

Country Interim Evaluation Summary

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Transition Facility

Interim Evaluation of Transition Facility Projects

The Slovak Republic

Sectors:

- **Justice and Home Affairs**
- **Internal Market**
- **Economic and Social Cohesion**

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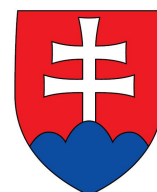


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ABSTRACT

Background

This Country Evaluation Summary of the Transition Facility in the Slovak Republic covers 2004, 2005 and 2006 programmes and was conducted during the period May – June 2007. The reporting format follows the Interim Evaluation Guide and uses the standard evaluation criteria, namely *relevance*, *efficiency*, *effectiveness*, *sustainability* and *impact*. This Summary should serve mainly the Joint Monitoring Committee purposes (scheduled for 17 July 2007).

Key Findings

Most of the Transition Facility Programmes remain *relevant*, even when looking at them from an early ex-post perspective. In addition to the accession to the Schengen agreement, the Fight against Corruption has been re-introduced in the priority areas of the Transition Facility assistance. In many beneficiary institutions, the new senior officials (installed as a result of the parliamentary elections) are supportive of the assisted areas and are often actively involved in the project activities as well. The Steering Committees usually work well due to their balanced composition and also decision-making power to solve problems during project implementation. However, the complex, cross-sectoral projects would benefit especially from Steering Committees established already in the preparatory stage. Some of the programmes remain over-ambitious with regard to the number of co-operating institutions and sequencing of activities.

The key problem of *efficiency* remains the delay in programme implementation, though measures have been taken to improve the situation. The recommended contracting meetings have been re-introduced; also the information provided by the Central Finance and Contracting Unit of the Ministry of Finance SR on the contracting status is now more detailed and better serves Monitoring and Evaluation purposes. Moreover, the parallel contracting of 2005 and 2006 projects is ongoing. On the other hand further delays are to be expected in the case of Software projects, as these are to be checked now for conformity with the Governmental strategy by a special Section at the Ministry of Finance. Unexpected delays have been caused also due to unclear selection criteria for some projects or disputes about the form of the public procurement procedure.

The evaluation of *effectiveness* was mostly based on the 2004 projects, as almost none of the 2005 or 2006 ones was at the implementation stage at the time of this Summary. Some early tangible effects could be reported, for instance in the improved work of the General Prosecution, the implementation of the National Programme for the Fight against Drugs or the Public Finance Management Reform. On the other hand more effects were expected from the top priority Schengen programmes or the transportation assistance.

Evaluation of *sustainability* and *impact* is rather positive. Most of the Transition Facility interventions should be sustainable, such as in the sub-sectors of agriculture, judicial support, finance or customs. Some concerns exist with regard to the sustainability of Software development, due to the absence of funds for its maintenance and upgrading.

Staff fluctuation and cuts still represent a threat to some of the interventions and their management, mostly caused by uncertainty linked to the governmental decision on the reduction by 20 percent of civil servants and its practical execution. Some *impact* is expected for instance in the area of agriculture via the increase in exports or more transparent system of direct payments. In the field of health, we predict enhanced quality and safety of donations for transplants. The broad reach of some projects has helped to spread the gained know-how widely, for instance under the Judiciary assistance, notably via its training assistance to the Judicial Academy or the transfer of know-how about mediation. This holds true also for tax audit, internal audit and accounting and reporting projects, where extensive transfer of know-how and experience through training contributed to modernisation of the public finance system, especially in terms of its increased efficiency and transparency.

RECOMMENDATIONS FOR THE CONSIDERATION OF JOINT MONITORING COMMITTEE MEMBERS

Ref.	Key Issue	Recommendation
1	After benefiting from a number of Phare, TF and other assistance programmes, several Slovak institutions are now capable of providing assistance to others, namely Candidate Countries, however, the respective know-how, especially in twinning-out, is often missing	The Aid Co-ordination Unit, its Twinning Contact Point, together with other institutions, especially those possessing the relevant know-how from providing the twinning-out support should organise a training for the interested institutions (such as the Slovak Environmental Agency) to enable them to apply for the relevant projects abroad, including topics, like selection of a Pre-accession or Resident Twinning Adviser, mobilisation and motivation of staff, financial motivation, etc.
2	In many projects aimed at Software development, no allocation of resources has been made for post-warranty service, nor upgrade or maintenance, for instance Web sites.	The respective beneficiary institutions should allocate adequate financial resources for post-warranty costs of Software development, taking into account the multi-annual budgeting in Slovakia. If possible, the Section of Informatisation of the Society at the Ministry of Finance (currently responsible for the conformity of the SW development projects with the overall eGovernment policy) should also check for the presence of adequate finances in the project proposals for maintenance and upgrading activities.
3	The contracting of the 2005 Radioactive Waste project, notably its Technical Assistance, part seems to be under threat due to unresolved problems from the past regarding the Software ownership rights, jeopardising the feasibility of implementation of the 2005 assistance.	The Central Finance and Contracting Unit together with the De-commissioning Agency-JAVIS and the respective Senior Programme Officer after receiving also the legal opinion to agree immediately on the type of the public procurement procedure. If they do not agree and no other project is prepared by the JAVIS in the pipeline to be financed from 2005 allocation, the JMC is to decide on the re-allocation of the respective funds.

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GLOSSARY OF ACRONYMS

ACU	Aid Co-ordination Unit
APA	Agricultural Paying Agency
CES	Country Evaluation Summary
CFCU	Central Finance and Contracting Unit
CCTIA	Central Control and Testing Institute for Agriculture
ESC	Economic and Social Cohesion
EU	European Union
FAC	Fight against Corruption
FAD	Fight against Drugs
GCCA	Geodesy, Cartography and Cadastre Authority
GP	General Prosecution
IA	Indicator of Achievement
IE	Interim Evaluation
IB	Institution Building
INT	Internal Market
IO	Immediate Objective
IS	Information System
IT	Information Technology
JHA	Justice and Home Affairs
JMC	Joint Monitoring Committee
MoA	Ministry of Agriculture
MoC	Ministry of Culture
MoEnv	Ministry of Environment
MoF	Ministry of Finance
MoH	Ministry of Health
MoI	Ministry of Interior
MS	Member State
OoG	Office of the Government
RTA	Resident Twinning Adviser
SC	Steering Committee
SF	Structural Funds
SMSC	Sectoral Monitoring Sub-committee
SOSR	Statistical Office of the Slovak Republic
SPO	Senior Programme Officer
SR/SK	Slovak Republic
SW	Software
TA	Technical Assistance
TF	Transition Facility
ToR	Terms of Reference
TW	Twining
UIBF	Unallocated Institution Building Facility

1 INTRODUCTION

1.1 Background and Scope of Evaluation

1. This Country Evaluation Summary (CES) (as requested by the respective Terms of Reference (ToR)) has been prepared by the Consortium CEEN Economic Project and Policy Consulting GmbH and Euroformes, s.r.o. It is based on the Transition Facility (TF) Interim Evaluations (IE) in the Slovak Republic (SR/SK) conducted during the period May – June 2007, according to the agreed evaluation plan by the Aid Co-ordination Unit (ACU) of the Office of the Government (OoG). The programmes covered include 2004, 2005 and 2006 TF projects.

2. The current structure of the monitoring sectors covered by the TF IE is as follows:

Sector	TF Report Nr.	Programmes/Projects Covered	Date of the IE Report	Overall Rating
Justice and Home Affairs (JHA)	R/SK/TF/JHA/07.001	2004/016-764.03.01; 2004/016-764.08.03; 2004/016-764.03.02; 2005/017-464.03.01; 2005/017-464.03.03; 2005/017-464.03.04; 2005/017-464.03.01	13 April 2007	Satisfactory
Internal Market (INT)	R/SK/TF/INT/07.002	2004/016-764.01.01; 2004/016-764.08.03 ; 2004/016-764.08.01 ; 2004/016-764.05.01 ; 2004/016-764.07.01; 2004/016-764.06.01 ; 2004/016-764.02.01; 2004/016-764.02.02; 2004/016-764.02.03 ; 2004/016-833; 2005/017-464.01.0;1 2005/017-464.01.02; 2005/017-464.01.03; 2005/017-464.01.04; 2005/017-464.06.01; 2005/017-464.07.02; 2005/017-464.07.01; 2005/017-464.02.03; 2005/017-464.02.01; 2005/.017-464.02.02; 2006/018-175.01.01; 2006/018-175.04.01; 2006/018-175.03.01; 2006/018-175.03.02;	in progress	(to be Satisfactory)

Economic and Social Cohesion (ESC)	R/SK/TF/ESC/07.003	2004/016-764.04.02; 2004/016-764.04.01; 2005/017-464.05.01; 2005/017-464.05.02; 2005/017-464.04.01; 2005/017-464.04.03; 2005/017-464.04.02 ; 2006/018-175.02.01; 2006/018-175.05.03; 2006/018-175.0502	in progress	n.a. ¹
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3. However, as the sectors are rather uneven, the idea of merging them into two - INT and JHA plus ESC, as recently presented by the ACU seems to be pragmatic, together with the idea of decreasing the frequency of Sectoral Monitoring Sub-committees and the Joint Monitoring Committee (JMC).

1.2 Reporting Format

4. The TF reporting follows the previous Phare format, as defined in the respective IE Guide as well as the ToRs for the current contract. For evaluation purposes also the widely accepted standard five criteria have been used, namely *relevance*, *efficiency*, *effectiveness*, *sustainability* and *impact*².

1.3 Purpose of the Evaluation

5. This Report should serve the JMC purposes, which is scheduled to meet on 17 July 2007. It should provide information on the key issues and lessons learnt from the respective programmes, propose recommendations on how to improve implementation of the current and future TF programmes and at the same time how to promote the evaluation culture in Slovakia.

¹ Both INT and ESC reports were in the draft form at the time of this CES.

² *Relevance* relates to the project's design and concerns to the extent to which its objectives address real needs. *Efficiency* concerns how well activities have transformed inputs into outputs. *Effectiveness* assesses whether the project's purposes have been achieved. *Sustainability* evaluates whether project outcomes are likely to continue after external funding ends. *Impact* denotes the relationship between the project's purpose and overall objectives.

2 KEY FINDINGS AND LESSONS LEARNED FROM THE IMPLEMENTATION OF TF/ PHARE

6. Key evaluation findings from the evaluation of the 2004-06 TF according to the 5 DAC criteria and the lessons learnt for the future

2.1 Relevance

7. *The TF Programmes are relevant*, even when looking at them from an early ex-post perspective and linked to the respective EU and local documents. The key priority area for the JHA Sector remains the accession to Schengen and the fulfilment of the respective Schengen Action Plan. The ruling Government has also re-introduced as a focus area the Fight against Corruption (FAC) and after a period of stagnation work has commenced on the update of the National Programme for the Fight against Corruption. New areas of assistance to be reported, notably the antidiscrimination *acquis*, which for the first time appeared as a priority field in the Slovak Policy Manifesto as well.

8. The previously criticised collapse of the Department for the FAC at the OoG has been solved with the OLAF overtaking the co-ordination role of the 2005 FAC project, including the nomination of the respective Senior Programme Officer (SPO), which can be highly praised, and which has been reflected in the remarkable progress of the project preparation at the same time.

9. *The new senior management is mostly supportive to the TF initiatives*. In many beneficiary institutions the new senior officials, who were installed as a result of the parliamentary elections, are actively involved in the TF projects as well, such as the Chairwoman at the Statistical Office of the SR (SOSR) who supports the needed legislative changes recommended under the 2004 assistance and at the same time actively participates in the project activities. The same is true for the Geodesy, Cartography and Cadastre Authority (GCCA) or the Agricultural Paying Agency (APA).

10. *Several TF interventions have been provided to Software (SW) development* or its upgrading, such as for the General Prosecution (GP), the SOSR, GCCA, Central Control and Testing Institute in Agriculture (CCTIA) or even the Ministry of Culture (MoC). The previously criticised isolation of the Information Technology (IT) support seems to have been taken seriously by the responsible bodies, and the specialised section at the Ministry of Finance (MoF) now safeguards the linkages of the SW development assistance with the overall informatisation strategy in public administration.

11. *The Steering Committees (SCs) seems to perform well for the majority of the projects under review*, such as the 2004 Fight against Drugs (FAD) or 2004 Prosecution, due to their balanced composition and also decision-making power to solve problems during project implementation. Complex, cross-sectoral projects, such as 2005 FAC, would benefit if the SC is established already in the preparatory stage. It could help in dealing with complex cross-sectoral issues, guide the preparation of the tender documents,

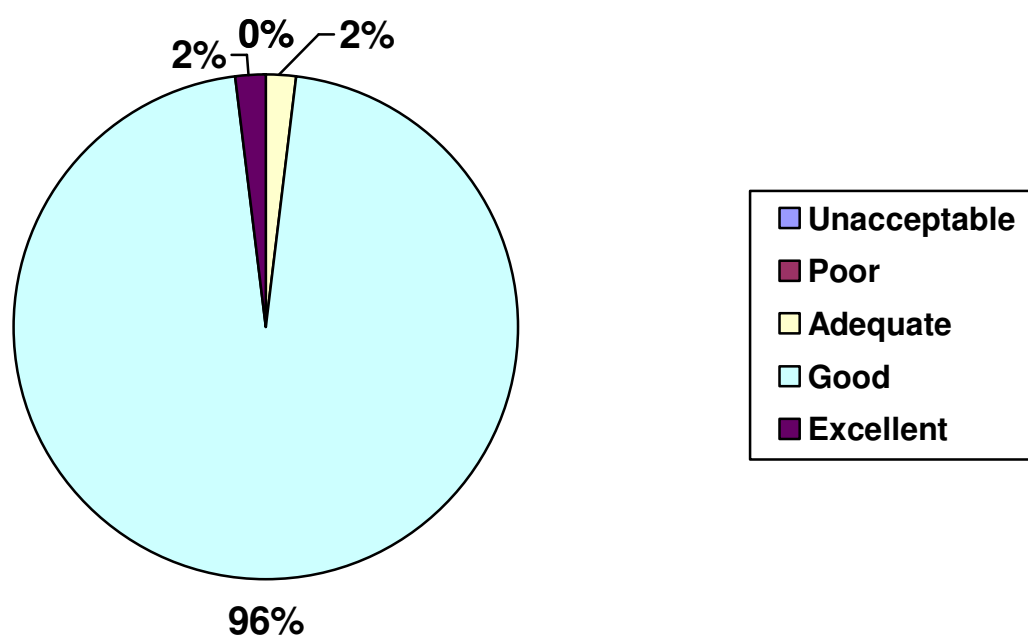
avoid unnecessary delays, assure proper implementation capacity, commitment and support to the project from all its stakeholders.

12. *The menu of delivery of the TF assistance seems to be mostly well-chosen*, such as the Twinning (TW) and the Twinning Light, Technical Assistance (TA), Supply or Grant Schemes. For delivery of the Institutional Building (IB) support the twinning arrangements seem to work well, especially with the long-term partners, such as the UK Pesticides Safety Directorate for the CCTIA or the Scottish partner for the GCCA.

13. *Some of the programmes remain over-ambitious*, with regard to the number of co-operating institutions, such as in the area of the Food Safety or the Statistics intervention (almost 50 in the case of the latter). Also the sequencing of activities and even missing conditionalities have proven to be a bottleneck or a potential threat of many projects, especially those for the Ministry of Health (MoH).

14. *Relevance rating usually reaches satisfactory results* with 96 percent of projects being good. (See Figure 1 below).³

Figure 1 Relevance



2.2 Efficiency

15. *The problem with the delays in programme implementation remains crucial*, though measures have been taken to improve the situation. The recommended contracting meetings have been re-introduced and take place more or less regularly between the ACU and the Central Finance and Contracting Unit (CFCU) with the National Fund with the

³ The sample projects include the JHA and INT Sectors.

external evaluators participating as well. Also the provided information from the CFCU on the contracting status is now more detailed and could better serve Monitoring and Evaluation purposes. Moreover, the parallel contracting of 2005 and 2006 projects should improve the speed of contracting; however, the stress is still being placed on the 2005 projects with very slow progress made on the 2006 ones. Overall, the contracting rate remains low, with only about 30 percent for the 2005 projects and zero for the 2006 ones.

16. ***More threats of further delays have arisen***, such as the already mentioned (under the relevance criterion) need for all the SW projects to be checked for conformity by the Section of Informatisation of the Society at the MoF. Unexpected delays have also been caused due to unclear selection criteria for some projects (for the Ministry of Environment (MoEnv)) or the decision about the public procurement procedure (The De-commissioning Agency). The latter has been caused by unclear copyrights of the previous supplier of the SW and which jeopardises the whole 2005 Radioactive Waste project, including its Supply part, which has already been contracted. The quality of the tendering documents as prepared by beneficiaries is often poor, such as for the 2005 project for the Slovak Office of Standards, Metrology and Testing

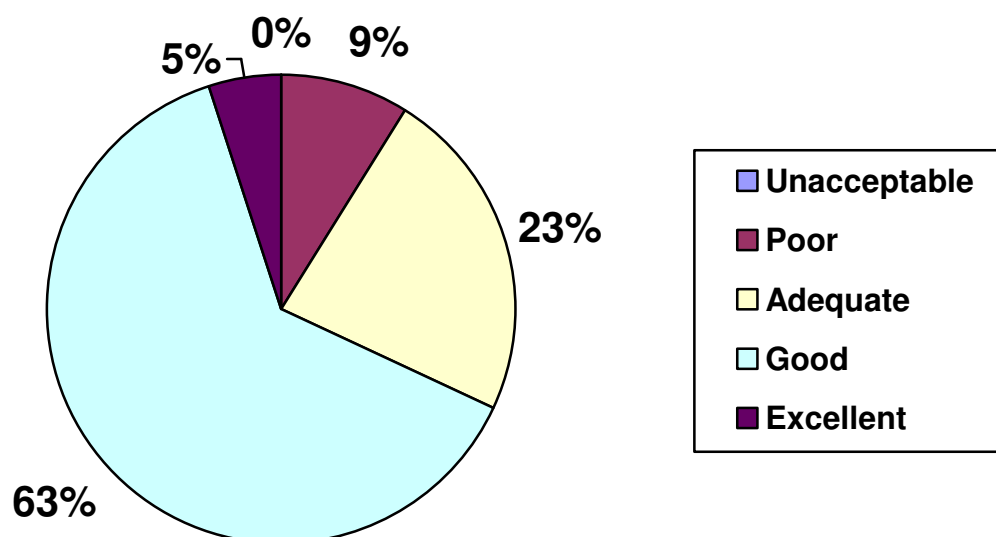
17. ***The staff of the ACU has undergone further changes***, including the part dealing with the TF funds. Though the replacements are usually employed fairly quickly, due to their inexperience, the existing staff has been placed under greater stress, notably the responsible Team Leader. On the positive front, the programme managers dealing with Phare and TF projects have been more involved in the work of the EU agencies and initiatives, such as the Instrument for the Pre-accession Funds. Besides the future monitoring role of Phare and TF projects, some plans exist for the ACU staff to also co-ordinate the Structural Funds (SF). Shortly before completing this CES another organisational change has been introduced at the OoG, influencing the ACU agenda as well (to be looked at in more detail in the update of the CES later this year).

18. ***Many Phare and TF implementing units at the respective ministries have undergone staff changes***, including the departure of experienced people, such as at the MoH and the MoC, where whole teams have left the ministries. Also several SPOs are now new, for instance at the GCCA or the SOSR, the OoG, fortunately with little negative implications for the co-ordination of the assigned projects. Moreover, at the MoC disagreements of new senior officials about the competencies of the SPO, have negative implications also on the tendering of the 2005 project, which is seriously endangered.

19. ***New approaches to the increase of efficiency to be reported***, notably when empowering the project leaders with sufficient competencies to solve relevant problems flexibly (e.g. at the SOSR); establishment of an electronic project office comprising all the relevant documents for the use of all the stakeholders (and to be archived after the project end) or a standardised monitoring of project progress, including the work of SCs and Working Groups (WGs) (in the case of the GCCA SW development).

20. ***Efficiency rating shows mixed results*** (see also Figure 2 below) with most of the projects being evaluated as good.

Figure 2 Efficiency



2.3 Effectiveness

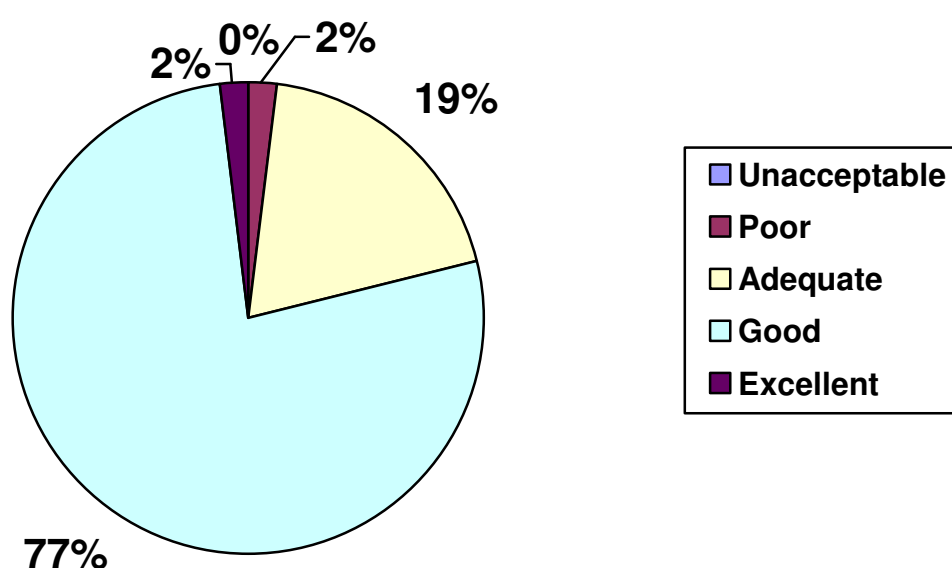
21. *First steps have been taken to improve the quality of log frames, objectives and the respective Indicators of Achievement (IA) s.* As under the current TA for the IE of the TF the ACU organised the first round of training on 9-10 May to be followed by the practical part in summer 2007. With the simplified format of the monitoring reports, as currently used by the ACU, monitoring data on the fulfilment of the IAs become even more crucial. An open question remains, however, about future monitoring of Wider Objectives, and the existence of the respective reporting structures, especially on the part of the beneficiary institutions.

22. As very few 2005 projects were under implementation and none of the 2006 ones, the first effects to be reported are mostly from the 2004 assistance. The 2004 Prosecution assistance in SW development should show its effects in an improved quality of the work of the GP, its increased efficiency and transparency. The 2004 FAD has managed to build a group of key experts in the area of drug topics and contributed to the implementation of the National Programme for the Fight against Drugs. On the other hand more effects were expected from the Schengen initiatives, this being the top priority area. Only some inputs into the National Plan for Border Protection can be reported from the 2004 project and hopefully more effects into the external border protection to be brought about through the 2005 TW. The 2004 assistance in the field of Food Safety via a series of theoretical and practical training sessions and study visits to the UK has brought the expertise and supporting methodology to the CCTIA staff to carry out pesticide registration and also authorisation of products. Also the APA should now improve the performance when executing on the spot controls of market organisations. In the area of environment, the TF

has helped to incorporate the surface water typology into the national Slovak stream typology testing and procedures were proposed for water chemistry reference conditions. On the other hand the 2004 Transport project was not so successful due to underperformance of the Member State (MS) partner not even delivering all the compulsory output. Also the 2004 Tax Audit project has clearly increased knowledge and experience of the tax administration; for instance, it improved techniques of enforcement of tax arrears and exchange of information concerning international tax recovery.

23. **Projections of effectiveness are mostly good** with 77 percent of projects reaching good rating (see also Figure 3 below).

Figure 3 Effectiveness



2.4 Sustainability

24. **Projections of sustainability of IB interventions remain mostly positive**, such as for the assistance to the APA, even after its organisational change or to the Judicial Academy, which seems to be now up and running satisfactorily as a training institution. Also no big concerns to be raised with regard to interventions in the sub-sectors of nuclear safety, finance, customs or culture.

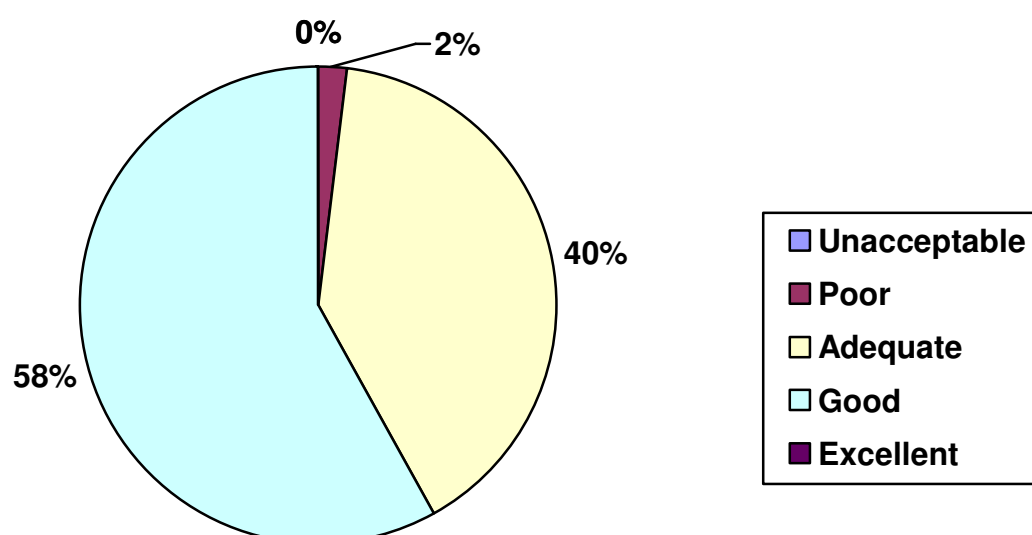
25. **In some beneficiary institutions staff turnover represents a problem**, such as in the Environment sub-sector. The situation is caused by uncertainty linked to the governmental decision on the reduction by 20 percent of civil servants and its practical execution by the MoEnv. Moreover, highly qualified staff is not easy to replace at the same level of competence and incorporating new staff in already established teams involved in international cooperation is very difficult. This factor can also play an important role in terms of sustainability of projects results. Similar situation to be reported in the case of CCTIA with the announced 7 percent cut in staff.

26. *Some concerns exist with regard to the sustainability of SW development.* Several TF interventions have been aimed at SW development, however, often not taking into account sustainability measures, such as the post-warranty maintenance and upgrading or the implicit need for Hardware upgrade.

27. *Future of the CFCU staff: there seem to be some perspectives.* The experienced CFCU staff, now managed by a new pro-active Director, has some chances to use the gained know-how within the MoF, notably its Unit for Public Procurement or when managing SFs. However, no tangible phase-out strategy was available at the time of this Report.

28. *Sustainability rating is mostly good* with majority of 58 percent of projects being rated as good and 40 percent as adequate (see Figure 4 below).

Figure 4 Sustainability



2.5 Impact

29. *Forecasts of impact are mostly positive*, as for instance in the area of the agriculture through the increased exports of agricultural products (using, for instance re-funds), or via a more transparent system of direct payments bringing more financial resources to farmers or in the field of finance via a provision of the missing know-how and expertise in the Public Finance Management area. The health sub-sector interventions should have a concrete impact, for instance on an increased free movement of pharmaceuticals, enhanced quality and safety of donations for transplantations or improved monitoring of Drug Related Deaths.

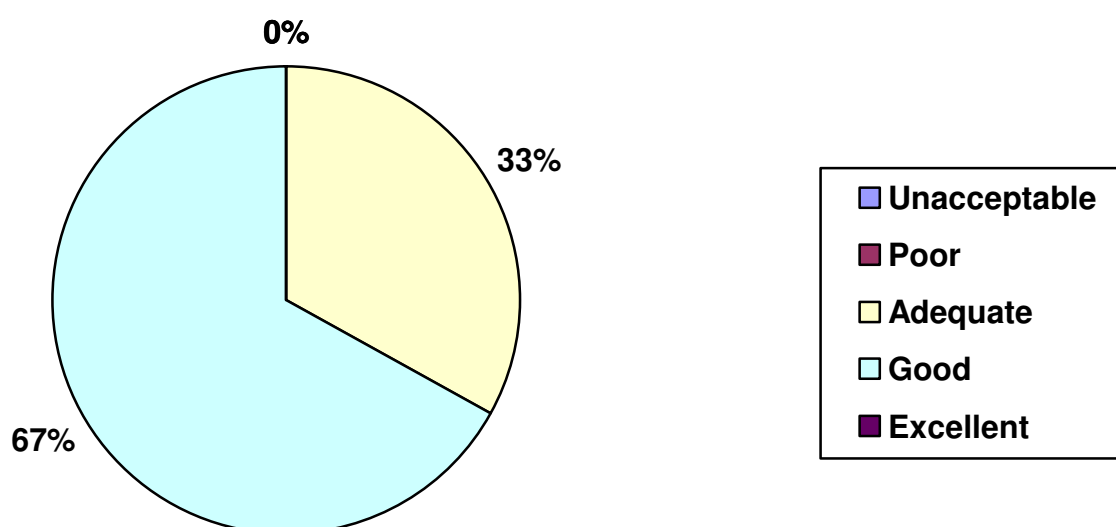
30. ***Some first concrete impacts*** to be reported, for instance from the 2004 Statistics assistance, where some statistical surveys were found to be unnecessary and could be cancelled, bringing savings on the side of the administrative resources but also the SOSR itself.

31. ***Broad reach of some projects has helped to spread the gained know-how widely.*** For instance, under *the* TF Judiciary assistance about 300 judges, prosecutors, high-court officials and other relevant people were trained in the selected areas of the EU law. In addition, almost 30 trainers were provided training under the Training of Trainers activities. The broad reach of the transfer of know-how should contribute to the enhanced work of the Slovak judiciary. The TA focused on mediation via its broad range of activities (such as training sessions for various professionals and general public, publication of promotion and training materials) and direct beneficiaries of more than 2,000 people should contribute to the raised awareness about mediation in Slovakia. Similar outcome holds true also for tax audit, internal audit and accounting and reporting projects, where extensive transfer of know-how and experience through training contributed to modernisation of the public finance system, especially in terms of its increased efficiency and transparency.

32. ***Impact from Phare and TF assistance to be increased via the East-East approach,*** when Slovakia participates more actively in twinning out activities. There are only a few areas where Slovak experts work in other, mostly New MSs or Candidate Countries, such as metrology. However, a broader participation is limited not only due to the lack of staff and their knowledge of foreign languages but also lack of relevant information, including practical issues (such as the selection of a Resident Twinning Adviser, financial issues, etc).

33. ***Impact rating (similarly to sustainability) reaches mostly good or adequate rating*** with 67 percent of the projects being rated as good. (see also Figure 5 below).

Figure 5 Impact



2.6 Performance Rating

34. Using the agreed methodology for rating the individual programmes and sectors, the performance has been as follows:

Criterion/Sector	Justice and Home Affairs	Internal Market ⁴	Economic and Social Cohesion
Relevance	1	(1)	-
Efficiency	0	(1)	-
Effectiveness	1	(1)	-
Impact	1	(1)	-
Sustainability	1	(1)	-
Verbal Rating	Satisfactory	(Satisfactory)	n.a

Unacceptable	Poor	Sufficient/ adequate or no rating possible	Good	Excellent
-2	-1	0	+1	+2

Highly Unsatisfactory	Unsatisfactory	No rating possible	Satisfactory	Highly satisfactory
HU	U	N/A	S	HS

⁴ Based on the final draft version.

3 RECOMMENDATIONS FOR THE CONSIDERATION OF JMC MEMBERS

Ref.	Key Issue	Para	Recommendation
1	After benefiting from a number of Phare, TF and other assistance programmes, several Slovak institutions are now capable of providing assistance to others, namely Candidate Countries, however, the respective know-how, especially in twinning-out is often missing	32	The Aid Co-ordination Unit, its Twinning Contact Point, together with other institutions, especially those possessing the relevant know-how from providing the twinning-out support should organise a training for the interested institutions (such as the Slovak Environmental Agency) to enable them to apply for the relevant projects abroad, including topics, like selection of a Pre-accession or Resident Twinning Adviser, mobilisation and motivation of staff, financial motivation, etc.
2	In many projects aimed at Software development, no allocation of resources has been made for post-warranty service, nor upgrading or maintenance, for instance Web sites.	26	The respective beneficiary institutions should allocate adequate financial resources for post-warranty costs of Software development, taking into account the multi-annual budgeting in Slovakia. If possible, the Section of Informatisation of the Society at the Ministry of Finance (currently responsible for the conformity of the SW development projects with the overall eGovernment policy) should also check for the presence of adequate funds in the project proposals for maintenance and upgrading activities.
3	The contracting of the 2005 Radioactive Waste project, notably its Technical Assistance part, seems to be under threat due to unresolved problems from the past regarding the Software ownership rights, jeopardising the feasibility of implementation of the 2005 assistance.	16	The Central Finance and Contracting Unit together with the De-commissioning Agency-JAVIS and the respective Senior Programme Officer after receiving also the legal opinion to agree immediately on the type of the public procurement procedure. If they do not agree and no other project is prepared in the pipeline by the JAVIS to be financed from 2005 allocation, the JMC to decide on the re-allocation of the respective funds.

ANNEXES

ANNEX 1. EXECUTIVE SUMMARIES OF COMPLETED INTERIM EVALUATION REPORTS

Justice and Home Affairs

Interim Evaluation Report: R/SK/TF/JHA/07.001

This Executive Summary covers the Transition Facility assistance under the following programmes/components:

- Justice and Prosecution
- Fight against Drugs and Corruption
- Schengen Border Management

A) Objectives and Scope

The goal of this Interim Evaluation is to review the Transition Facility assistance to Slovakia under the Justice and Home Affairs Monitoring Sector. The EU support to Slovakia has been focused on the area of justice and prosecution, fight against drugs and corruption and the Schengen border management, with the total allocation over 5.6 M€ for years 2004 and 2005 (no 2006 projects included in the evaluation cluster) including co-financing. For the evaluation purposes the standard five criteria have been used, namely relevance, efficiency, effectiveness, sustainability and impact.

B) Evaluation Results

The Transition Facility assistance to the Justice and Home Affairs Sector is *relevant*, also when looking at the completed projects from an ex-post perspective. The Transition Facility support covers many priority areas, such as the Fight against Drugs. The top priority remains the implementation of the Schengen *acquis*. For the vast majority of interventions the corresponding strategic documents and their updates exist, notably the Schengen Action Plan. The new government intends to prepare also an update of the national programme for the Fight against Corruption, with the Office of the Government keeping its important coordination role in this area. Consequently, activities have recently taken place to finalise the 2005 Fight against Corruption project documentation. For many of the projects reviewed, the twinning arrangements, including twinning lights, seems to work well, such as for the 2005 Schengen. A number of interventions support progressive areas of assistance, for example, with the help of Information Technologies, the court proceedings should be shortened or a significant time saving could be generated in solving corruption cases. The Steering Committees seem to work well for the majority of the projects under review, such as the 2004 Fight against Drugs or 2004 Prosecution, due

to their balanced composition and also decision power to solve problems during projects' implementation. On the other hand unfulfilled assumptions, such as for the 2004 Schengen to adopt the National Plan for Border Protection, caused difficulties in realisations of project's outputs at the later stage of the implementation process.

Efficiency of the reviewed Sector shows mixed results. The pre-implementation phase of many projects has suffered from well-known delays, such as lack of parallel contracting of 2004 and 2005 projects. Compared to the previous evaluation, only a few of the 2004 interventions have progressed with the implementation of actual activities, and only one of the 2005 interventions has been contracted. For the completed sub-projects, the efficiency criterion shows good results, as all the planned activities were implemented (though sometimes in a challenging environment). Technical character and security requirements of some projects, such as the 2004 Software Development Fight against Drugs has caused not only problems in preparation of technical documentation, but eventually lead to losses of parts of the funds originally allocated for the Ministry of Defence and the Ministry of Interior. Despite a significant delay, activities to finalise the 2005 Fight against Corruption project preparation and create implementation capacities have recently been undertaken. Overall the commitment and disbursement rates for the Sector - 61 and 39 percent respectively - represent disappointing results. Performance of contractors and twinning partners is usually highly evaluated, presently the 2005 Schengen, where the respective Resident Twinning Adviser often provides pro-active know-how transfer to the Ministry of Interior and whose reporting at the same time has improved compared to the 2004 assistance. However, there might be scope for improvement in time management of this project.

Effectiveness of most of the implemented projects shows good results, especially for the 2004 Sub-programme, where concrete effects could be reported from the Judicial Academy twinning light delivering a complex training for judiciary staff and the Justice Academy trainers, the Mediation in raising awareness about mediation when reaching more than 2,000 people, the Prosecution upgrading the Information System of the General Prosecution or the Fight against Drugs via more than 50 activities supporting the implementation of the National Programme for the Fight against Drugs. The 2004 Schengen assistance also brought some tangible outputs, such as in the fight against documentary fraud and inputs into the Schengen Action Plan and the future National Plan for Border Protection in the field of internal borders. The 2005 Schengen intervention managed to provide some first outputs too, such as the audit of Sobrance and a legal study related to illegal immigration and illegal entry. Predictions of implementation of 2005 projects are positive mostly due to their design.

Sustainability seems to be secured for some of the completed interventions, such as the 2004 Judicial Academy, as the Academy's standard training programme, which now includes also seminars on the EU Law, is repeating the training delivered under the Transition Facility assistance, and the co-operation between the twinning partners continues. The 2004 Mediation seems to enjoy the commitment of senior officials of the Ministry of Justice to continue with the mediation activities, which also contributes to its sustainability, as the awareness raising activities require constant attention. Predictions of sustainability of the 2004 Fight against Drugs are also positive also due to new plans of securing the positions of regional drug co-ordinators; however, measurement of sustainability of soft areas of assistance remains difficult. Good perspectives for sustainability exist also for the top priority Schengen assistance.

We can predict that the vast majority of the Transition Facility interventions will contribute to the fulfilment of their respective Wider Objectives and consequently will have a positive *impact*, also due to their rather broad definition, such as the 2004 Judiciary project. The wide reach of many projects, such as in the area of promotion of mediation or arbitrations with thousands of participants has a potential to raise the awareness on the selected topics, however the whole process of changing the culture will require a longer time. Also a massive reach of about 300 direct participants in the 2004 Fight against Drugs project justifies a positive evaluation of the impact. The potential impact of the 2004 Prosecution intervention depends on the successful overcome of the internal resistance to change and also progress of the complementary Information Systems developments in other Law Enforcement Agencies. The 2005 Fight against Corruption, once successfully implemented, will definitely have an impact on combating corruption in a more efficient and specialised manner. Also the Fight against Corruption among Police Officers should have a concrete impact, for instance in a significant reduction of time needed to solve a corruption case.

C) Recommendations and Rating

Project Leader/Senior Programme Officer /Aid Co-ordination Unit

The Project Leader in cooperation with the Senior Programme Officer (still to be appointed) and the Aid Coordination Unit should initiate the establishment of a Steering Committee for the 2005 Fight against Corruption project. The Steering Committee could help in dealing with complex cross-sectoral issues, guide the preparation of the project documentation, speed-up the process, avoid further delays and assure proper implementation capacity, commitment and support to the project from all its stakeholders.

Aid Co-ordination Unit/Department of OLAF & Fight against Corruption

The Aid Coordination Unit in cooperation with the new Department of OLAF and Fight against Corruption should urgently nominate the Senior Programme Officer of the 2005 Fight against Corruption project. The nomination is crucial for the preparation and implementation of the project.

Department of OLAF & Fight against Corruption

The new Department of OLAF and Fight against Corruption should strengthen the personnel of the Fight against Corruption area by a professional with background and experience in this topic. The current staffing of this area consists of two experts of whom one deals with management and coordination of this project.

Project Leader/ Senior Programme Officer/central Financing and Contracting Unit

The Project Leader in close cooperation with the future Senior Programme Officer and the Central Financing and Contracting Unit, should speed-up the process of preparation of the

documentation for the 2005 Fight against Corruption project. Close, quick and flexible cooperation of all the involved parties is crucial for a successful preparation and contracting of such a complex project in time, i.e. before 15 December 2007.

Resident Twinning Adviser for Schengen

The Resident Twinning Adviser for the 2005 Schengen project should update the work-plan on the basis of the political Schengen reform decisions, and should also incorporate the delays in Components 1, 4 and 5. The update is determined by the Master Plan, prepared by the Slovak side, to improve the preparedness of Slovakia for Schengen in the weak areas, identified by the Schengen Evaluation in October 2006. This project has been asked to assist in the process of eliminating the weaknesses.

Resident Twinning Adviser for Schengen/Team Leader

The Resident Twinning Adviser for the 2005 Schengen project should, in cooperation with the Team Leader, improve time management of the 2005 Schengen project by close monitoring of progress in the Schengen area and taking actions in order to avoid further delays. Furthermore, he should verify commitment of the junior Austrian Twinning Partner and the Ministry of Foreign Affairs to this project (component 4 and 5) and agree a detailed action plan with them.

ANNEX 2. LIST OF DOCUMENTS

Author	Date	Title of the Document
CEEN/Euroformes	31 October 2006	Interim Evaluation Report R/SK/TF/JHA/06.001
CEEN/Euroformes	15 January 2007	Interim Evaluation Report R/SK/TF/INT/06.002
CEEN/Euroformes	7 March 2007	Interim Evaluation Report R/SK/TF/ESC/06.003
CEEN/Euroformes	13 April 2007	Interim Evaluation Report R/SK/TF/JHA/07.001
CEEN/Euroformes	June 2007	Interim Evaluation Report R/SK/TF/INT/07.002 (draft)
CEEN/Euroformes	June 2007	Interim Evaluation Report R/SK/TF/ESC/07.003 (draft)
CEEN/Euroformes	12 December 2006	Country Evaluation Summary 1
Office of the Government/Aid Co-ordination Unit	19 January 2007	Implementation Status Report of the EU Phare and TF Programmes Co-financed by the Slovak Republic

ANNEX 3 FOLLOW-UP OF PREVIOUS RECOMMENDATIONS

Ref.	Recommendation	Follow-up
1	The Aid-coordination Unit of the Office of the Government should organise a training session on definition of indicators of achievement and their use for the relevant implementing bodies managing Transition Facility Funds and also bi-lateral assistance using the current 2004 external Technical Assistance for the Interim Evaluation of the Transition Facility. The budget for the training could be used from the saved funds originally allocated for the provision of the two country summary reports.	The Aid-Co-ordination Unit together with the contractor for the Interim Evaluation of 2004-06 Transition Facility Projects organised the first cycle of the training focused on the logical framework and indicators of achievement during 9-10 May 2007 with over 30 representatives of implementing units of the ministries and other state institutions, including the ACU participating. The second round of the practical training to be organised shortly before the JMC. The relevant Project Fiche for the 2004 IE TF project has been modified and the addendum to the current contract has been signed.
2	Phare and Transition Facility Implementing units and the relevant ministries and institutions should prepare a phase-out strategy of the respective units, showing their future role within the state administration institutions, (such as service point for project preparation or in the management of Structural Funds).	Future role of the units at the respective ministries and institutions dealing with pre-accession and transition facility funds is more or less a political question being solved individually within the responsibilities of ministers/decision makers at respective ministry/institution. This has to be understood also in the context of the Prime Minister direction to reduce number of state employees by 20 percent. The general intention is to transfer administrative capacities having know-how and experience with pre-accession funds to managing authorities and implementing agencies of Structural Funds.

3	If the recipient/s of the 2005 Fight Against Corruption project is/are not assigned in the meantime, the JMC should consider re-allocation of the respective funds or parts thereof.	The recipient of the 2005 Fight against Corruption project remains the Slovak Office of the Government, however, being transferred to its Central Contact Point for OLAF for the SR and the Fight against Corruption Dept, with its Director being the new Senior Programme Officer (as of March 2007). The respective Project Fiche has been modified respectively. The project preparation has progressed significantly due to an effective recipient's co-ordination of institutions involved in preparation of tendering documents.
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