of documents. Under the international project IPSPELL (Improving Public Sector Performance in Estonia,

Latvia and Lithuania) the relevant instruction guidelines will be presented during the second quarter of 2002.

- To improve the analysis of the outcomes of the different programmes and projects, monitoring of realisation of the strategic development plans and programmes within the ministries' administrative area are carried out. Among the strategic development plans conceptions, strategies and long-term national programs are considered. The programs are divided into national programmes, development programs and earmarked programmes.

In co-operation with the State Audit Office an audit "Long-term Planning of State's Finances and Activity" is carried out in the Ministry of Finance. Observations and suggestions pointed out in the audit are analysed thoroughly in the Ministry of Finance and if necessary measures will be taken to improve the situation.

In the framework of approximation of the budgetary legislation a terminological dictionary (Estonian – English – Estonian with French equivalents) was compiled in 2001 in co-operation with the Estonian Legal Translation Centre and the Ministry of Finance. During 2002, the dictionary will be supplemented with terms regarding financial control and accounting. Essential corrections will be made in the already translated legal acts.

To harmonise the legislation, the new *Value-Added Tax Act* has been elaborated, it entered into force on 1 January 2002. The new Act enacts the agenda of abolishing hitherto valid divergences between Estonian and the EU legislation in the area of VAT taxation by the end of 2006.

VAT base is currently forecasted by a model based on macroeconomic indicators. In order to increase the precision of the forecast, meetings for the specialists of the Ministry of Finance will take place to study the relevant methodologies used in Member States and/or use EU expert assistance for developing and enhancing the model. The aim is to bring the model in line with the requirements of European Union (or to develop a new model). Shortness of time series of macroeconomic indicators in the current model is caused by the short economic history of Estonia.

Making the collaboration within the administrative area of the Ministry of Finance (the National Customs Board, the National Tax Board, the State Statistics Office, and the State Treasury) more efficient, IT systems have been improved continuously during the previous years. The state budget of 2003 is going to be compiled in a financial programme which is the outcome of the Phare financed IT Master Plan project. The integrated IT-system between different departments participating in the budget process assures reliable and timely information exchange. It also assures the stipulated use of the public sector funds, from tax collection to expenditures and reports.

#### ***Administrative capacity***

- On the basis of the financing/budgeting working group a new working group was formed on 10 July 2001. The main task of the group is to create the procedural rules for accumulating, calculating and informing about the own resources transferred to the EU budget. The preparations to present the final solution will be finished by the second quarter of 2002. The representatives of the Ministry of

Finance, the National Tax Board, the National Customs Board, the State Statistics Office are the members of the working group and its activities are under an attentive observation of the European Integration Committee of the Ministry of Finance.

- Responsibility for successful execution of the budget reform lies with the Budget Department of the Ministry of Finance where the Development Division was founded for that purpose. The new division's structure consists of the head of the division and two senior experts. The Development Division was staffed in November 2001 and started to operate full-staffed as of the beginning of January 2002.

The main tasks of the Development Division are to develop the concept of a comprehensive and integrated budget reform and its implementation in order to ensure the improvement and development of consistent budget policy and process.

- The Traditional Own Resources are currently collected by the Ministry of Finance, the National Customs Board, the National Tax Board, the State Statistics Office, and the State Treasury. As of 2000, the Statistical Office calculates GNP mainly on the basis of ESA-95 (European System of Accounts) system. There is a transition from UN/SNA (United Nations/System of National Accounts) methodology to ESA-95 in a couple of areas. Transition will be finished during the year 2002. The Ministry of Finance in co-operation with the Statistical Office is compiling the notification of debt and deficit levels, based on ESA-95 methodology and presents the annual notification to Directorate-General for Economic and Financial Affairs by 1 April 2002. In the following year the measures are taken to increase the quality of data.
- The National Customs Board has developed a strategic development plan up to the year 2003. The plan focuses on developing the human resources, infrastructure, customs technology, legislation, and international co-operation. The accumulation of customs revenues is included under the customs technology. The Estonian customs system will achieve the intended administrative capacity of accumulating and keeping the record of the traditional own resources of EU by 2003.

**Implementation and administrative capacity**

<b>1.</b>	<b>2.</b>	<b>3.</b>	<b>4.</b>	<b>5.</b>
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
Ministry of Finance (continues the strengthening of institutions)		State budget Ministry of Finance chapter 139, TAIEX, PHARE, bilateral aid		Estonia must consider with expenditures, which appear with representing its interests in EU
Ministry of Finance Calculation in the field of GNP, VAT-base and TOR (customs/duties) - getting acquainted on the spot with relevant methodology in member states - technical support in the form of expert assistance for formalising the model and its relevant methodology		State budget Ministry of Finance chapter 139		To prognosticate GNP, VAT-base and TOR, comparatively short time-series must be considered with (absence of macro- and microeconomic prognosis)
Mapping the functions of institutions (Ministry of Finance, National Tax Board, National Customs Board and State Statistics Office) that are involved in accumulating, calculating and paying the EU own resources.		State budget Ministry of Finance chapter 139		Desirable result is the preparation of entire solution of collecting the own resources
Establishing the development division in the State Budget Department of the Ministry of Finance		State budget Ministry of Finance chapter 139. Funds from inner redistribution		Redistribution among the State Budget Department and the State Administration Department
Training in 2002 and 2003 Improving the officials' English and French skills.		State budget Ministry of Finance chapter 139		
Creation and implementation of the system of planning the strategic activity; in-service training and foreign training		State budget Ministry of Finance chapter 139	Expert assistance	
Developing the electronic data interchange with other public institutions; in-service training		State budget Ministry of Finance chapter 139		
IT integration and testing with the EU relevant authorities; in-service training		State budget Ministry of Finance chapter 139		Technological works with SAP-program in the framework of IT Masterplan

## **PART IV PUBLIC ADMINISTRATION**

### **1. DEVELOPMENT OF PUBLIC ADMINISTRATION**

On 24<sup>th</sup> April 2001 Government approved Public Administration Reform Programme, which is the basic document for developing public administration. Approved programme consists of five sub-strategies, of which four are aimed at improving central government's administrative capacity and one at developing regional administration and conducting administrative-territorial reform. Ministries have taken these strategies as bases for devising and modifying legislation during the second half of 2001.

Primary purposes in 2002 are adoption of draft legislation based on reform strategies by the *Riigikogu* and implementation of adopted legislation, as well as implementation of reform programme's more general principles in public administration organisations (including the design of training programmes and training of civil servants).

#### **1.1 Strategy for optimising the division of functions and co-operation between the governing institutions**

Strategy for developing this domain has been devised by the State Chancellery and Ministry of Justice.

*Administrative Procedure Act* has been adopted by the *Riigikogu* on 6<sup>th</sup> June 2001 and enforced on 1<sup>st</sup> January 2002.

*Substitutive Enforcement and Penalty Payment Act* has been adopted by the *Riigikogu* on 9<sup>th</sup> May 2001 and enforced on 1<sup>st</sup> January 2002.

*Administrative Organisation Act* is currently being processed in the *Riigikogu*. Additional round of consultations in parliament factions has been initiated, as adoption of this law demands broad-based political agreement and modification of the Government of the Republic Act.

After enforcement of these laws unitary legal structure has been created, which improves the functioning of the state apparatus as a whole. These laws will create foundations for the improvement of legal quality of administrative acts, wider coercive measures for enforcing administrative acts and support co-ordination, synchronisation and transparency of the state structures.

#### **1.2. Strategy for budgetary reform and strengthening financial management, internal control and auditing**

Strategy is being devised by the Ministry of Finance.

The purpose of the budgetary reform is a situation where:



- budget is being composed according to strategic development plans, that specify strategic priorities, which in turn will be realised through action plans in annual output-centred budgets;
- expenditures and results are systematically evaluated, collection and submission of information necessary for evaluation is guaranteed on schedule, this enables to raise the quality of the political decision making process;
- the right to make decisions concerning the use of resources is delegated from ministers to the heads of administrative field institutions on the bases of performance contracts;
- reporting and auditing system is functioning efficiently, which enables to delegate budgetary decisions to lower levels of management and administration.

The result of the reform is a new Code of Public Financial Management.

Important purposes in years 2002 and 2003 are as follows: elaboration of budgeting process, closing the 29th chapter of the EU negotiations, modification of the Law on State Budget and training of civil servants.

The aims of the currently prepared *Law on State Budget Amendment Act* are: i) guaranteeing the completeness of the state budget, it means that all revenues, expenditures and financing transactions are reported in the state budget (accounting of foreign aid and loans is added); ii) improvement of transparency – more accurate description of the budgeting process; iii) strengthening of the strategic planning system, in order to establish connections between strategic plans of state institutions and budget allocations and also connections with strategy documents of different levels; iv) defining of government sector.

In 2002 Government of the Republic Regulation “Order of Drafting Strategic Development Plans” will be prepared on the bases of amendments in the Law on State Budget. The regulation will be drafted with a purpose of ordering the network of state’s strategic documents and unifying requirements on the content, harmonisation and implementation of strategic plans of different levels.

On the level of local governments the major purpose in 2002 and 2003 is implementation of *Local Government Organisation Act* through composition and implementation of middle-range strategic plans by local governments. Another precondition for implementing *Local Government Organisation Act* is the composition of action and economic development plans by local institutions, which function as yearly implementation programmes for strategic plans and must become one of the basic documents in the budgeting process of local institutions.

The implementation of the system of performance management that started in the central administration in year 2000 will be continued. Implementation is decentralised and given in the responsibility of ministries, agencies and other central government institutions. Five percent of the state institutions’ payroll funds have been allocated for performance based salaries.

### 1.3. Strategy for developing the citizen-oriented public administration

Strategy has been worked out by the Ministry of Finance, but implementation of the strategy lies in the responsibility of the State Chancellery and Ministry of Finance. Major purposes in 2002 are:

- introduction of quality management (co-ordinated by the Ministry of Finance) through implementation of citizen-centred public administration strategy;
- development of electronic documentation administration (co-ordinated by the State Chancellery) by means of diminishing paper-based procedures and increasing the use of information technology in public administration.

In year 2002 decentralised implementation of public service standards will be continued under the supervision of the Finance Ministry. In addition, efforts will be made to increase general awareness about the policy of improving public service quality. Special training programs will be conducted to improve public awareness.

In order to implement *Digital Signatures Act* and *Public Information Act* a regulation “**Common Rules of Procedure**” was introduced by the Government of the Republic on 26<sup>th</sup> February 2001. This regulation together with above-mentioned acts establishes basis for unitary support systems for digital procedures and improves documentation administration in public sector.

### 1.4. Strategy for developing civil service

Strategy for developing this field has been devised in co-operation of the State Chancellery and the Ministry of Justice. Main tasks in 2002 and 2003 are supporting the processing of *Public Service Act* in the *Riigikogu* and implementing it, as well as improving the efficiency of civil servants training system.

#### **Public Service Act**

New draft of *Public Service Act*, which is currently in the *Riigikogu*, specifies among other issues opportunities of citizens of EU member states to become civil servants in Estonian state and local administrations. According to the draft law, it is possible after Estonia's accession to the EU, to nominate into civil service citizens of EU, who confirm with requirements specified in *Public Service Act* and conditions deriving from the act. Only citizens of Estonian Republic can be nominated to the offices that are directly concerned with the protection of state's interests. These positions include heads of institutions responsible for executing public power; offices concerned with state surveillance, conduction of national defence or judicial power and representation of public prosecution; positions with right to interfere fundamental individual rights and freedoms for securing order and security in the state and with diplomatic representation of Estonia.

#### **Developing civil service training system**

Public service training is co-ordinated and implemented according to the “**Principles of Civil Service Training System**”, approved by the Government of the Republic on 17<sup>th</sup> April 2001. This document specifies the framework of co-ordination and implementation of training in civil service and creates bases for annual prioritisation of training areas that enables to concentrate training resources into relevant sectors to support the development of public administration. In February 2002 the Government

approved training priorities for year 2002, which form the basis for compiling government institutions' training plans and budgets.

Three major objectives of the training priorities are:

- to secure systematic and targeted training of civil servants and support preparation and implementation of important changes in civil service planned by the Government;
- to improve co-operation between state institutions through forming similar training, unitary know-how and performance principles;
- to concentrate training priorities on specific sectors in order to support efficient use of training resources and stronger effect of training activities.

Civil service training priorities in 2002 are: reform of administrative law, electronic procedures for providing public services, strategic management and training in EU subjects.

**Implementation and administrative capacity**

1.	2.	3.	4.	5.
<b>Institution, planned measures (incl training), deadline</b>	<b>Legal basis, implemented legal act</b>	<b>Financing (State budget line, other sources)</b>	<b>Technical assistance needs</b>	<b>Remarks</b>
The Ministry of Justice (in co-operation with the State Chancellery), training for supporting administrative-legal reform and explaining changes concurring with the reform: 1. Training of trainers (I quarter 2002) 2. Civil servants training (400 civil servants), in 2002.	<i>Administrative Procedure Act, Substitutive Enforcement and Penalty Payment Act, State Liability Act</i>	Training budgets of ministries		
The Ministry of Justice, support for processing the draft of <i>Administrative Procedure Act</i> in the <i>Riigikogu</i> , in 2002.	<i>Administrative Procedure Act</i>	Ministry of Justice		
The State Chancellery and Ministry of Finance, training of strategic management aimed at implementing administrative reform programme: 1. analyses of training needs (I quarter 2002) 2. compiling of training programmes (II and III quarter 2002) 3. conduction of training (IV quarter 2002 and year 2003)	<i>The Government Programme on Public Administration Reform, Local Administration Procedure Act, Amendment Act of State Budget Act</i>	State Chancellery, Ministry of Finance		
The State Chancellery, training for implementing electronic procedures: 1. preparation of training programmes and creation of county level training networks (I quarter 2002) 2. conduction of training (2002 and 2003)	<i>Digital Signatures Act, Public Information Act</i>	State Chancellery		
The State Chancellery, preparation of civil service training priorities, February 2002	<i>Principles of Civil Service Training System</i>	State Chancellery		
The Ministry of Justice, support for processing the draft of Public Service Act in the <i>Riigikogu</i> , in 2002.	<i>Public Service Act (comes into force presumably in II quarter 2003)</i>	Ministry of Justice		

The Ministry of Justice and State Chancellery, preparation of implementing Public Service Act (drafting of implementation acts, training of civil servants), 2002-2003	<i>Public Service Act (comes into force presumably in II quarter 2003)</i>	Ministry of Justice, State Chancellery		
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## 2. PREPARATION OF CIVIL SERVANTS FOR THE EU ACCESSION

### 2.1. The principles and objectives of the EU training

As the Estonia's integration to the European Union and its possible future membership have profound impact on the public administration system as a whole, the preparation of civil servants for the EU accession is closely linked with the overall administrative reform and the development of civil service. Well functioning training system of public administration is a prerequisite for reaching the objective to prepare civil servants for the EU accession.

EU training is organised according to the EU Training Strategy for Estonian Civil Servants<sup>1</sup> that determines the main target groups, the training visions and methods, the directions of co-ordination and management of the Estonian EU training of civil servants. The Office of European Integration of the State Chancellery is responsible for the overall co-ordination and planning of the horizontal training programmes and the general EU training for civil servants. The ministries are responsible for the co-ordination of specific training in their responsibility area that is required for successful adoption of the *acquis* (sector- specific training plans are resounded in the various chapters of National Programme for the Adoption of the *Acquis*).

In order to co-ordinate the inter-ministerial co-operation, the Council of Senior Civil Servants has established the working group for EU training. The primary functions of the working group is to identify on a yearly basis the main directions and resources for the EU training and to exchange relevant information between the ministries.

#### **The long- term objective of the EU training of civil servants (2003):**

To develop a professional and efficient public administration, which is able to take on the responsibilities and obligations established by the EU and guarantee effective transposition and implementation of legislation and common policies. As well as participate effectively in the EU policy-making on day-to-day basis and co-operate with other member states contributing to the European integration process.

#### **The objectives of the EU training of civil servants 2002:**

- ♦ improve overall awareness of Estonian public administration of the EU issues by ensuring the basic training courses for all relevant groups of civil servants as well as officials of local authorities and county governments;
- ♦ ensure the successful transposition of *acquis* in 2002 and implementation in 2002-2003 through preparation of civil servants responsible for transposition, implementation, enforcement and evaluation of EU legislation;
- ♦ guarantee the capability of Estonian civil service to participate in the EU legislative process and implementation of EU legislation after Estonia's accession to the EU by training civil servants participating in various Council Working Groups and European Commission Committees;
- ♦ strengthen the continuity of conducting the EU training courses by supporting the development and implementation of training of trainers programmes;

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<sup>1</sup> 'EU Training Strategy for Estonian Civil Servants' was approved by the Council of Senior Civil Servants (CSCS) on May 28, 1997. Revised and updated training strategy was approved by the CSCS on 21<sup>st</sup> April 1999.

- ♦ guarantee possibilities for individual learning to main groups of civil servants by supporting the development of training materials, improving their availability and making training process more flexible;
- ♦ intensify the co-ordination and information exchange system of EU training by active utilisation of created EU training database and elaboration of EU training strategy for the period 2003- 2005;
- ♦ contribute to the improvement of skills and knowledge of civil servants needed for participation in the integration process (incl. development of language skills).

## 2.2. Implementation of the EU training in 2002 and 2003

### Priority target groups of the EU training in 2002- 2003

- ♦ Civil servants involved in transposition, implementation and enforcement of the EU legislation.
- ♦ Civil servants to be involved in the working groups of the Council and Commission committees after Estonia's accession to the EU.
- ♦ Civil servants involved in co-ordination and conduction of internal training in government agencies and trainers who carry out various EU courses and seminars.

In order to guarantee the overall preparation of Estonian civil servants for the EU accession the general EU knowledge training is targeted both to the priority target groups and to the main groups of civil servants.

Effective targeting of training through the **development of detailed training plans** and the **use of efficient training methods** is an essential aim in preparing the target groups in 2002.

### Training demand projection and the preparation of training plans

The following **training sectors** are essential in preparing target groups in 2002- 2003:

- ♦ EU documentation and databases;
- ♦ status of EU law and national law and the impacts of EU law;
- ♦ competencies of EC Court and the courts of EU member states, essential court cases;
- ♦ experiences of member states and Estonia in transposition and implementation of EU legislation;
- ♦ assessing the impacts of implementing the EU legislation;
- ♦ collaboration with EU institutions and member states;
- ♦ administrative structures and socio-economic criteria's of the member states;
- ♦ EU decision- making process and the principles of functioning of working groups and committees;
- ♦ negotiation and presentation techniques and inter-cultural communication;
- ♦ language training;
- ♦ methodological training for trainers.

In order to prepare and develop detailed training plans an assessment of training needs for 2002 and 2003 was conducted in November 2001 covering all the priority target groups and training sectors. The assessment was carried out in collaboration with the members of the EU training working group and was co-ordinated by the Council of

Senior Civil Servants. As in former surveys, the demand of general EU knowledge was still the highest. There is also a growing demand for language training. On the basis of need assessment training plans for priority target groups will be prepared in co-operation between the Office of European Integration and the ministries in the second quarter of 2002.

For the preparation of civil servants participating in the EU legislative process, mapping of the committees and working groups of the Council and committees of the Commission was initiated in the second half of 2001. In total, 30 Council committees, 100 permanent working groups and 270 comitology committees were charted. Further, 300 officials to be involved in the EU decision-making were nominated by the ministries and the Bank of Estonian. About third of the identified civil servants will be involved in the work of Council committees and two-thirds in working groups and the Commission committees. Determination of the civil servants is based on the assumption that one official will represent Estonia both in Council working group as well as in a comitology committees in his/her area of competence. This kind of approach has enabled to keep the number of civil servants relatively low.

In 2002, the main attention is paid on the preparation of the officials to be participating in various committees and working groups of the Council. Also, efforts will be made for continuous mapping of the working groups and committees and specification of the positions of officials participating in the EU law drafting process.

### **Training methods and financing of EU training**

The following sources will be used for financing EU training of civil servants:

- ◆ budget of the Office of European Integration for preparing the civil servants for the EU accession;
- ◆ training budgets of the ministries, local authorities and county governments;
- ◆ support provided by EU programmes (primarily by Phare);
- ◆ bilateral programs with EU member states (the most important partners are the Netherlands, France, Sweden, Finland, Denmark, UK)

For implementation and organisation of training courses and for co-ordination of international support, the Office of European Integration of the State Chancellery organises public procurements and is also independently engaged in preparation of EU training courses and materials.

The aim for the years 2002 and 2003 is to increase the part of individual learning among civil servants acquiring general EU knowledge and to promote and expand the possibilities for interactive distance learning. The objective for the training of priority target groups is to increase the part of foreign experts in working out the training plans and carrying out training programs, also to create opportunities for officials for practising in EU member states and institutions. The use of flexible training methods is also an essential matter.



### 2.3. EU TRAINING OF CIVIL SERVANTS 2002

#### Implementation and administrative capacity

1.	2.	3.	4.	5.
Institution, planned measures (incl training), deadline	Legal basis, implemented legal act	Financing (State budget line, other sources)	Technical assistance needs	Remarks
OBJECTIVE 1. Improving the awareness of public sector through training the main target groups				
1. Continuing the development of interactive distance-training programmes and raising the awareness about self-study opportunities (Jan-Dec 2002)	All involved target groups	OEI	Distance-training, self-study	<u>Training need (2002-2003)</u> : 2135 civil servants <u>Expected outcome (2002)</u> : cover 50% of the need (1060).
2. Horizontal EU training: a) General training programs (public procurements in 1 <sup>st</sup> quarter of 2002) in: - EU law; - EU documentation and databases; - Collaboration between member states and the EU; b) Language & communication training. (2 <sup>nd</sup> quarter 2002)	All involved target groups	OEI (50%) Ministries, participants	Training seminars and preparation of training materials	<u>Training need</u> : in basic training 1845 and language 1030. <u>Expected outcome (2002)</u> : cover 30% of the need of basic training (600 civil servants) and 15% (150 civil servants) of language training.
OBJECTIVE 2. Ensuring effective transposition of the <i>acquis</i> in 2002 and implementation in 2002-2003				
1. Designing of detailed training plans	Civil servants involved in law drafting and policy formulation and higher civil servants in charge of policy implementation, enforcement and evaluation.	OEI Phare		<u>Result evaluation criteria</u> : training plans composed
2. Public procurement for execute specific EU law training programmes (1 <sup>st</sup> quarter 2002) and overall co-ordination of EU law training system (Jan – Dec 2002)	Civil servants involved in law drafting and policy formulation and higher civil servants in charge of policy implementation, enforcement and evaluation.	OEI (70%), Phare.	Flexible training programmes and seminars conducted by foreign experts (according to training plans).	<u>Training need</u> : 135 <u>Expected outcome (2002)</u> : cover 100% of the need

3. International pilot seminar on impact assessment (1 <sup>st</sup> quarter 2002)	Civil servants involved in law drafting and policy formulation and higher civil servants in charge of policy implementation, enforcement and evaluation.	OEI, UK bilateral programme.	International seminar	<u>Result evaluation criteria</u> : seminar for 80 participants has been organised.
<b>OBJECTIVE 3. Assuring the capacity of public administration in EU decision making process and implementation of EU law after accession</b>				
1. Designing of detailed training plans (incl. mapping the preparatory bodies of the Council and comitology committees, indicate involved civil servants) 1 <sup>st</sup> quarter 2002	Future Estonian representatives in council preparatory bodies and comitology committees	OEI, Ministries.		<u>Result evaluation criteria</u> : Council preparatory bodies and comitology committees mapped, involved civil servants indicated, detailed training plans composed
2. Preparation of training programmes and bilateral training projects (2 <sup>nd</sup> -3 <sup>rd</sup> quarter 2002)	Future Estonian representatives in council preparatory bodies and comitology committees	OEI, Ministries, Finnish & Danish bilateral programmes.		<u>Result evaluation criteria</u> : training programmes composed and necessary projects prepared
3. Implementation of training programmes (public procurement for Estonian co-ordinator) 2 <sup>nd</sup> -3 <sup>rd</sup> quarter 2002	Future Estonian representatives in council preparatory bodies and comitology committees	OEI, Finnish & Danish bilateral programmes.	training seminars promoting active participation, bilateral meetings with civil servants from member states, traineeships in relevant ministries of member states and EU institutions	<u>Training need</u> : 300 civil servants <u>Expected outcome (2002)</u> : cover 25% of the training need (75 civil servants); organise at least 5 traineeships in Commission and 20 in member states.
<b>OBJECTIVE 4. Strengthen the continuous capacity of EU training by developing existing training programmes and enforcing the training of trainers projects</b>				
1. Enforcing existing training programmes	Civil service training managers and co-ordinators in and trainers conducting seminars in EU matters	OEI, Danish and British bilateral programmes.	training seminars	<u>Expected outcome (2002)</u> : 90 civil servants trained.
2. Preparing and implementing new training of trainers programmes 1 <sup>st</sup> -4 <sup>th</sup> quarter 2002 (incl. public procurement for choosing the Estonian co-ordinator in 2 <sup>nd</sup> quarter 2002).	Civil service training managers and co-ordinators, trainers conducting seminars in EU matters	OEI, Danish and British bilateral programmes.	training seminars	<u>Result evaluation criteria</u> : training programmes implemented and 45 civil servants trained.
3. Developing a long term strategy for training of training system (4 <sup>th</sup> quarter 2002)		OEI, UK bilateral programme		<u>Result evaluation criteria</u> : strategy composed

OBJECTIVE 5. Supporting the preparation of EU training materials and developing necessary skills of civil servants for EU integration				
1. Supporting the preparation of training materials (Jan-Dec 2002)	All target groups	OEI		<u>Expected outcome (2002)</u> : training materials composed
2. Seminars and conferences on EU topics (Jan-Dec 2002)	Higher civil servants, experts	OEI		<u>Expected outcome (2002)</u> : seminars for 200 civil servants have been conducted.
OBJECTIVE 6. Enforcing the co-ordination system and dissemination of information about EU training and development of EU training strategy for 2003-2005				
1. Developing EU training data-base and organising presentations (1 <sup>st</sup> quarter 2002)	Data-base administrators and users in ministries and training institutions and civil servants	OEI		<u>Expected outcome (2002)</u> : renewed database has been set up and presentations have been organised.
2. EU training strategy 2003-2005 (3 <sup>rd</sup> -4 <sup>th</sup> quarter 2002)		OEI		<u>Expected outcome (2002)</u> : strategy has been composed.