

## External Relations

### 1. Humanitarian Aid

#### Introduction

There are no legal acts in the sphere of humanitarian aid complying with the EU legislation.

However, for the purpose of humanitarian aid Armenia undertakes separate measures in third countries based on relevant decrees of the Government of Armenia.

The EU legislation on humanitarian aid defines common legal bases of humanitarian aid policy. The objective of humanitarian aid is to provide help to people in third countries, who have been victims of natural disasters (earthquakes, floods, droughts, hurricanes), or man-made disasters (wars, conflicts, outbreaks of fighting) or structural crises (severe political, economic or social breakdowns). This chapter also covers the regulation of issues such as providing financial assistance for undertaking reconstruction and rehabilitation operations in those countries.

Within the framework of the Programme, it is envisaged to completely approximate the subchapter "Humanitarian Aid" to the requirements provided by the EU legislation by 2009.

#### Y2008

To approximate the Armenian legislation in the field of humanitarian aid with EU requirements, a draft law on Humanitarian Aid and a draft Government Decree on Reconstruction and rehabilitation operations in third countries shall be elaborated based on the provisions of the Council Regulation (EC) No 1257/96 of 20 June 1996 and Council Regulation (EC) No 2258/96 of 22 November 1996.<sup>1</sup>

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<sup>1</sup> Council Regulation (EC) No 1257/96 of 20 June 1996 on Humanitarian Aid and Council Regulation (EC) No 2258/96 of 22 November 1996 on rehabilitation and reconstruction operations in developing countries

1.1. Legislative Approximation

0	1	2	3	4	5	6
N/N	Measure	EU Legal Source	Responsible Institution	Submission Date	Necessary Resources (man day)	EU Technical Assistance
<b>2008</b>						
1.	Elaboration of a draft law on Humanitarian Aid	Council Regulation (EC) No 1257/96 of 20 June 1996 on Humanitarian Aid	Ministry of Trade and Economic Development of Armenia (Ministry of Foreign Affairs, Ministry of Finance and Economy, Rescue Service of Armenia)	1 <sup>st</sup> quarter	18	Consulting, provisional expertise
2.	Elaboration of a draft Government Decree on Reconstruction and rehabilitation operations in third countries	Council Regulation (EC) No 2258/96 of 22 November 1996 on rehabilitation and reconstruction operations in developing countries	Ministry of Trade and Economic Development of Armenia (Ministry of Foreign Affairs, Ministry of Finance and Economy, Rescue Service of Armenia)	1 <sup>st</sup> quarter	15	Consulting, provisional expertise
<b>TOTAL</b>					<b>33</b>	

**1.2 Institutional Capacities<sup>2</sup>**

<b>0</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
<b>N/N</b>	<b>Institution</b>	<b>Reorganization</b>	<b>Training Needs</b>	<b>Technical Assistance</b>
1.	RoA Ministry of Trade and Economic Development RoA Ministry of Foreign Affairs RoA Ministry of Finance and Economy	-	Training courses on the implementation of Humanitarian Aid policy and legislation in the field of EU External Relations (3 days/2008)	Consulting, provisional expertise
2.	RoA Ministry of Trade and Economic Development RoA Ministry of Foreign Affairs RoA Ministry of Finance and Economy	-	Training courses on EU development cooperation (reconstruction and rehabilitation operations in development countries) policy (3 days/2008)	Consulting, provisional expertise

<sup>2</sup> For coordination of legislative approximation activities, relevant EU Integration subdivisions will be established within responsible ministries and state agencies mentioned in this subchapter

## 2. External Trade

### Introduction

The European Union in the field of external trade has developed a broad range of instruments, which are aimed at implementing common tariff policy within the European Customs Union and common commercial policy,<sup>3</sup> defining common rules for export and import.<sup>4</sup> These instruments protect economic entities against trade barriers occurred in third countries with a view to eliminating the resulting injury or adverse trade effects in accordance with international trade rules, as well as define the generalised system of preferences applied to products imported from developing countries.

Given the fact that Armenia implements liberal external economic policy in the fields of export and import and, in the nearest future, does not plan to define a generalized system of preferences (GSP), which is aimed at tariff reduction for manufactured products and certain agricultural products (mainly granted by developed countries to developing countries), export regime<sup>5</sup> and trade and development<sup>6</sup> fields shall not be considered within the framework of this Programme.

External trade legislation of Armenia covers the RoA laws on Anti-dumping and Countervailing measures, on Domestic Market Protection, Government Decree No 1161-N of September 8, 2004 of Armenia on the Approval of granting permissions for importation in case of applying quantitative restrictions and tariff quotas. The screening results show that the RoA Law on Anti-dumping and Countervailing mainly complies with the requirements of the EU legislation<sup>7</sup>, however the provisions of relevant legal acts on carrying out intermediate expertise, determination of anti-dumping and/or countervailing duty and its return, and some other provisions either do not or only partially comply with the requirements of the EU legislation.

The Armenian legislation on Domestic Market Protection differs from that of the EU in terms of the regulation of some legal relations. Particularly, provisions such as rules on provisional monitoring, significant importation, order of public hearings, etc. either do not exist or do not comply.

Moreover, mechanisms for legal regulation of issues related to combating unfair pricing practices in the field of aviation and protection of economic entities' rights operating in foreign markets are not stipulated by the Armenian legislation.

### Y2007

To approximate the Armenian legislation in the field of domestic market protection and trade safeguard measures with the provisions of Council Regulation (EC) No 2026/97 of 6 October 1997 and Council Regulation (EC) No 384/96 of 22 December 1995, amendments shall be

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<sup>3</sup> EU legislative acts on tariff policy are included in the chapter "Customs issues".

<sup>4</sup> The aim is to defining the common rules for import and export from European Community (EC) based on the principle of freedom of export and import and upon necessity to carry out required protective measures and surveillance.

<sup>5</sup> Council Regulation (EEC) No 2603/69 of 20 December 1969 establishing common rules for exports.

<sup>6</sup> Council Regulation (EC) No 2501/2001 of 10 December 2001 applying a scheme of generalized tariff preferences for the period from 1 January 2002 to 31 December 2004

<sup>7</sup> Council Regulation (EC) No 2026/97 of 6 October 1997 on protection against subsidized imports from countries not members of the European Community

Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community

made to the Law on Domestic Market Protection<sup>8</sup> and Law on Anti-dumping and Countervailing Measures.<sup>9</sup>

For simplification of the administration system of quantitative quotas of importation regime, the Council Regulation No 520/94 of 7 March 1994<sup>10</sup> shall be subjected to approximation. For this purpose, amendments shall be made to the Government Decree on the Approval of granting permissions in case of applying quantitative restrictions and tariff quotas.<sup>11</sup>

## Y2008

To regulate issues related to the combating unfair pricing practices in the field of aviation and protection of economic entities' rights in foreign markets in the field of trade safeguard measures, draft laws on the combat against unfair pricing in aviation and on the protection of Armenian economic entities' rights in foreign markets under international trade rules shall be elaborated based on the main provisions of Regulation (EC) No 868/2004 of the European Parliament and of the Council of 21 April 2004<sup>12</sup> and Council Regulation (EC) No 3286/94 of 22 December 1994.<sup>13</sup>

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<sup>8</sup> HO-175, 18.04.2001

<sup>9</sup> HO-385, 19.06.2002

<sup>10</sup> Council Regulation (EC) No 520/94 of 7 March 1994 establishing a Community procedure for administering quantitative quotas

<sup>11</sup> 1164-N, 22.07.2004

<sup>12</sup> Regulation (EC) No 868/2004 of the European Parliament and of the Council of 21 April 2004 concerning protection against subsidisation and unfair pricing practices causing injury to Community air carriers in the supply of air services from countries not members of the European Community

<sup>13</sup> Council Regulation (EC) No 3286/94 of 22 December 1994 laying down Community procedures in the field of the common commercial policy in order to ensure the exercise of the Community's rights under international trade rules, in particular those established under the auspices of the World Trade Organization

2.1 Legislative approximation

0	1	2	3	4	5	6
N/N	Measure	EU Legal source	Responsible Institution	Submission Date	Necessary Resources (man/days)	EU Technical Assistance
<b>2007</b>						
1.	Elaboration of a draft law on making amendments to the RoA Law on Domestic Market Protection	Council Regulation (EC) No 3285/94 of 22 December 1994 on the common rules for imports	Ministry of Trade and Economic Development of Armenia	1 <sup>st</sup> quarter	42	Consultancy, provisional expertise
2.	Elaboration of a draft law on making amendments to the RoA Law on Anti-dumping and Countervailing Measures	Council Regulation (EC) No 2026/97 of 6 October 1997 on protection against subsidized imports from countries not members of the European Community  Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community	Ministry of Trade and Economic Development of Armenia	2 <sup>nd</sup> quarter	120	Consultancy, provisional expertise
3.	Elaboration of a draft Government Decree on the Approval of granting permissions in case of application of	Council Regulation (EC) No 520/94 of 7 March 1994 establishing	Ministry of Trade and Economic Development of Armenia	4 <sup>th</sup> quarter	33	Consultancy, provisional expertise

	quantitative restrictions and tariff quotas	a Community procedure for administering quantitative quotas					
<b>TOTAL</b>					<b>195</b>		
<b>2008</b>							
5.	Elaboration of a draft law on the Protection against unfair practices in the field of Aviation	Regulation (EC) No 868/2004 of the European Parliament and of the Council of 21 April 2004 concerning protection against subsidisation and unfair pricing practices causing injury to Community air carriers in the supply of air services from countries not members of the European Community	Ministry of Transport and Communication of Armenia (Ministry of Trade and Economic Development of Armenia)	4 <sup>th</sup> quarter	27	Consultancy, expertise	provisional
6.	Elaboration of a draft law on the Protection of Armenian economic entities' rights in foreign markets under international trade rules	Council Regulation (EC) No 3286/94 of 22 December 1994 laying down Community procedures in the field of the common commercial policy in order to ensure the exercise of the Community's rights under international	Ministry of Trade and Economic Development of Armenia	4 <sup>th</sup> quarter	36	Consultancy, expertise	provisional

		trade rules, in particular those established under the auspices of the World Trade Organization				
<b>TOTAL</b>					<b>63</b>	
<b>TOTAL</b>					<b>258</b>	



**2.2 Institutional Capacities<sup>14</sup>**

0	1	2	3	4
N/N	Institution	Reestablishment	Training Needs	Technical Assistance need
1.	RoA Ministry of Trade and Economic Development	-	Training courses on external economic policy in the EU (3 days/ 2007)	Consultancy, provisional expertise
2.	RoA Ministry of Trade and Economic Development	-	Training courses on EU anti-dumping policy (5 days / 2007)	Consultancy, provisional expertise
3.	RoA Ministry of Trade and Economic Development	-	Training courses on measures applied for EU anti-subsidisation (3 days/ 2007)	Consultancy, provisional expertise
4.	RoA Ministry of Trade and Economic Development	-	Training courses on EU safeguard measures (5 days / 2007)	Consultancy, provisional expertise
5.	RoA Ministry of Trade and Economic Development	-	Training courses on common rules for import and quantitative quotas administration in the EU (5 days / 2007)	Consultancy, provisional expertise
6.	RoA Ministry of Trade and Economic Development	-	Training courses on protection of Community's rights under international trade rules (5 days /	Consultancy, provisional expertise

<sup>14</sup> To coordinate the activities related to legislative compliance, relevant EU Integration subdivisions will be established within responsible ministries and governmental bodies mentioned in this subchapter

			2008)	
7.	RoA Ministry of Transport and Communication ( RoA Ministry of Trade and Economic Development )		Training courses on Protection/combat against unfair pricing practice in the field of EU aviation (5 days / 2008)	Consultancy, provisional expertise