

Thematic Evaluation No. R/SK/TW/08.001

This Project  
is co-funded by the EUROPEAN  
UNION



**TWINNING  
PROJECTS AND  
PARTICIPATION OF  
SLOVAK EXPERTS  
IN TWINNING  
EXTERNAL  
ACTIVITIES**

# Transition Facility

## Thematic Evaluation of the European Union Transition Facility

The Slovak Republic

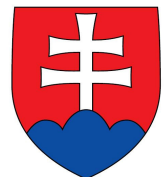
**Author:**



**Date: 31 July 2008**

This report has been prepared as a result of an independent evaluation by the DISNTINCT, a.s. and Octigon, a.s. Consortium being contracted under the Transition Facility programme. **The views expressed are those of the DISTINCT, a.s. and Octigon, a.s. Consortium and do not necessarily reflect those of the Government Office of the Slovak Republic.**

Government Office of the Slovak Republic • Aid Co-ordination Unit • E-mail: [oripes@vlada.gov.sk](mailto:oripes@vlada.gov.sk)



## EXECUTIVE SUMMARY

### A) Scope and Objectives

This thematic evaluation covers 2005 – 2006 Transition Facility Twinning and Twinning Light projects, plus the Slovak Twinning Out projects and has been prepared for the Aid Co-ordination Unit at the Office of the Government of the Slovak Republic according to the Terms of Reference for the Technical Assistance project covered from the 2006 Transition Facility.

The aim of the Report is to assess the implementation of twinning projects related to Institutional Building in Slovakia and funded from the Transitional Facility with respect to various priority areas and the EC's rules and standards.

### B) Evaluation Findings and Results

Twinning and Twinning Light are highly relevant in providing information and guidance on the application of specific Directives and their implications for practice in real-life situations in other Member States. In the post-accession period, the EU intervention has been often re-focused on implementation of EU standards in different fields, rather than on the harmonisation of legislation. Twinning Light is popular also for the Unallocated Institutional Building Facility; however, sometimes there are difficulties in its circulation and tendering. The reviewed projects now mostly include clearly set objectives and corresponding measurable Indicators of Achievements; however, monitoring figures regarding their fulfilment are often missing. Most of the projects in the cluster tend to be demand-driven, including the twinning as a preferred form of assistance, often using long-term partners. On the other hand, Technical Assistance seems to fit better to rather specific technical areas of assistance with limited absorption capacities. The external environment was not always supportive and the absorption capacities were also missing for priority areas, such as Fight against Corruption.

Similar to the rest of the Transition Facility assistance, the projects have suffered from delays in their implementation caused by several reasons, including the pre-implementation stage, such as unsuccessful circulation of project fiches or slippages in other parts of projects due to their sequencing with twinning activities. The role of the Resident Twinning Adviser is a key factor in delivering the planned outputs. The vast majority of Beneficiaries speak high about the performance of the seconded Resident Twinning Advisers, who are often very flexible, willing to provide *ad-hoc* assistance and also extra-twinning activities. Nevertheless, sometimes they perform poor in overall management of a project, especially when composed from a consortium of partners. For Twinning Out, the National Contact Point should play an important role based on Guiding Principles. Actually, it does not provide any special advisory infrastructure and/or administrative support, except the circulation of Twinning Out opportunities and monitoring activities towards the European Commission and national authorities. Therefore, the National Contact Point needs institutional and administrative support in order to fully operate in compliance with Guiding Principles.

There is general consent that the effectiveness of Twinning and Twinning Light has been improving, as was the conclusion also from the previous thematic evaluations where different generations of Phare Twinning were compared. Also projects in all the reviewed components have brought tangible benefits and helped to strengthen several institutions, such as the Justice Academy, the Border and Aliens Police, the State Institute for Drug Control, the Central Control and Testing Institute in Agriculture and others. However, the available monitoring data on the fulfilment of the respective Indicators of Achievement are rather limited. The long-term peer-to-peer cooperation between the Member State and the Beneficiary clearly brings positive effects and could be praised. Consortia of partners work well, especially for complex areas, such as Fight against Drugs or Schengen. When implementing a comprehensive reform or implementing a broader field of the *acquis*, it seems to be beneficial to receive assistance from more than one Member State, thus complementing different best practices and allowing to mix the right menu for the areas in need. On the other hand, split of tasks between the Senior and Junior partner has not always been effective, mostly due to underperformance of the Senior partner in the overall project management.

Sustainability of some twinning activities is often problematic, such as the provision of training as well as study visits, as often no follow-up activities are scheduled and also due to quite high turnover rate among staff. Some of the projects have managed to bring a broader impact, especially the series of twinning interventions into accession to Schengen. However, the overall impact will often materialise in the mid and long-term horizon.

Taking into account the 17 officially known bid submissions and the success achieved in almost half of them, the position of the Slovak Republic in respect to Twinning Out participation in the bidding and/or implementation phases can be viewed as highly satisfactory. Generally spoken, the participation of Slovak experts is conditioned by their highly topic-related specialisation, previous experience, and adequate language skills. The majority of those participating in Twinning Out projects have had previous experience with working in international environment, which was a major advance. Whereas highly specialised expert technical requirements set by a Beneficiary Country is a must, required language skills vary from country to country.

The participation of Slovak experts in Twinning Out represents a high motivation, mainly in respect to career development and acquiring new experience, although the missions' financial aspect cannot be neglected.

In general, it can be stated that the level of Slovakian experts' readiness for Twinning Out missions is still low. Despite the fact that Slovakia possesses a quite broad range of high-specialised experts in many Twinning Out topics, the promotion of Twinning Out opportunities is still insufficient. Any national platform covering e.g. the experts, exchange of their experience and know-how, and supported by any specialised Agency or the National Contact Point itself should improve the Twinning Out related situation in Slovakia.

There are five main categories of barriers of Slovak experts' participation in Twinning Out projects: (i) limited personal capacities in terms of substitutability of those experts who leave for Twinning Out missions abroad (especially the substitutability of top management or high-ranking officials) and in terms of bid preparation – limited time capacities of staff; (ii) language barriers – language courses focused on specialised technical terminology and presentation and communication techniques are needed; (iii) low awareness of Twinning Out process; (iv) ambiguous national legislative framework for Twinning Out, which should

transparently regulate mainly labour relations of civil/public servants in respect of Twinning Out missions, experts' remuneration and mission related expense, experts' extra income taxation, Twinning Out management cost ownership, enforcement of subcontracts.

The insufficient legislative environment in respect of Twinning Out shows that Slovakia is not prepared for such challenge, for opportunity to strengthen its domestic institutional building capacities through international missions of its own experts and for opportunity to sell the 'Slovakia' trade mark abroad as expressed by one of addressed interviewees.

### **C) Recommendations**

- Respective administrations, in addition to declaring their political will to reform different areas of public administration or solve a key problem, should (besides incorporating the plans/strategies into political documents) allocate adequate capacities for these priority areas, also for Twinning projects to perform satisfactorily, meeting all evaluation criteria.
- Candidate and other eligible countries are strongly advised to look also for partners among New Member States, or at least to include the expertise from newly accessed countries into the Twinning/Twinning Lights, as there tend to be a similarity between them when harmonizing and enforcing the EU legislation, notably in the public administration reform or institutional building.
- Respective Project Managers from the Beneficiary institutions should be on a sufficiently senior position in order to have enough authority to make project-related decisions. Moreover, they should be supported by assistants to take over the poorly administrative agenda of Twinning/Twinning Light.
- An Agency supporting the National Contact Point, providing comprehensive counselling services and, at the same time, serving as a platform for the networking of existing and potential Slovak experts should be created (using the related personnel expertise existing in the Slovak Republic). The establishment of such Agency requires that related legislation be in place.
- An appropriate institutional and legal framework for Twinning Out needs to be put in place, regulating mainly labour relations (the form of Twinning Out experts' missions), Twinning Out experts' remuneration, its taxation and mission-related expense, Twinning Out management cost ownership, subcontracting obligations and other related issues.
- For the future, the European Commission needs to adopt a more flexible approach to the issue of where the source of Member State expertise in *acquis*-related matters lies and to design a framework, which makes it easier for the competent organisation to participate in Twinning regardless of its status within or on the periphery of the Member State public service. This will be particularly important due to the fact that Member State resources may be becoming exhausted and that their willingness to participate may be waning.

## TABLE OF CONTENTS

<b>EXECUTIVE SUMMARY .....</b>	<b>2</b>
<b>TABLE OF CONTENTS .....</b>	<b>5</b>
<b>PREFACE .....</b>	<b>6</b>
<b>GLOSSARY OF ACRONYMS .....</b>	<b>7</b>
<b>MAIN REPORT .....</b>	<b>9</b>
<b>1. Introduction .....</b>	<b>9</b>
<i>1.1 Background and Scope of Evaluation .....</i>	<i>9</i>
<i>1.2. Objective of the Report .....</i>	<i>9</i>
<i>1.3 Key Evaluation Questions .....</i>	<i>9</i>
<i>1.4 Methodology .....</i>	<i>9</i>
<i>1.5 Previous Evaluations/Studies .....</i>	<i>9</i>
<b>2. EVALUATION RESULTS.....</b>	<b>9</b>
<i>2.1 Relevance .....</i>	<i>9</i>
<i>2.2 Efficiency .....</i>	<i>9</i>
<i>2.3 Effectiveness.....</i>	<i>9</i>
<i>2.4 Other Criteria .....</i>	<i>9</i>
<i>2.5 Performance Rating .....</i>	<i>9</i>
<i>2.6 Analysis of Criteria/Conditions for Participation of Slovak Experts in Twinning Out Projects Abroad .....</i>	<i>9</i>
<b>3. CONCLUSIONS AND RECOMMENDATIONS .....</b>	<b>9</b>
<i>3.1 Conclusions.....</i>	<i>9</i>
<i>3.2 Recommendations .....</i>	<i>9</i>
<b>ANNEXES .....</b>	<b>9</b>
<b>ANNEX 1 LIST of Interviews .....</b>	<b>9</b>
<b>ANNEX 2 LIST of Documents .....</b>	<b>9</b>
<b>ANNEX 3 LIST of Twinning Projects Included in the Evaluation .....</b>	<b>9</b>
<b>ANNEX 4 LIST of Evaluation Questions.....</b>	<b>9</b>
<b>ANNEX 5 Questionnaire for Twinning Out .....</b>	<b>9</b>
<b>ANNEX 6 List of Indicators .....</b>	<b>9</b>
<b>ANNEX 7 List of Twinning Out Proposals.....</b>	<b>9</b>

## PREFACE

This Thematic Evaluation Report was prepared at the request of the Government Office of the Slovak Republic (Aid Coordination Unit), under the Technical Assistance contract funded from the 2006 Transition Facility.

The Thematic Evaluation Report has been prepared by the Distinct, a.s. and Octigon, a.s. Consortium<sup>1</sup> during the period from May to July 2008 and reflects the situation as at 15 July 2008, the cut-off date for the purposes of the Report. The factual basis is provided by the monitoring reports and the implementation status reports. Other findings are based on analysis of the Financing Memoranda, formal Programme documentation (projects, Terms of Reference, Technical Specifications, Providers/Suppliers' Reports) and previous evaluation reports, including thematic ones, interviews with the main parties and the published material.

---

<sup>1</sup> Authors : Viera Gazikova, Danka Kovalova, Miroslav Kosik and STEs, Distinct/Octigon IE Cell

## GLOSSARY OF ACRONYMS

AEI	Agency for European Integration and Economic Development
AGRI	Agriculture
AMA	Agrarmarkt Austria
AP	Accession Partnership
APA	Agricultural Paying Agency
ARNI	Act on Regulation of Network Industries
BAPO	Border and Alien Office
BC	Beneficiary Country
CARDS	Community Assistance for Reconstruction, Development and Stabilisation
CC	Candidate Country
CCTIA	Central Controlling and Testing Institute in Agriculture
CFCU	Central Finance and Contracting Unit
Coll.	Collection of the Laws of the SR
CR	Czech Republic
DPF	Detailed Project Fiche
EC	European Commission
EC	European Communities
ECJ	Court of Justice of the European Communities
ENE	Energy
ENV	Environment
EQS	Environmental Quality Standards
EU	European Union
FAA Holding	Finanzakademie Austria Holding
FAC	Fight against Corruption
FAD	Fight against Drugs
FB	Final Beneficiary
FIIAPP	International and Ibero-American Foundation of Public Administration and Policies
FRONTEX	The European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union
HC	Health Care
HCSA	Health Care Surveillance Authority
HRD	Human Resources Development
IA	Indicator of Achievement
IAS	Information and Analytical System
IB	Institutional Building
INT	Internal Market
IPA	Instrument for Pre-Accession Assistance
IS	Information System
JA	Judicial Academy
JAS	Justice Academy
JHA	Justice and Home Affairs
LI	Labour Inspector
LI	Labour Inspection
MB	Mandated Body
MEDA	Mediterranean Development Assistance
MFA	Ministry of Foreign Affairs
MI	Measuring Instruments
MID	Measurement Instruments Directive 2004/22/EC
MoA	Ministry of Agriculture
MoEnv	Ministry of Environment
MoF	Ministry of Finance
MoH	Ministry of Health
MoI	Ministry of Interior

MoJ	Ministry of Justice
MoLSAF	Ministry of Labour, Social Affairs and Family
MS	Member State
NA	Not applicable
NCP	National Contact Point
NRL	National Reference Laboratory
OF	Organic Farming
OHS	Occupational Health and Safety
OIS	Office for Inspection Services
OoG	Office of Government
ORIPES	Department of Management and Implementation of EC Assistance
PF	Project Fiche
PHA	Public Health Authority
PHARE	Poland and Hungary: Assistance for Restructuring their Economies
PL	Project Leader
PM	Project Manager
PPP	Plant Protection Products
PSD	Pesticides Safety Directorate
RACMI	Reinforcement of Administrative Capacity as regards Measuring Instruments
RDA	Regional Development Agency
REACH	Registration, Evaluation, Authorisation and Restriction of Chemical substances
RONI	Regulatory Office for Networking Industries
RTA	Resident Twinning Advisor
RTA-A	Resident Twinning Adviser Assistant
SCA	Slovak Customs Administration
SHMI	Slovak Hydrometeorological Institute
SIDA	Swedish International Development Cooperation Agency
SIDC	State Institute for Drug Control
SMSB / SMSA	Slovak Market Surveillance Bodies/Authorities
SMU	Slovak Institute of Metrology
SNAS	Slovak National Accreditation Service
SOSMT	Office for Standards, Metrology and Testing of the SR
SPO	Senior Programme Officer
SR	Slovak Republic
SSI	Slovak Standards Institute
STA	Slovak Tax Administration
STE	Short-Term Expert
SW	Software
TA	Technical Assistance
TACIS	Technical Aid to the Commonwealth of Independent States
TAIEX	Technical Assistance and Information Exchange
TF	Transition Facility
ToR	Terms of Reference
TR	Thematic Report
TW	Twining
TW In	Twining In
TW Out	Twining Out
TWL	Twining Light
UIBF	Unallocated Institution Building Facility
UK	United Kingdom
VAT	value added tax
WFD	Water Framework Directive



## 1. INTRODUCTION

### 1.1 Background and Scope of Evaluation

1. Introduced in 1998, Twinning (TW) has been the key EU instrument for Institutional Building (IB) of Candidate Countries (CC)s with the view (i) to assist in transposition, implementation and enforcement of the EU *acquis*; (ii) to organise targeted medium-term administrative cooperation for the benefit of EU partner administrations calling on public sector expertise in the Member States (MS)s; (iii) to meet the defined EU policy objectives designed with the Beneficiary Country (BC), notably via the long-term secondment of Resident Twinning Advisers (RTA)s.<sup>2</sup> However, the broader aim of TW is to build up permanent cooperation of the partner administration. That means to build long-term relationships between MSs and BCs, their public administrations, agencies and bodies on national, regional and local levels and in a cross-section of sectors, foregrounding a favourable environment for future interactions within the enlarged EU framework for smooth governance.

2. Since 1998, about 1,300 TW projects have been implemented, out of them around 100 in Slovakia (SR) under Phare and the Transition Facility (TF) programmes. Moreover, with the 2001 Phare Programme the Twinning Light (TWL) instrument has been introduced to complement the TW, where the full-time presence of the RTA is not required and the whole procedure of implementation is simplified. Today, however, TW, besides new MSs and CCs concerns also potential CCs and those neighbouring countries that are interested in enhancing their cooperation with the EU and the MSs in several policy fields (further referred to as BCs).

3. This Report is the first from the planned series of 3 Thematic Reports (TR)s to be produced under Contracts I and II for Interim Evaluation of TF in the SR (2006/18-175.06.02/01 and 02), covering 2005-2006 TW and TWL projects, plus TW Out projects.

### 1.2. Objective of the Report

4. The aim of the Report is to assess the implementation of TW projects related to IB in the SR and funded from the TF in respect of various priority areas and ECs rules and standards.

5. The objective of this Report is primarily to review the relevance, efficiency and effectiveness of the TW Instrument relative to its fundamental objectives with regard to different Accession Partnership (AP) areas and different types of IB activities, with a view to highlighting best practice solutions and examples that can promote any further development of the Instrument and to set up conclusions and recommendations resulting from the implementation of programmes.

6. At the same time, the Report seeks to analyse criteria/preconditions for the involvement of Slovak experts in external Twinning Out Projects.

---

<sup>2</sup> EC Twinning Brochure: Building Europe Together, 2006

7. Finally, the Report seeks to assess the circumstances in which TW is most likely to succeed and focuses particularly on 'lessons learned' and 'good practice'; it also makes recommendations for incorporating these lessons into future TWs.

### **1.3 Key Evaluation Questions**

8. The Report attempts to answer the following questions (as defined in the Terms of Reference (ToR)):

#### ***Relevance:***

- To what extent are TW projects' goals in line with the Beneficiary needs and programme documents?
- To what extent has the use of the TW tool provided value added to the harmonisation of the Slovak legislation with the EU one and standards in comparison with selection of other tools for implementation of the EU rules?

#### ***The Effectiveness and Efficiency of Twinning Projects / Twinning Out in Slovakia:***

- To what extent have the projects reached the goals defined in Project Fiches (PF)?
- To what extent have the TW parties involved in financial and personal management processes influenced the efficiency of activities/operations?
- To what extent has the cooperation between the EU MS and the recipient country positively influenced the achievement of outcomes?
- Has the split of tasks between the Senior and Junior partner been effective?
- What was the value added of a consortium of 2 or more MS teams in implementation of the selected project?
- To what extent has the experience of employees of the Beneficiary institution in management of TW projects influenced the success of the project?
- What kind of barriers need to be taken into account when sending Slovak experts for TW missions?
- To what extent is the Civil Service Law/the Slovak legislation open to sending national professionals for implementation of TW activities abroad?

For details, see Annex 4 and 5.

### **1.4 Methodology**

9. To prepare this Thematic Report, the evaluators have used the following sources of information:

- Analyses of available documents such as previous evaluation reports, country summary reports, thematic reports, monitoring reports, etc.

- Interviews with Final Beneficiaries (FB)s, RTAs, Senior Programme Officers (SPO)s and other stakeholders
- Questionnaire survey among Slovak experts participating at external aid missions (see also Annex 5).

10. The sample of selected projects includes 2005 – 2006 TF TW projects in the SR, plus a pool of TWL projects to cover the whole range of the areas of assistance in the SR, in total 23 projects. Vast majority of TWs and TWLs come from the Justice, Home and Social Affairs Sector, notably 13 (see also Annex 3).

Area of Assistance	No. of TWs and TWLs in Sample
Justice and Home Affairs	7
Human Resource Development and Health Care	6
Agriculture	3
Environment and Energy	3
Internal Market	4
<b>Total</b>	<b>23</b>

### 1.5 Previous Evaluations/Studies

11. The Thematic Report uses the information from previous interim evaluations, as well as thematic reports on TW. However, the respective thematic reports are rather outdated, such as the EMS Thematic Report ZZ/TWI/0307 of 2004, Chris Cooper/Mikael Johansen Evaluation of Completed Twinning Projects of 2003 or the Court of Auditors' Report of the same year. Even older studies go back to 2001 and 2000 (see also Annex 2).

12. The latest 2004 EMS Report concludes that TW is an essential instrument in the pre-accession process with a tendency for increasing its satisfactory performance as the experience with this instrument grows. We can add that it takes usually about 5-6 years for the country to learn how to use twinning effectively. EMS authors also state that sustainability depends on wider public administrative environment being supportive. They also found that the 2<sup>nd</sup> generation of TW started in 1999 has improved compared to the 1<sup>st</sup> generation, although with mixed results for the key performance criteria. The Report concludes that sustainability is at risk, as the process of implementation of the *acquis* involves often civil service reform and a change of approach in public administrations. Still quite relevant seems to be their conclusion that efficiency of TWL is limited by complex procedures and requires reduction of the lead-time. According to EMS Technical Assistance (TA) can be an instrument of choice, especially where the *acquis* element is limited.

13. The Report proposes recommendations such as assuring sustainability of IB activities via examining the extent to which prospects for the impact and sustainability of the IB undertaken by TW are threatened by weaknesses in the public administration. These obligations are now partly covered by the TW Final Report, as this should also include a part called *Analysis of the Long-term Impact of the Project, Its Sustainable Results and the Identification of Potential Relevant Follow-up Actions*. The TW partners should include in the contract a gap sectoral analysis and IB needs. This obligation is usually covered by the TW Work plan under the Article 1 Background, where policy developments and also gaps and needs analysis is to be mentioned. The last recommendation deals with the necessity to strengthen the TW teams via systematic training of Pre-accession Advisers, also more

specialists to be deployed by TWs, together with senior officials for problematic areas. The EC now organises regular training of the Advisers. Deployment of senior officials is sometimes problematic, as these are needed in their home offices. Moreover, in some cases, though it is obvious that project implementation would deserve longer presence of senior experts, these are partly recompensed by junior ones, due to same reason as mentioned above.

## 2. EVALUATION RESULTS

### 2.1 Relevance

14. *The TW and TWL projects are relevant* as they are closely linked to respective EU Directives and documents, the national legislation, and other policy documents. Due to the SR's membership status, the TW and other assistance has focused mostly on implementation and enforcement of various areas of the *acquis*, rather than on its harmonisation. TW and TWL are highly relevant in providing the information and guidance on application of concrete Directives and its implications in practice in other MSs. In the post-accession period the EU intervention has been often re-focused on implementation of EU standards in different fields, for instance quality ones in the complex area of the health and social sector, such as transplantations or rehabilitation of drug addicts. It has been generally agreed by the EU experts that the TW works best in the field of Justice and Home Affairs. In our sample there are, however, only limited number of TW and TWL projects, notably 7. On the other hand their relevance seems to be high, especially the intervention into the implementation of the Schengen *acquis* (both the 1<sup>st</sup> and 2<sup>nd</sup> category) and the relevant fulfilment of the Schengen Action Plan, also the re-introduced agenda Fight against Corruption (FAC) and the corresponding National Programme for FAC and the fulfilment of tasks of the AP. In addition, the Fight against Drugs (FAD) has been, for several years, the subject of TW attention in the SR, supporting the EU Drug Strategy and the National Programme for FAD at the same time, currently focusing on the last part of the FAD chain, notably the re-socialisation and rehabilitation of drug addicts. Among sectors with quite a frequent TW/TWL projects are Agriculture and Environment. In Agriculture, it is especially the area of Food Safety, where the Central Control and Testing Institute in Agriculture (CCTIA) and the SR Ministry of Agriculture (MoA) have benefited under TF 2005-2006 from 3 TWL projects, providing professional skills and practical knowledge within a spectrum of specific topics related to Plant Protection Products, Organic Farming (OF) and linked qualitative standards of laboratory tests. In Environment, it is the area of water quality where the SR Ministry of Environment (MoE) implemented 2 TW projects. Assistance addressed needs of the relevant regional and district institutions in performing their monitoring, control, assessment and reporting duties. The Energy sub-sector through the 2005 Electricity and Gas Market TW project contributed to the full transposition and implementation of EU energy Directives leading to full opening of energy /gas market as from July 1st, 2007. The Internal Market was supported by various relevant TW projects focused on the implementation of related transposed legislation of the EU and internationally adopted standards, such as international audit standards, the 6<sup>th</sup> European Directive on Value Added Tax, the European Measuring Instruments Directive or the EU legislation on Consumer Protection.

15. *TWL seems to become popular*, probably due to its less complicated procedures and not requiring the full presence of the RTA, for instance for the Unallocated Institutional Building Facility (UIBF) envelope. However, even for TWL projects finding a suitable MS partner has been a problem, when several projects have been unsuccessfully circulated and re-circulated and actually cancelled, such as for the SR Ministry of Health (MoH).

16. *Well-prepared projects tend to work*. Most of the projects in the cluster are demand driven, including the TW as a preferred form of the assistance, with some exceptions, such as the 2005 Transplantations, the 2005 Electricity and Gas Market, the 2006 Audit

Committees, the 2005 Consumer Protection and the 2006 UIBF Directive 2006/112/EC, where the TW was offered as the only tool to deliver the requested help. However, some areas covered by the 2006 Occupational Health Safety (OHS), notably the Registration, Evaluation, Authorization and Restriction of Chemical substances (REACH) were initiated by Brussels, as such being therefore supply driven. Projects where the Beneficiaries had a clear vision about the needs to be covered by the external help from a peer institution, for instance, the State Institute of Drug Control (SIDC) approaching the Dutch partner with the assistance in completing assessment reports on drugs for human for the SR to be recognised as a Reference MS, were not only well-designed but subsequently successfully implemented as well. Also timing of the TWs accordingly, bearing in mind also the legislation process, such as amending the legislation has been beneficial, for instance for the 2006 FAD TW. In addition, the early establishment of Steering Committees, especially for complex projects, such as the 2006 FAD could be praised; on the other hand, the opposite could be reported for the 2005 FAC, though recommended in the previous interim evaluations.

17. After the heavy re-working, the TW and the TWL projects, too, now mostly include the clearly set objectives and the corresponding measurable Indicators of Achievement (IA)s, however the often-missing monitoring figures regarding their fulfilment do not allow their actual use for the evaluation purposes, not mentioning the missing system for ex-post monitoring (see also Annex 6). For some projects, for instance the 2006 FAD, the number of objectives, especially on the programme level (Wider Objectives) seems to be too extensive, if not too ambitious at the same time.

18. The *architecture of TW and Technical Assistance (TA) often yields positive results*, when, for instance, TW activities are complemented by a TA, most often in the form of Software (SW) development, with the TW being however involved also in preparation of ToR and the selection of the suitable contractor. However, the combination of EU assistance tools in one project requires perfect timing and sequencing of activities, it has worked for the 2005 Transplantations, the 2006 OHS and the 2005 Reinforcement of Administrative Capacity as regards Measuring Instruments (RACMI). On the other hand extracting training activities under a separate TA for the 2006 FAD does not seem to be reasonable.

19. *External environment has not always been supportive*, such as the post-election period for the 2005 Schengen TW, where the projects activities stayed idle for months, due to lack of clear top political support for key decisions to be made and also crucial delays in tendering of technical equipment needed for the external border control. Also it took a while for the ruling Government to give a green light for the FAC agenda and to overcome ownership problems of the 2005 FAC project, with the re-established Working Group to update the National Programme for FAC only mid 2007. The long-awaited National Transplantation Programme being adopted in spring this year was also a bit disappointing, when lacking enough finances for a full-fledged transplantation programme to be re-established. In some cases, especially related to cross-sectoral issues (e.g. Food Safety) the TW projects, similarly as TWL projects, would be the case of TA assignments, faced problems with uneven participation and motivation of other than lead institutions involved. The activities under the 2006 Audit Committees project have been postponed due to personal changes at the Beneficiary's side and the amendment of project-related legislation, while the 2006 UIBF Directive 2006/112/EC was postponed suffering from the longer preparatory phase for circulation.

20. Over the years, *firm partnerships have been formed* in some areas adding value to the key idea of the TW at the same time, for instance the French/Austrian for Schengen (though

the Junior Austrian partner did not perform in the case of the 2005 TW), the Spanish one for the FAC, or the Italian one for the Slovak Hydrometeorological Institute (SHMI). Also the highly praised Dutch partner for the SIDC represents a long-term peer-to-peer cooperation, including the pre-accession period and the UK PSD for the CCTIA in the field of Food Safety. Inclusion of East-East approach, for instance into the 2006 FAD via bringing the Polish expertise or the Czech one in training of judges due to similarity of problems could be evaluated positively. Another positive example is the 2005 Electricity and Gas Market where a new partnership between the German TW and the Regulatory Office for Networking Industries (RONI) has been established and is currently being applied for a common TW project in Azerbaijan.

21. ***Several TWs have faced a lack of absorption capacities***, even in case of top priority areas such as FAD or FAC, caused primarily by lack of staff, high staff turnover rates or even the collapse of the whole implementing structures. In addition, especially in the previous period, some of the projects were overambitious to be absorbed by at that time existing absorption capacities, such as the FAD and the General Secretariat of the Board of Ministers for Drug Dependencies and Drug Control of the Office of the Government (OoG). Presently, the most pressing seems to be Department for Protection of the Financial Interests of the EU and Fight against Corruption, where only one full-time employee deals with the complex agenda of FAC.

22. ***The dilemma between TW/TWL and TA does not seem to have a clear answer***; there are pros and cons for each of the competing options. However, when there is a rather narrow, technical area of assistance, with limited absorption capacities, the private sector, and thus the TA seems to work better. Moreover, under the TA it is possible to combine experts from almost any institution and if needed to simply bring additional experts from a new institution identified even in the course of a project. In case of TW/TWL it is really impossible. For instance, the Agricultural Paying Agency (APA) and its Austrian mirror institution Agrarmarkt Austria (AMA) have cooperated for years, adding also value to sustainability of effects, although in the last 5 years APA prefers TA arrangement to TW due to better flexibility and possibility of Slovak experts integration within the team, which makes implementation more efficient, especially from early beginning of project implementation. Under Slovak conditions the TW/TWL approach suits slightly better to topics involving some specific administrative/inspection procedures, which are not commonly outsourced. There is a consensus that in most of the areas assisted by TW there was no alternative to the approach adopted by TW and that the classical TA would not – in most cases – have delivered the progress that TW has made.

23. The first test of feasibility of a TW/TWL could be, however only the unsuccessful circulation of the Detailed Project Fiche (DPF), however, at that time it might be too late to re-write the PF for a TA, bearing in mind the time needed for the approval process of the modified PF. Moreover, additional time to be calculated for tendering and re-tendering of a TA.

24. ***Rating of relevance usually reaches satisfactory results*** (see also Chapter 2.5) with 78 percent of projects being rated as good and even 22 percent excellent.

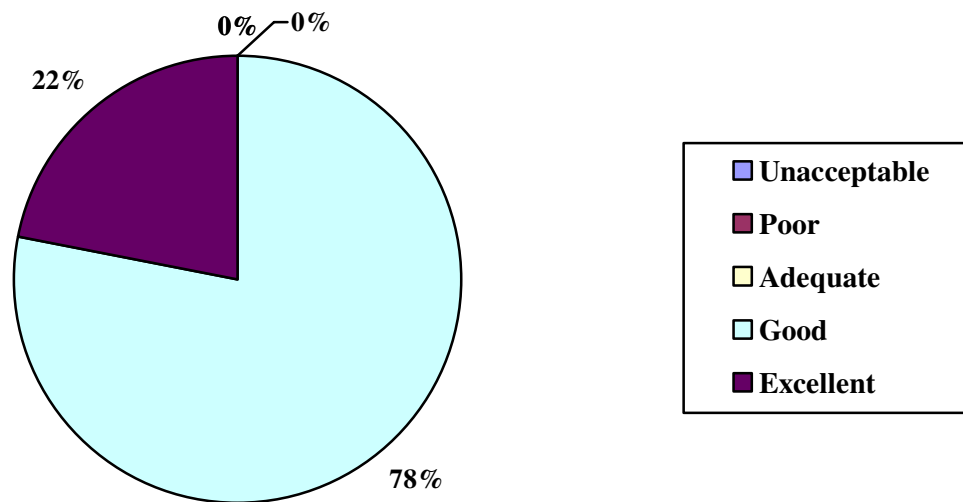


Figure 1 Relevance

## 2.2 Efficiency

25. *TWs have suffered from delays*, caused by several reasons, including the pre-implementation stage, such as unsuccessful circulation of PFs or DPFs. In some cases the intervention of SPOs, such as at the MoH in the case of the 2005 TWL Working Time has helped to find a suitable partner, however, in some cases the circulation was not successful, especially in areas where the MSs lack available staff to take part at missions abroad. (2005 Monitoring of Drugs). Further delays have been often caused by slippages in other parts of projects due to their sequencing, such as 2006 Pesticides due to delays in tendering of the equipment or the above-mentioned unfavourable external environment, or missing political decisions (2005 Schengen). The unsuccessful circulation that had to be repeated caused a delayed start of the 2006 Audit Committees project.

26. *The role of the RTA is a key factor in delivering the planned outputs*. The vast majority of Beneficiaries speak highly about the performance of the seconded RTAs, who are often very flexible, willing to provide *ad-hoc* assistance and also extra-twinning activities, such as the 2005 Transplantation project, where the liver transplantation and the transfer of the know-how from Italy was implemented during the project, or the enthusiastic help to the Border and Alien Police Office (BAPO) resulting in its organizational change, offered by the French RTA. The flexible approach providing *ad-hoc* assistance and also extra-twinning activities is also reported under the 2005 RACMI TWL project implemented by the Czech partners and the 2006 UIBF Directive 2006/112/EC TWL project implemented by the French peers. The flexibility has resulted from technical capacities of advisors and their home institutions, which was not always the case of the 2005 Consumer Protection due to lacking a pool of experts of the Twinner. The RTAs sometimes perform poor in overall management of a project, especially when composed from a consortium of partners or in the respective reporting. Nevertheless, the RTAs with previous experience in the Visegrad region seem to perform better in the SR, due to the similarity of problems to be solved.

27. Besides the RTA, *an RTA Assistant (RTA-A) also plays an important role* in successful implementation of TWs, as she/he is often a key person playing an intermediary role



between the Beneficiary institution and the MS peer organization. She/he is often the person who helps an RTA in his or her immersion in the local environment and overcoming the language barrier. Depending on the personality of the respective RTA-A her/his role might be upgraded, such as for the 2005 Transplantation and the 2005 Electricity and Gas Market with valuable inputs into performance of TW activities, including the reporting ones. With this regard placement of the RTA and the RTA-A in Bratislava and having the key Beneficiary, notably the National Labour Inspectorate in Kosice could be evaluated negatively. On the other hand, experience from other, even CCs, where the RTA-A commence to work prior to the arrival of the RTA could be praised.

**28. *The performance of a Project Manager (PM) is a key success factor influencing the efficiency of a TW,*** as the respective PM is often the key person representing the Beneficiary institution in their everyday contact with the TW team. However, PMs often have to deal with other than TW-related agenda, causing problems with their limited capacities. Moreover, in many cases PMs are not given sufficient authority to make necessary decisions with negative implications on smooth implementation of TWs. Also frequent changes of PMs negatively influence the efficiency of respective TW interventions (for instance, for the 2005 FAC the 4<sup>th</sup> PM has been assigned for the Spanish TWL or the 2006 Audit Committees).

**29. *The role of the National Contact Point (NCP) is crucial for TW In and Out,*** being placed at the OoG - Department of Management and Implementation of EC Assistance (ORIPES). According to the Guiding Principles<sup>3</sup> agreed by all countries, the key roles of the NCP are as follows:

- Guidance on choosing thematic priorities and instruments
- Advice on administrative procedures and contractual issues
- Training and assistance on proposal writing
- Distribution of documentation (forms, guidelines, manuals etc.)
- Assistance in partner search.

30. In the SR though the TW/TWL project opportunities are circulated via e-mail to potential bidders, circulations do not include information about specialised partners, moreover no follow-up and administrative service exists. On the TW In front (due to the phase-out stage), the role of the NCP has mostly been reduced to monitoring activities. In addition to this, the role of the NCP has been deputized for about a year, bearing in mind the tense capacities at the ORIPES, the return of the full-time NCP expected in August this year seems to be necessary. Though previously recommended (in the IE reports) to use the capacity and experience of the CFCU staff, the Unit still does not play a concrete role in the TW Out process and for the TW In it concentrates mostly on the selection of the MS partner and the administration of the TW/TWL projects (see also para 116).

---

<sup>3</sup> Guiding principles for setting up systems of National Contact Points (NCP systems) for the Sixth EU Framework Programme on Research and Technological Development (FP6).  
Source :[ftp://ftp.cordis.europa.eu/pub/documents\\_r5/natdir0000056/s\\_1841005\\_20040211\\_144205\\_6FPE021841en.pdf](ftp://ftp.cordis.europa.eu/pub/documents_r5/natdir0000056/s_1841005_20040211_144205_6FPE021841en.pdf)

31. Similar to other areas of public administration, *the relevant staff of the Beneficiary institutions dealing with TW projects, including the SPOs, suffers from high staff turnover rates*; therefore the collective memory and also experience with dealing with TW assistance projects are often very limited. Though the previous experience is clearly beneficial for the smooth implementation of TW activities, such as was the role of the recently left SPO at the SR Ministry of Justice (MoJ), often the enthusiasm of the new employees substitutes the lack of experience, for instance, the PM for the 2006 FAD TW at the OoG.

32. *The efficiency of the sample shows rather mixed results*, with slightly more projects reaching positive results, notably 52 percent.

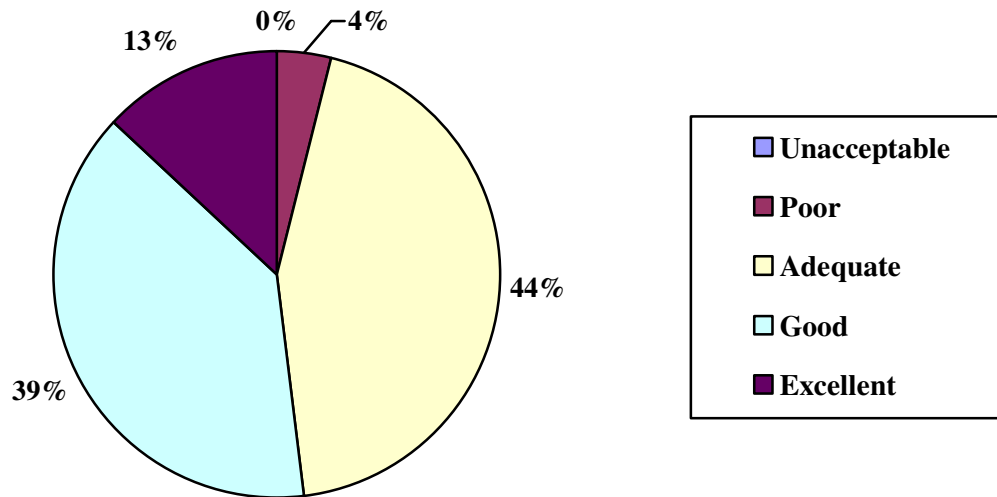


Figure 2 Efficiency

### 2.3 Effectiveness

33. *Most of the TW and TWLs have achieved or will achieve the set goals*, however, their measurement is sometimes difficult, especially on the project or programme level, as no specific objectives and corresponding IAs exist for the particular TW project (especially in case of complex projects including various components). In the Annex 6 the available Immediate Objectives and the IAs are listed, together with the available monitoring data on the fulfilment of the IAs. The general consent exists that the effectiveness of TWs and TWLs has been improving, as was the conclusion also of the previous thematic evaluations, when comparing different generations of Phare TWs.

34. From the given cluster, we can mention particular effects from individual areas of assistance, such as in **Justice and Home Affairs** where the 2005 Schengen project managed to yield beneficial effects in strengthening of the BAPO, resulting in a functioning system of physical and technical protection. Several effects to be reported from the 2005 Fight against Corruption project, such as provision of methodological documents for police officers, judges and prosecutors in the field laundering, search, seizure and confiscation of proceeds from crime. The Justice Academy (JAS) has benefited from several TW

interventions, being now capable to perform regular trainings on EU law. Under the 2005 TWL JAS lecturers were trained, the library has been equipped and the new Information System (IS) of the JAS was introduced. The TWL part of the 2005 FAC among Police Officers project has managed to strengthen the Section for Control and Inspection Service of the SR Ministry of Interior (MoI) via providing methodology and training, especially in the field of indicators, secret investigation, supporting information and communication systems and related issues; in recognising different kinds of corruption and methods of prevention and development of a specialised IS. The 2006 FAD TW has progressed has been well on track to assist the Re-socialisation Centres in elaboration of national quality standards, thus providing a solid base to improve the care for the addicted persons in the SR.

35. The set of TW/TWLs for the **Health Sector** have brought already some tangible effects, such as the 2005 TWL for the SIDC in the form of production of Assessment Reports on human drugs and Slovakia becoming a Reference MS, recognised by its peers. The 2005 Transplantations project should contribute soon to introduction of the Quality Management System in the network of tissue establishments and organ banks. The 2006 OHS project has brought first effects in strengthening capacities of Labour Inspectors, especially in the field of EU Statistics on Accidents at Work and the REACH.

36. Within the TF assistance to **Agriculture**, the 2005 TWL on OF the staff of the CCTIA has been strengthened and also the National Committee for the OF has been established, thus the whole inspection process and import certifications enhanced. Under the 2005 to CCTIA Food Safety related TWL project an extensive training and methodical guidance has been provided, which together with the previously supplied equipment and SW have brought effect of substantial strengthening of the overall coordination, analytical, statistical and technical improvement of pesticide regulatory process. The 2006 TWL to the CCTIA Control Services support, through its training efforts for the CCTIA laboratory staff has brought effects in an advanced stage of attaining the Good Laboratory Practice system, common in EU Member States, being a precondition for international accreditation.

37. In the **Environmental** field, the 2005 Environmental Quality Standards for Water should contribute to effective execution of the monitoring and control duties of the SR in the area of the water quality, and also with the help of the Information System allowing the interconnection for summary evidence on waters. The statistical analysis and water quality assessment should be improved thanks to the 2005 UIBF Water Framework Directive Compliant Method. Under the 2005 Electricity and Gas Market project the drafted measures necessary for the markets opening substantially contributed to and effected the liberalisation of the given markets in the SR (opened on 1 July 2007).

38. Within the set of projects for the **Internal Market**, the 2005 Consumer Protection led to the improvement of the consumer protection by the Slovak Customs Administration and the Slovak Market Surveillance Bodies. The 2005 RACMI project affected the implementation rules and procedures of the Measurement Instruments Directive.

39. Over the years, *firm partnerships have been formed* in some areas adding value to the key idea of the TW at the same time, for instance, the French/Austrian tandem for Schengen (though the Junior Austrian partner did not perform in the case of the 2005 TW), the Spanish expertise has been often used for the complex field of FAC, the Italian one for the SHMI in the area of water monitoring or the British in the field of Food Safety. Also the highly praised Dutch partner for the SIDC represents a long-term peer-to-peer cooperation, including the pre-accession period.

40. The long-term *peer-to-peer cooperation between the MS and the Beneficiary clearly brings positive effects* and could be praised, when, for instance an employee of the SIDC went for an internship to the Dutch peer institution and the Dutch partner has been coaching the Slovak counterpart also after the end of TF intervention. However, on the other hand choosing often the same TW/TWL partner brings some opportunity costs, such as limiting the transfer of know-how only from one MS.

41. *Consortia of partners work well, especially for complex areas*, such as FAD or Schengen. When implementing a comprehensive reform or implementing a broader field of the *acquis*, it seems to be beneficial to receive assistance from more than one MS, thus complementing different best practices and allowing to mix the right menu for the areas in need. For instance, the 2006 FAD TW brings both the French expertise in rehabilitation of drug addicts, due to similarity of public administration of the SR and France in this field, at the same time adding the Finish value added in analytical skills, when for instance assessing the network of re-socialisation centres in Slovakia. The synergy effect could be even bigger when combining more than 2 partners. Inclusion of East-East approach, for instance into the 2006 FAD via bringing the Polish expertise or the Czech one in training of judges due to similarity of problems could be evaluated positively, as these countries usually went through similar processes in the past, as Slovakia is facing presently. The 2005 consortium of French/Austrian partners for Schengen has brought, on the other hand disappointing results, with only the French Senior partner bringing the required assistance in the area of border surveillance, with non-performance of the Austrian Junior partner. However, in the past also the Austrian partner has brought valuable expertise, such as in the field of visa and consular issues. On the other hand, consortia of partners are rare (only 2 in our cluster) due to enormous administrative preparation and time consuming communication among partners.

42. *Split of tasks between the Senior and Junior partner has not always been effective*, also due to arguments mentioned in the previous paragraph as regards the 2005 Schengen TW. Though the project has been split into several components with clear responsibilities for each of the partners (the Austrian partner was responsible for 2 components and the French for 4), the Senior partner has underperformed in the overall management of the project, including the missing reporting for the not delivered 2 components originally under the auspices of the Junior partner. On the other hand, the 2006 FAD shows good results in splitting the tasks between the French/Finish consortiums. The original plan, to include the Finish experts only in the analytical part of the project, has been further adjusted and the Junior partner is now involved in all parts of the project, showing the flexible approach to the split of the tasks at the same time.

43. *The effectiveness of the sample is rather promising*, as about  $\frac{3}{4}$  of the interventions show positive results, notably good and excellent.

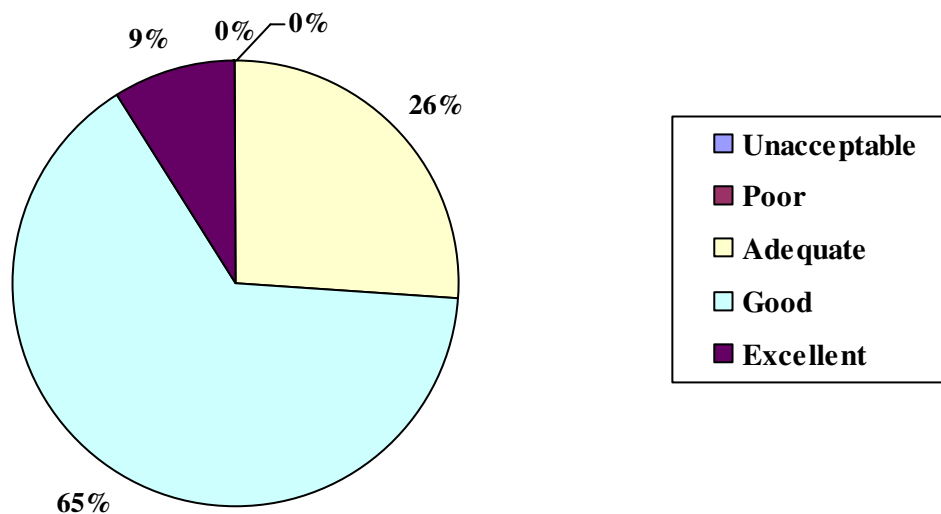


Figure 3 Effectiveness

## 2.4 Other Criteria

### *Sustainability and Impact*

44. ***Sustainability of some TW/TWL activities is questionable.*** As provision of training is still very popular among the supported TW activities and to some extent also study visits, their sustainability is often problematic, especially, as often no follow-up activities are scheduled and also due to quite high turnover of staff.

45. ***Enforcement of legislation shows promising results in its sustainability,*** as often amendments of legislation as prepared under TWs are later included into the Slovak jurisdiction.

46. ***TW Partnerships tend to last*** also after the completion of the TF support, including the possibility for asking for further assistance from the peer institution, such as the CCTIA from the UK PSD or the SIDC from the Dutch partner.

47. ***Some TW interventions managed to bring broader impact,*** such as the series of support in implementation of the Schengen *acquis* where Slovakia has managed to catch up with other neighbours and accessed the Schengen area in late 2007/early 2008. The role of the French RTA was crucial in this context when performing many extra-TW activities, especially on the eastern border and the Directorate in Sobrance, ultimately contributing to the favourable evaluation of Slovakia to enter Schengen at the planned date. Moreover, the Agency FRONTEX<sup>4</sup> has given Slovakia as a good example for best practice on border control and border surveillance. Also the Spanish help in the field of FAC, in fact in the past forming the structure of special courts and prosecution in the SR, has substantially moved forward the building of these important structures and currently tries to bring arguments for their sustainability. Extra-twinning activities under the 2005 Transplantation TW, notably bringing Italian expertise to re-start the liver transplantation in the SR, seems also to bring

<sup>4</sup> The European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union seated in Warsaw, Poland.

impact, when the programme has been recently re-launched, however, without sufficient financial coverage. Via massive Public Relation activities, the TW has brought also concrete impact in the substantial increase of organ donation in Slovakia at the same time. The 2005 Gas and Electricity project helped to liberalise the national energy markets as required by the EU legislation and the 2005 RACMI discovered many uncontrolled measuring instruments, which needed to be legislatively treated in order to protect potential customers. The 2006 UIBF Directive 2006/112/EC shall (in an overall perspective) increase the national budget income by applying the Directive 2006/112/EC.

48. *The sustainability of the cluster is vastly positive*, with about 60 percent of the positive rating.

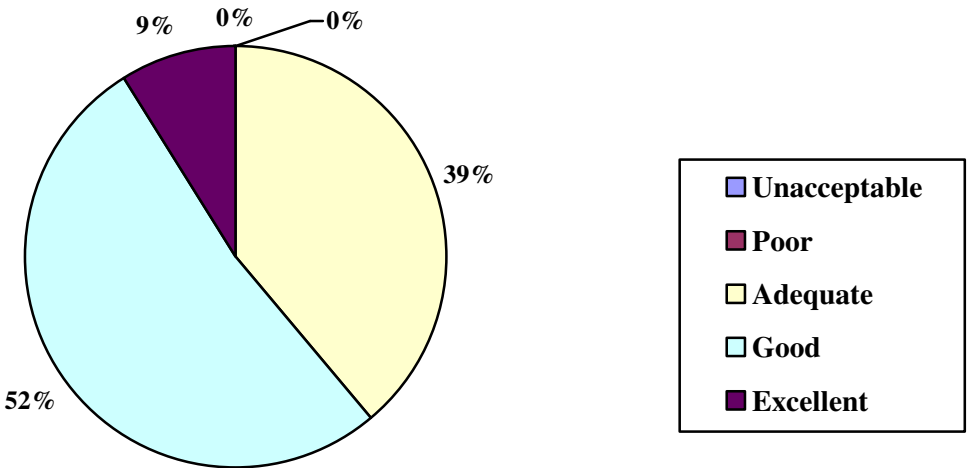


Figure 4 Sustainability

49. *The impact shows similar results as the sustainability* with the overall positive forecasts.

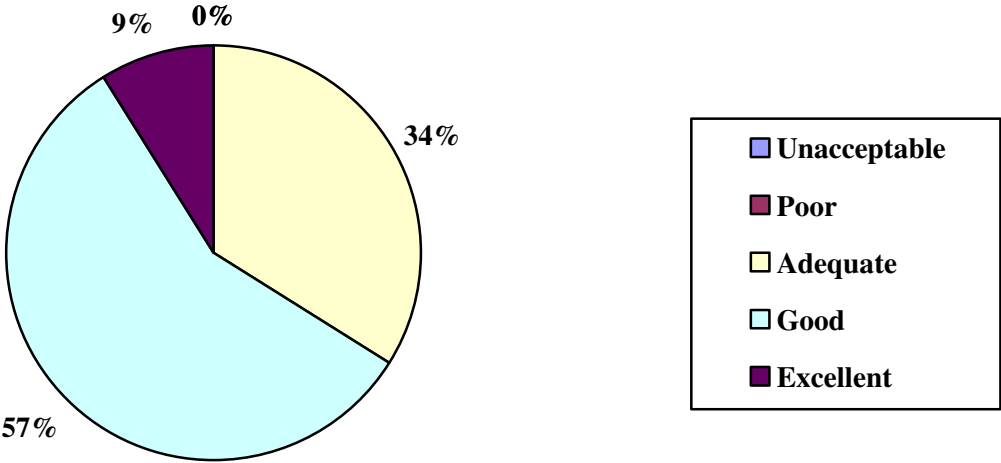


Figure 5 Impact

## 2.5 Performance Rating

### Rating<sup>5</sup>

	Relevance	Efficiency	Effectiveness	Sustainability	Impact	Verbal Rating
<b>Justice and Home Affairs</b>						
2005/017-464.03.01 Schengen	2	0	0	1	0	S
2005/017-464.03.03 Corruption	2	0	1	1	1	S
2005/017-464.03.01 JAS	1	0	1	0	0	S
2006/018-175.06/018 UIBF Penal Matters	1	0	0	0	0	S
2005/017-464.03.04 Corruption Police	1	1	0	0	1	S
2006/018-175.06/018 UIBF Criminal Proceedings	1	0	0	0	0	S
2006/018-175.05.02 Rehabilitation	1	0	1	1	0	S
<b>Human Resources Development and Health Care</b>						
2005/017-464.05.02 Working Time	1	1	1	1	1	S
2005/017-464.04.01 Administrative Capacity	1	2	2	1	2	HS
2005/017-464.04.03 Monitoring of Drugs	1	0	1	0	1	S
2005/017-464.04.02 Transplantations	1	1	1	0	1	S
2006/018-175.05.03 Pesticides	1	-1	1	1	1	S
2006/018-175.05.01 Occupational Health & Safety	1	0	1	1	0	S
<b>Agriculture</b>						
2005/017-464.01.02 CCTIA OF	1	0	1	1	1	S
2005/017-464.08.01 UIBF Food Safety	2	1	0	1	1	S
2006/018-175.01.01 CCTIA Control Services	1	1	1	0	1	S
<b>Environment</b>						
2005/17-464.06.01 EQS for Water	1	1	1	1	1	S
2005/17-464.08.01 UIBF Water Framework Directive (WFD) Compliant Method	1	1	1	2	1	S
2005/017-464.07.01 Electricity and Gas Market	2	2	2	2	2	HS
<b>Internal Market</b>						
2006/018-175.03.01 Audit Committees	1	1	1	0	0	S
2005/017-464.02.03 Consumer Protection	1	1	1	1	1	S
2006/018-175.06.01 UIBF Interpretation of the 6 <sup>th</sup> Directive	1	0	0	0	0	S
2005/017-464.02.01 RACMI	2	2	1	1	1	HS

<sup>5</sup> The rating is based on a project level, where the TW or the TWL represents sometimes only a sub-project

## 2.6 Analysis of Criteria/Conditions for Participation of Slovak Experts in Twinning Out Projects Abroad

50. Before evaluating the Twinning Out projects' practice and the current situation in the SR, we focus on the lessons learnt and the good practice derived from other selected EU MSs.

### 2.6.1 *Lessons Learnt or Good Practice from Selected Member States in Respect of Twinning Out Projects*

#### 2.6.1.1 *NCP Models*

51. NCPs created in all MSs are responsible for the coordination of EU assistance programmes and communication with the Commission in the framework of enlargement. Principal role of NCPs is to channel information to MSs' ministries and other relevant administrative bodies and provide them with general support throughout the preparation, bidding, contracting and implementation phases of the TW Out cycle.

52. The way NCPs are organised mainly depends on already existing institutional legacies and may change over time depending on national political constellations and new priorities for the allocation of 'European' jurisdiction. Basically, *two models* can be observed among old MSs: (i) NCP assisted by a specialised Agency and (ii) NCP without a support institution. Reflecting the Beneficiary's request, in the study we present a number of examples of the NCPs supported by an Agency. Main source of information was the study *Analysing the Experience of the 'Old' Member States and Evaluating Benefits of Twinning Out for the Czech Republic*.

#### 2.6.1.2 *NCPs Assisted by a Special Agency*

53. This model includes NCP located within a Ministry, usually within the SR Ministry of Foreign Affairs (MFA), and special Agency providing strong infrastructure and operational support (e.g. in Austria, Germany, Ireland, Netherlands, Spain and Sweden). The Agencies have generally a private status (association, company with non-for-profit activities) and they are financed from the state budget. They may be either located directly at the Ministry where the NCP is based or outside of the Ministry structure. The NCP is responsible for distributing project fiches to all ministries and their Mandated Bodies (MB)s and consequently collecting the bids from responsible authorities. Scope of services provided by the Agencies varies across the countries. In principle, they assist the NCP in its communication and coordination tasks, manage the database of experts, circulate project fiches and give advice on preparation of proposals and TW contracts. In case of Ireland and Sweden, the entire NCP functions have been delegated to the support agencies.

#### *Austria*<sup>6</sup>

54. In 2003, the Agency for European Integration and Economic Development (AEI) was founded by the Federal Ministry of Finance; this agency has become a coordination platform for Austria's participation in TW projects. In spring of 2003, the AEI received the status of a 'fully Mandated Body' by the EU, and nowadays it operates as an association

---

<sup>6</sup> The source of information: [www.aei.at](http://www.aei.at).



(*eingetragener Verein, e.V.*), officially working for the Austrian Government. To become an AEI member and take advantages of its assistance, MBs are required to pay a symbolic fee.

55. The AEI deals besides TW also with TAIEX<sup>7</sup>, CARDS and IPA<sup>8</sup>. The NCP is assisting all actors interested in TW, particularly ministries and their MBs. Its role is mainly in targeted circulation of project fiches to the ministries and their MBs and collecting their bids. The NCP usually directly contacts MBs if the expertise they can provide corresponds with the profile of a specific project and also a specific experts from the database of the AEI (more than 1,000 experts from Austria and abroad). To promote information transfer, the Austrian NCP occasionally organises events where Commission representatives, PLs and RTAs are invited to discuss TW experience.

56. The AEI is supporting the NCP in several ways, particularly in the distribution of the project fiches to all interested institutions and also to the regions (*Länder*) when their expertise is needed. On the other hand, the AEI is as well helping MBs with wide range of bid preparation activities. As the tasks of the Agency have broadened, some activities such as accounting or project management have been outsourced to a private company, the *Finanzakademie Austria Holding* (FAA Holding). The AEI also provides services that are not directly related to the TW, such as:

- Organisation of international projects for public administrations
- National and international project development
- Management of international network of partners and experts
- Efficient information management
- Training and advanced education
- Evaluation and monitoring
- EU funding consultation.

### *Spain*<sup>9</sup>

57. The Spanish NCP is located at the MFA, at the Secretariat General for the Coordination of General Affairs of the EU. As a body in charge of implementation of the TW projects, it is responsible for the distribution of project fiches among interested actors, collection of their bids and relevant information transfer. In all these and corresponding activities it is assisted by the International and Ibero-American Foundation of Public Administration and Policies (FIIAPP- *Fundación Internacional y para Iberoamérica de Administración y Políticas Públicas*), the MB active primarily in the field of international cooperation and development.

FIIAPP is a public non-profit foundation, originally created to offer TA in the field of institutional development to developing countries. However, during 1990, it has diversified its activities and presently covers also Central Europe and other world regions. The FIIAPP

---

<sup>7</sup> The Technical Assistance and Information Exchange Programme

<sup>8</sup> The Instrument for Pre-Accession Assistance

<sup>9</sup> Source of information: [www.fiiapp.org](http://www.fiiapp.org).

has acquired most of its TW relevant experiences through an extensive national assistance programme called Programme of Brotherhoods/Assistance, launched in Spain in the 1990's. This programme was oriented at PHARE, CARDS and TACIS<sup>10</sup> countries and more than 7,000 experts were mobilised within approximately 150 implemented projects.

58. Although the FIIAPP now plays an important role as a specialized supporting agency to the Spanish NCP, it has still preserve most of its previous activities. Since its foundation, the FIIAPP operates in the area of cooperation for democratic governance and institutional strengthening and seeks to mobilise civil servants' expertise and the good practices inherent in Spanish Public Administrations at an international level. The FIIAPP is currently developing TA and consultancy programmes in the new MSs from Central and Eastern Europe, Latin American countries, Asian countries, Mediterranean countries and African countries.

59. The support of the FIIAPP takes a form of expert counselling to public authorities, diagnosis and report drafting, and the development of training activities and it is provided through the creation of consortia with cooperation agencies and public organizations as well as private consultancies. Beyond consultancy activities, FIIAPP seeks to promote public leadership by developing training activities and professional development of political and social leaders and civil servants. The FIIAPP unique position and wide possibilities are determined by following factors:

- Long-term experience in international cooperation
- Close cooperation with the Spanish public administration
- Access to Spanish experts and their involvement in international projects.

### *Sweden<sup>11</sup>*

60. The Swedish NCP was established in 1998 and until 2001 located at the Swedish MFA. In January 2001, due to the financial and capacity insufficiency of the Ministry, resulting from the switch to more project-oriented character of TW tasks, the Government has assigned it to the Swedish International Development Cooperation Agency (SIDA) to be the NCP for EU-financed TW projects aimed at supporting the Union's enlargement as well as to development of the cooperation with neighbouring countries. One person from the Ministry was shifted to the SIDA, to ensure the transfer of the acquired experience and know-how in TW. The MFA continues to provide political leadership and advice on priority countries while the SIDA is in charge of operational management and expert knowledge.

61. Since 2002, the Swedish NCP deals both with the TW and with TAIEX in PHARE, MEDA<sup>12</sup> and TACIS countries. In these activities, it is assisted by staff from various departments, depending on the nature of the task and the geographical focus. The main role of the NCP in the TW is to promote the TW instrument, distribute new fiches, assist in the preparation of proposals and help MBs with contracting. The Swedish NCP has several promotion materials and seeks to gain support from the management of state agencies. Besides forwarding relevant PFs to the respective authorities and keeping in touch with

---

<sup>10</sup> Technical Aid to the Commonwealth of Independent States

<sup>11</sup> Source of information: [www.sida.se](http://www.sida.se).

<sup>12</sup> Mediterranean Development Assistance

them with regard to ongoing project bid preparations, the NCP at SIDA places all circulated TW and TWL fiches at a special TW-dedicated website. The Website also contains information about EU and Swedish rules and procedures, TW newsletters, technical and practical information (including current rates of per diems, project templates, project proposal examples, contact lists, glossaries of key terms, model CVs etc.). The NCP holds annual RTA and PL meetings. The Swedish NCP has a database of experts, but its use is rather limited as the experts from a comprehensive mailing list are frequently contacted via e-mail and the website is updated on a regular basis.

62. The financial resources allocated to the NCP (namely to support the work of Swedish officials from agencies) have so far been taken from a special allocation for TW within SIDA East's regular budget. The SIDA is thus able to pay not only for training, seminars and workshops held for future experts but also for the time when bids and contracts are prepared (to supplement the recently introduced preparation costs coverage from Brussels). Together with the Swedish National Financial Management Authority, the NCP has been preparing an interactive course for experts.

### *Czech Republic*<sup>13</sup>

63. During 1998 – 2003, the Czech Republic (CR) benefited from 98 long-term TW In implemented under the Phare. The assistance aimed at strengthening institutional capacity was provided from almost all EU MSs, particularly from Germany, Great Britain and France. Together with projects being implemented within the TF, the number of long-term TW projects will be over 120 in 2009.

64. The CR as a new MS joining the European Union in 2004 does not have such a long experience with the TW Out projects as the above-mentioned countries. The CR was involved in more than 20 TW proposals and was successful approximately in half of them. Most of the projects were implemented in Bulgaria, Romania and Bosnia.

65. The NCP is located at the Ministry of Finance. The functions of the NCP are performed by the Centre for Foreign Aid, organisationally falling under the Unit for Preparation and Coordination of the Ministry. The NCP is responsible for administration and coordination of the TW Out including information transfer between the EC and relevant national authorities. It electronically distributes PFs to national authorities responsible for the corresponding domain/sector, along with information on deadlines for submitting proposals. In parallel, the information is forwarded to the MFA and Representation of the CR in the BC in order to identify potential TW partners and obtain additional information on the conditions in the BC.

66. SPOs ensure the further circulation of the PFs within their sectors and coordinate the elaboration of the bids. For this purposes, the NCP has elaborated the comprehensive Guidelines for Participation of the Czech Republic in Twinning in Other Countries. At the same time, it provides consultancy services to the ministries and MBs in preparation of bids. The Centre for Foreign Aid performs registration of the bids for submission, their control and submission.

67. The Central Finance and Contractual Unit (CFCU) located at the Ministry of Finance is also involved in the TW Out projects. It provides mainly assistance in the preparation of the

---

<sup>13</sup> The source of information: [www.mfcr.cz/cps/rde/xchg/mfcr/xsl/eu\\_twinning.html](http://www.mfcr.cz/cps/rde/xchg/mfcr/xsl/eu_twinning.html).

TW Out contracts and consultancy related to the contractual issues and financial management.

## 2.6.2 *Lessons Learnt or Good Practice from Other Member States from the Start of Twinning Out projects in Slovakia*

### 2.6.2.1. *The Institutional Set-Up*

68. Since accessing the EU in 2004, Slovakia's Beneficiary position contributing from European External Aid has changed and the SR started actively participating in the EU funded TW projects abroad (TW Out) as the new EU MS with relevant experience to be provided to other CCs or potential CCs; its potential to provide the Official Development Aid (ODA) also rapidly increased as resulting from international legal commitments and obligations to which the SR is bound and supported by the new Act 617/2007 Coll. on ODA.

69. The coordinating role and TW Out promotion stays with the NCP located within the OoG - ORIPES. Despite its official coordinating role and activities the TW Out agenda only forms part of the NCP tasks and responsibilities (moreover, being deputised for the last year). The Slovak NCP in respect to TW Out is not assisted by any support institution or specialised Agency (as is the case in Austria, Spain, Sweden, Germany or the CR) and its current activities in the given area are rather limited to circulating the PFs and collecting *ad hoc* monitoring data where needed or requested by the EC or any national authorities. Despite the fact that disseminating circulations by the NCP has recently significantly improved and the Slovak institutions and MBs are informed about the circulations relatively in time (comparing to the past when information on bidding opportunities was provided in 1-2 weeks before the deadline), the NCP support in general seems insufficient.

70. The NCP, due to its institutional set-up, does not usually provide any special advisory infrastructure and/or operational support to the Slovak parties interested in TW Out. Most of the Slovak institutions that have participated in the TW Out projects were officially contacted directly by external partners in order to bid for TW Out projects together. If such cooperation was established, the NCP (in most cases) has not obtained any immediate feedback information from the related Slovak institutions. This fact demonstrates that there is no common awareness/sense of any supportive Central Contact Point that should have strong institutional and supportive position in order to cover and manage the TW Out process at the national level.

71. On one hand, the NCP circulates the PFs; on the other hand, it does not give any special advice on preparation of proposals and TW contracts or does not help MBs and other bidding institutions with wide range of bid preparation activities like in other MSs (Austria, Spain, Sweden, etc.). The bid preparation, bidding, contracting, preparing experts for mission abroad are done by the Slovak institutions themselves, mostly in cooperation with the external TW Out partners. It is the case of the Slovak MoF, the SR Ministry of Labour, Social Affairs and Family (MoLSAF), Regulatory Office for Networking Industries (RONI), Office for Standards, Metrology and Testing (SOSMT) and Slovak National Council (NC SR) etc.

72. In order to successfully participate abroad there is also missing a central database of experts (which is partially managed by some MBs and other central government bodies

themselves for their sector, e.g. the MoF, the SOSMT). Based on the interviews carried out, some line ministries and central government bodies interested in TW Out projects already specified lists of topics and areas in which their expertise can be provided (the MoF, the MoI, and the SOSMT). The MoF, for example, specified 24 policy areas (in which the MoF experts can be offered) and requested the NCP to distribute officially such list to relevant NCP and MBs of all EU MSs. Similar list of policy areas forms part of the MoI Sectoral TW Manual, but no real TW Out activities have been done within this line Ministry yet. Other institutions such as the RONI have been directly addressed by the external partners on the basis of previous experience from TA/TW/TWL provided to Slovakia in the pre-accession and transition period, and thus the experts are addressed and required directly, avoiding the NCP.

73. Based on the completed survey, it can be stated that there is a lack of common awareness in respect of involvement of the SR or its experts in the external activities (like TW/TWL/EuropeAid/SlovakAid etc.). In order to promote the Slovak experts participation and Slovak institutions involvement in the Slovak external activities and relations, there is a urgent need to develop training activities (provided through the creation of consortia with cooperation agencies and public organisations as well as private consultancies) in order to promote public leadership, professional development of political and social leaders and civil servants, in order to promote various possibilities of providing the Slovak expertise abroad within various aid schemes or programmes (EU, multilateral, bilateral, etc.). In this respect, the MoF started promoting TW Out within its sector and is now planning to provide an information seminar on the TW Out process and opportunities to its employees in autumn 2008. Similar activities are also performed by the SOSMT, where the TW Out experts are provided by the internal manual and internal guide on TW Out prior their mission. Regarding the publicity of TW Out, it can be stated that some ministries and central government bodies maintain related Websites involving information on TW Out possibilities and procedures and, in this respect, they also developed and made accessible internal manuals/guides/rules related to TW Out (the SOSMT, the MoI, and the MoF).

74. The above mentioned examples of the TW Out situation in the SR indicate weakness in the institutional and administrative coordination set-up at the national level, what is confirmed by the fact that the NCP does not have an accurate and up-to-date overview of TW Out situation across the central government bodies. This situation is resulting from the unclear institutional set-up and it calls for any primary/secondary legislation covering the TW Out process in the SR.

75. The 'old' EU MSs' good practice approach refers to a special Agency providing strong infrastructure and operational support to the NCP, which can be a public non-profit foundation or generally an Agency with a private status (association, company with non-for-profit activities), financed from the state budget. It may be either located directly at a central government body (as is the case in the CR) or outside (like in Spain, Sweden, Austria), and it can outsource some of its functions to private sector (e.g. accounting, control like in Austria).

76. A practical, interesting example close to Slovak environment is the Swedish International Development Cooperation Agency or the Czech Center for Foreign Aid, the Agencies that combine several aid providing activities through various aid programmes. In the SR, we can consider a similar set-up having in mind the Slovak Agency for International Development Cooperation (SAIDC) dealing exclusively with the Slovak ODA on one hand and the NCP at the OoG and the CFCU at the MoF, dealing exclusively with the pre-

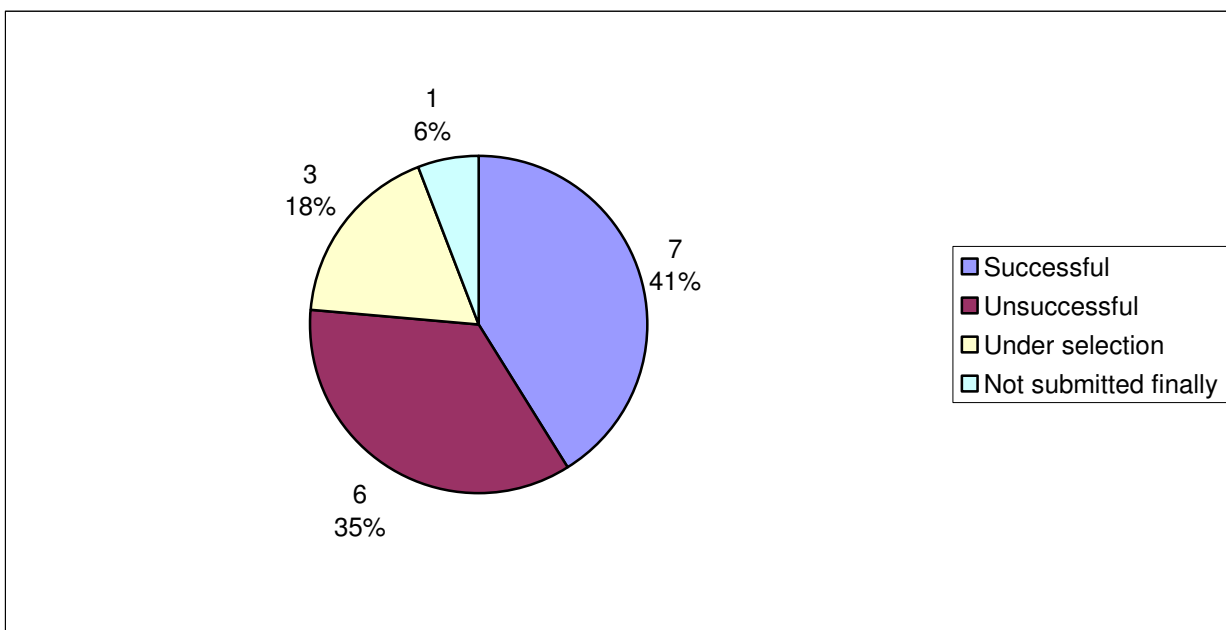
accession assistance, Transition Facility and partially TW Out, on the other hand. Whereas the SAIDC is legislatively treated and covered (Act on ODA), the TW Out applicable rules are, in the SR, so far derived from the EU Treaties and EU binding or implementing legislation, but not covered by any special national law or legislation, what creates a legislative and enforcement uncertainty and ambiguous implementation rules, especially in respect of the Slovak civil servants participating in TW Out missions and their remuneration and per diems connected with such missions. This problem is analysed in details in Chapter 2.6.3.

77. The model of an Agency assisting the NCP in its communication and coordination tasks (see Chapter 2.2 para 29) in order to manage the database of experts, circulate project fiches, give advice on preparation of proposals and TW contracts, help MBs with wide range of bid preparation activities, manage financial flows, develop training activities (incl. language and presentation skills), promote information transfer of TW experience through events such as seminars, discussion panels etc. can be based on either purely non-profit activities funded by the state budget or partially profit-making activities supported also from the state budget, collecting regular fees for services provided. Both models are acceptable. The national set-up in the SR will be derived from the administrative practice; however, the profit-making features can call for challenge within central government.

#### *2.6.2.2. Readiness of the Slovak National Experts for Participation in TW Out Activities Abroad*

78. As it was already mentioned at the beginning of Chapter 2.6.2, the SR started participating in TW Out activities successfully, even if the administrative support and bidding know-how needed was acquired in the form of “*learning by doing*”, mostly provided by the bidding institution itself and/or by any foreign co-bidding partner.

79. According to the official available sources of information, as from the date of its accession to the EU, the SR has been involved in 17 TW Out proposals and has been successful almost in half of them. Comparing to other comparable new MSs with a very similar background like the CR (so far involved in 20 TW Out proposals and successful in almost half of them), the position of the SR in respect of TW Out participation or active involvement in bidding and implementing phases can be evaluated as highly satisfactory. Moreover, taking into account the institutional and administrative gap in terms of TW Out coordination process, which is in fact very diversified and without any specialised institutional support (as seen from the explanation above), the Slovak participation in TW Out process either in a bidding phase or in the position of a successful Bidder is remarkably successful (for more details see Annex 7).



*Figure 6 Slovak Participation in Twinning Out Projects - Bidding*

80. Except the ministries and other central government bodies that can be directly involved in the TW Out process, in the SR there are other 17 MBs. Based on available information by the cut-off date of this Report, except the SOSMT, the MoLSAF, the MoF, the NC SR and the RONI, only 7 MBs have been so far involved in the TW Out bidding and/or implementing process.

81. The survey carried out for the purpose of this Report showed that the participation of the Slovak experts was generally conditioned by highly topic-related specialisation, previous experience and adequate language skills.

82. The majority of Slovak experts participating in TW Out projects have had previous experience with working in international environment, through various multilateral and international programmes and projects. Bidders having those experts in their bids and/or selection interviews usually benefit from such advance, whereas the TW Out selection procedure requires personal on-the-spot presentation of Bidders in the potential BC and personal participation of experienced experts gives the floor to show the experts' potential. We cannot avoid the fact that meeting the highly specialised expert's technical requirements set by the BC is necessary.

83. The Slovak practice shows various ways of supporting the Slovak experts who are not fully compliant with any above criteria to get into TW Out experts' team. Either the team is composed of experts who meet all criteria or the team consists of mixture of experts who complement each other in meeting the above criteria, e.g. the SOSMT experts' team usually consisted of highly specialised professionals with a various level of language skills in order to encourage the less advanced and to break barriers and it has proved as excellent motivation. On the other hand, there are BCs specially looking for expertise of a new EU MSs (like Turkey, former Soviet Union States) and where the language barrier does not seem to be the key problem. The will or a special request of such BCs also supports Slovak

institutions and experts to participate and breaks existing self-esteem barriers, mainly in cases where no previous international experience was reported.

84. The participation of Slovak experts in TW Out represents high motivation, mainly in respect of career development and acquiring new experience, although the missions' financial aspect cannot be negligible. The institutions that have been already participated in TW Out reported an increased interest of experts in missions abroad, what results from spreading experience and courage acquired by experts who already participated in TW Out projects.

85. In general, it can be stated that readiness of the Slovak experts for the TW Out mission is still low. Despite the fact that the SR possesses a quite broad range of high-specialised experts in many TW Out topics, the promotion of TW Out opportunities is still insufficient. There is missing any national platform where the experts can meet, exchange experience and know-how, help or assist each other, etc. Within such platform there could be organised various types of seminars, training, workshops, advisory services in order to support experts profiles and help them in preparation for a TW Out selection procedure or concrete mission. Such platform could be managed or supported by any specialised Agency or the NCP itself as already referred to in the above part of this Chapter.

### *2.6.3 The Theoretical Study of Legislation/Civil Service Law*

86. Due to the legal problems arising from participation of the Slovak Experts in TW Out missions, the NCP seeks a comprehensive solution of this issue through recently established TW Out Working Group (first session held on 6 May 2008). This approach is highly appreciated and it has yielded first results in the form of a draft amendment to the current Act on Civil Service.

87. As for the pre-accession assistance, Operating TW Manual is in place. This Manual incorporates rules exclusively related to the SR, but in the position of the Beneficiary. The related TW Out rules are covered by the Common TW Manual of the EC, which shall serve as supporting material for amending the national related legislation. Article 34 of the Act of Accession<sup>14</sup> sets up the 2004 - 2006 Transitional Facility (including one of its instruments – TW). Subject to Article 34(3) of this Act, assistance under the Transition Facility shall be decided in accordance with the procedure laid down in Article 8 of Council Regulation (EEC) No 3906/89 on Economic Aid to Certain Countries of Central and Eastern Europe<sup>15</sup>. The programme shall be implemented in accordance with Article 53(1)(a) and (b) of the Financial Regulation applicable to the general budget of the European Communities<sup>16</sup>. For twinning projects between public administrations for the purpose of institution building, the procedure for call for proposals through the network of contact points in the Member States shall continue to apply, as established in the Framework Agreements with the present Member States for the purpose of pre-accession assistance. The Twinning process is regulated by the provisions of the 'Common Twinning Manual' (rules and procedures), a

---

<sup>14</sup> Act Concerning The Conditions Of Accession Of The Czech Republic, The Republic Of Estonia, The Republic Of Cyprus, The Republic Of Latvia, The Republic Of Lithuania, The Republic Of Hungary, The Republic Of Malta, The Republic Of Poland, The Republic Of Slovenia And The Slovak Republic And The Adjustments To The Treaties On Which The European Union Is Founded.

<sup>15</sup> OJ L 375, 23.12.1989, p. 11. Regulation as last amended by Regulation (EC) No 2500/2001 (OJ L 342, 27.12.2001, p. 1).

<sup>16</sup> Regulation (EC, Euratom) No 1605/2002 (OJ L 248, 16.9.2002, p. 1).



working document and flexible management tool of the European Commission. It represents the EU tertiary legislation applicable to the related subjects and the level of its binding is derived from the above mentioned legislation and other legislation introducing the EU pre-accession assistance under which the TW is applied. The accession of the ten new Member States in May 2004 and the refocused policy on the Western Balkans were an impetus for a co-ordinated approach to Twinning. Therefore, in cooperation with Europe Aid Cooperation Office, a common Twinning manual covering the ten new Member States (under Transition Facility), Bulgaria, Croatia and Romania (PHARE), Turkey (Pre-accession Financial Assistance), Western Balkans (CARDS), the Mediterranean basin (MEDA) and Eastern Europe and Central Asia (TACIS) came into force in May 2005 (last updated of 2007). Given the enlargement context, it is now the responsibility of the Institution Building Unit within DG Enlargement to co-ordinate all Twinning activities under PHARE, Transition Facility and CARDS. Moreover, taking effect on 1 May 2004, the Extended Decentralised Implementation System (EDIS) has been introduced providing a decentralised management framework for Twinning projects in the ten new Member States.

88. The necessary national legislative regulation should cover several applicable laws, such as Act on Civil Service, eventually Act on Public Service, Act on Work in Public Interest, Act on Travel Expense, Act on Income Tax, Competency Act as well as Act on the NC SR, Act on Police Forces and Act on Civil Service of Members of Police Forces, Intelligence Service, Prison and Justice Guard Forces of the SR and Railroad Police (as the NC, Police Forces, Intelligence Service, Prison and Justice Guard Forces and Railroad Police employees are covered by a special legal regime), eventually Act on Budgetary Rules, and may raise necessary secondary legislation.

89. The most critical issues to be solved are related to (i) the form of the Slovak TW Out experts' missions to be compliant with the Act on Civil Service (regular holiday, business trips, etc.), (ii) the form of remuneration (and related per diems) of the experts to be compliant with the Act on Civil Service (direct payment in the form of experts' project fee, or experts' project fee as line ministry budget income and subsequently paid out to the experts in the form of special official remuneration for extra tasks outputs, etc.), (iii) taxation of civil servants' extra income derived from the TW Out missions, (iv) TW Out management costs and eventually experts' project fee as line ministry or central government body income (to be compliant with the Act on Budgetary Rules), and (v) enforcement of subcontracting obligations under the TW contracts within the SR, and eventually other issues that may later arise from the legal amendments.

90. Regarding the disputable TW Out foreign missions, several legal analyses and opinions have been developed such as two controversial legal opinions and legal analyses of the MoLSAF, legal opinion of the OoG Legislative Section and SOSMT legal analysis. Except one negative MoLSAF legal opinion, the other analysis confirmed that legislative changes are really necessary, but the current *modus operandi*, mainly referred to short-term experts and mid-term experts' missions, is not in conflict with applicable national legislation even if it needs stipulations that are more precise in order to avoid various contrary interpretations.

91. The short term experts and mid term experts' missions can be covered by existing national legislation where due to length of those missions in the BCs such stay can be qualified as business trip abroad (§36 of Act on Civil Service). The related travel expenses shall be covered from the TW Out project and not by Act on Travel Expense in order to avoid parallel reimbursement of the same business trip (§1(4) of Act 283/2002 Coll. as amended).

92. Regarding the long-term experts' foreign missions, as RTAs, the legal regulation provided by the Act on Civil Service is insufficient. However, the missions of national experts in the EU institutions (legislatively treated) and the missions of national experts as RTAs in TW Out projects refer to several similarities: (i) the experts continue to stay in labour relations with their employers; (ii) they continue to be paid standard salary, (iii) their costs and per diems are reimbursed by an institution which they provide expertise within their stay for.

93. In the context of the above-mentioned facts, there is a common will expressed by the TW Out Working Group members to amend respective provisions of the Act on Civil Service. In this respect, there are several options provided by elaborated legal opinions and analysis.

94. One possibility related to RTA missions is to append the Act on Civil Service by provisions analogical to §34(4) of the given Act, which relate to classification of such civil servant performance outside civil service. According to this legal opinion, the TW Out experts' activities (mainly RTAs) cannot be considered as civil service performance subject to §2 (2) and (4) of the Act on Civil Service. Another solution relates to §35a of the Act on Civil Service, regulating the temporary civil servants' mission abroad.

95. Another legal opinion holds the view that TW Out missions represent civil service performance due to the fact that civil/public service employees acquired necessary experience and knowledge to become experts in a given policy area directly within their labour relations with a central government body which they are working for, and they will disseminate their experience and knowledge on behalf of their domestic institution through international project missions. Based on this legal opinion, there is a proposal to append §1 of the Act on Civil Service by a new provisions to be read as follows: 'For purpose of this law, the fulfilment of tasks in performing state affairs shall also cover an activity performed by a civil servant subject to respective legally binding EU laws and resulting programmes and projects'. In this respect it is appropriate to refer to §35 (6) of the Competency Act providing for responsibility of central government bodies related to implementation of EU assistance and use of funds allocated for such assistance, and to Article 7 (2) of the Slovak Constitution providing that EU and EC legally binding provisions prevail over domestic laws.

96. Regarding the TW Out experts' remuneration, subject to the EC Common TW Manual, the RTA is entitled to salary provided by the current employer in the same amount as provided prior his/her RTA mission. The same approach is applied as for national experts' missions in the EU institutions (what is legislatively covered). Under TW Out projects, there is refunded RTA salary, including labour related non-salary costs, and 6 percent cost for a substitute of the TW Out expert, what does not have any impact on salaries or extra remuneration of employees. Therefore, based on one legal opinion, this topic does not seem to be problematic in respect of the Act on Civil Service. Subject to another legal opinion, TW Out experts' fee can be paid out in the form of remuneration for extra work or in the form of extra remuneration (applied by the MoLSAF). Another solution (already applied by the MoF and the SOSMT) is to pay out the TW Out experts their experts' fee based on project activity outputs (and related cost and per diems), with following taxation obligation left to the remunerated experts.

97. At this place, it can be also referred to a special case of science and research government institutes whose employees participate at various multilateral programmes, mostly through

internships and/or study stays focused on science and research. In this case they are remunerated on the basis of an Internal Order issued subject to Act on Remuneration of Employees for Work Performed in Public Interest (No. 533/2003 Coll.). The same approach could be applied in remunerating such employees for their expert missions abroad.

98. TW Out experts' income taxation results from the EC Common TW Manual. In this respect, the role of the MoF is expected in setting-up transparent rules for civil servants' extra income taxation and for costs related to TW Out participation, paid in advance to national institutions participating in TW Out projects.

99. Other issue may be raised in relation with TW Out management costs as income of a related TW Out expert's institution. This is the role of the MoF to revise the applicable legislation (Act on Budgetary Rules, Act on Public Accounting, etc.) in order to find out if such revenue (budgetary or extra budgetary; accounting for such revenue and specification of national accounts which such revenue should be credited to and purpose which it should be used for and how) is legislatively covered.

100. Finally, in relation with the involvement of a variety of subcontractors in implementing a TW contract, the subcontracting obligation enforcement was raised as an issue (especially by the SOSMT). Since a TW contract is regarded as an international agreement concluded at a line ministry level, subcontractors (coming from different sectors) are not considered to be direct contracting parties. Subject to the Slovak Constitution, an international agreement concluded at a line ministry level does not establish any rights and obligations for other central government bodies; it is only binding for employees of the related line ministry and within the scope of a given ministry's purview. The subcontractors are only bound by the subcontract provisions. As the competencies for certain policy areas, which may be required for the TW Out expertise to be provided, are split over several line ministries/central government bodies and the TW contract is only binding for the contracted line ministry, there is a need for legislative regulation of enforcement of contracting responsibilities across several sectors providing the same range of reference. The analogy already exists in the form of a domestic directive regulating TW In (SOSMT) and can be applied also to TW Out, for example, in the form of a Government Decree.

#### *2.6.4 Barriers for Participation of Slovak Experts in Twinning Out Projects Abroad*

101. Resulting from the survey carried out for the purpose of this Report it can be stated that there are 5 main categories of barriers of the Slovak experts' participation in TW Out projects:

- (i) Limited personal capacities in terms of
  - a. Substitutability of the experts who leave for the TW Out missions abroad, i.e. releasing an expert (civil servant) for a TW Out project can threaten fulfilling policy tasks of a given central government unit which the expert comes from. Especially, substitutability of top management or high-ranking officials is problem affecting their participation in missions aboard.
  - b. Bid preparation – limited time capacities of staff to be devoted to such task
- (ii) Language barriers – possible experts either do not speak or are not able to communicate in a required working language. In this respect language courses focused on specialised technical terminology and presentation and

communication techniques are expected to be provided (e.g. by the NCP or any specialised support Agency of any Central Point for preparation national experts to TW Out mission and by concrete ministries/MBs.)

- (iii) Low awareness about the TW Out process
- (iv) The rather separate category is related to the ambiguous legislative framework of the TW Out process in the SR as described in the previous chapters 2.6.2 and 2.6.3:
  - a. Non compliance of the EU primary and implementing legislation with the national legislation in respect of the TW Out – no national legislation regarding TW Out (like existing secondary legislation regulating TW In), and uncertain national legislation with a variety of interpretation approaches to existing national legislation (e.g. two contrary legal opinions within the MoLSAF, the SOSMT legal opinion, legal opinion of the Government’s Legislation Council representative, etc.)
  - b. Legal regulation of experts’ TW Out missions and their remuneration and per diems and travel expense – an amendment to the national labour law regulating civil service and activities carried out in public interest or amending the Act on Civil Service (eventually Act on Public Service when regional government is considered to be involved in TW Out activities)
  - c. TW Out experts’ extra income taxation
  - d. TW contracts and related financial issues regarding the TW Management Costs from subcontractors and the enforcement of subcontracts concluded under bilateral TW contracts (as is the case in the legislation regulating the TW In – the related Government Decree).
- (v) The low self-esteem of Slovak experts and their low confidence in working abroad (partially due to lack of relevant international experience and/or language skills).

102. The insufficient legislative environment in respect of TW Out shows that the SR is not prepared for such challenge, for opportunity to strengthen its domestic institutional building capacities through international missions of its own experts and for opportunity *to sell the ‘Slovakia’ trade mark* abroad as expressed by one of addressed interviewees.

### 3. CONCLUSIONS AND RECOMMENDATIONS

#### 3.1 Conclusions

##### *3.1.1. Lessons Learnt and Findings Regarding Effective Implementation of TW*

103. Time spent for preparation of TW/TWL will capitalize later through successful performance of a project, including the participation of a potential Twinner in drafting their TWL proposal/TW workplan or using informal contacts prior to circulation of a DPF. Old partnerships usually work best. Also the FB should be involved in the preparatory phase, to motivate him/her and assure future ownership of the project and for the TW to be really demand driven.

104. The design of a TWL proposal/TW workplan should be flexible enough to allow future adaptation to changes, especially on the legislative front, should include besides a work plan guaranteed results linked to the objectives and corresponding IAs. Designs should be realistic, with reasonable number of activities and sufficient capacities for their absorption and management. In many cases, the process of fiche design means that the details of TW/TWL are fixed at far too early stage of the project cycle. At the contract-writing stage the counterparts are therefore encouraged to conduct a reality check on the 'feasibility' of the fiche and to re-design accordingly.

105. For successful implementation of TW/TWL in complex priority areas, favourable external environment is essential, including political support from senior officials, clear ownership of a project by the Beneficiary and all stakeholder groups, and the existence of complementary activities and financial resources to support the key area of assistance (such as Schengen *acquis*).

106. Study visits remain popular TW activities and where suitably organised they can be partly regarded as follow-up to previous 'classroom training'. With quite a high turnover rate of civil servants (especially those of younger age) the training and study visits should be followed up for sustaining project's outputs and this pre-condition to be included in the project design.

107. The role of an RTA is a key factor for the successful performance of a TW. He/she should be a good specialist, manager, good communicator and flexible enough to immerse into a different environment, including the new culture. He should be supported by a high performing RTA-A, whose intermediary role is important.

##### *3.1.2. Criteria of Success for Participation of Slovak Experts at Twinning Out Projects*

108. The diversification of TW Out activities at national level calls for regulation of national TW Out coordination and communication, with strong support to the NCP, MBs and central government bodies, providing a comprehensive portfolio of TW Out related logistic and technical services. Such support can be provided through a specialised Agency covering the so far developed expertise of the SR and HR in managing and implementing the TW/TWL projects.

109. The TW Out service portfolio should involve special actions on strengthening professional public awareness in respect of TW Out procedures and possibilities and improving the experts' capabilities for the missions abroad (language courses, leadership courses, presentation and problem solving courses etc.) as the readiness of Slovak experts in TW Out missions is still low.

110. Due to constant reduction of state administration work positions and the related substitutability of staff in performing daily tasks, the Slovak central government bodies cope with the problem of availability of qualified administration capacities to participate in TW Out. Even if such capacities are identified, the appropriate institutional and legal framework for potential Slovak TW/TWL Advisers needs to be put in place (employer-employee relations, including the form of a mission, remuneration and per diems, enforcement of subcontracting relations under the TW contract and management costs as income of the TW Out expert's institution).

111. The compliance of national legislation with the EU legislation and the implementation of rules in respect to TW Out must be in place in order to flexibly respond to and use TW Out opportunities.

112. The TW administrative procedure (especially connected to TWL) seems to be one of obstacles in TW Out activities development, besides others described elsewhere in the Report. This statement proves multiple experiences when the circulation was not successful because no bids were submitted. The need for more flexible instruments, like the specialised Agency regulating the TW Out activities is herewith reported.

## **3.2 Recommendations**

### *3.2.1. Recommendations for TW Implementation*

113. Respective administrations, besides declaring their political will to implement reforms in various areas of public administration or solve a key problem, should, in addition to including respective plans/strategies in political documents, allocate adequate capacities for these priority areas; this should also be done for TWs to perform well in all criteria.

114. CCs and other eligible countries are strongly advised to look also for partners from new MSs, or at least to include the expertise from newly accessed countries into the TW/TWLs, as they tend to be a similarity between them when harmonizing and enforcing the EU legislation, notably in the public administration reform or institutional building.

115. Respective Project Managers from the Beneficiary institutions should be on a sufficiently senior position in order to have enough authority to make project-related decisions. Moreover, they should be supported by assistants to take over the poorly administrative agenda of TW/TWLs.

### *3.2.2. Recommendations for TW Out*

116. Based on the current TW Out practice in the SR, accompanied by vague legal and institutional framework, it is recommended to create **an Agency** supporting the NCP providing comprehensive counselling services (including advisory, training and TW Out

promotion), using related personnel expertise existing in the SR. The establishment of such Agency requires a related legislation in place.

117. In order to create a transparent environment supporting Slovakian TW/TWL Advisers' missions abroad, provide an appropriate institutional and legal framework for TW Out needs to be put in place: (i) labour relations – the form of TW Out experts' missions and provisions for the experts' remuneration and per diems resulting from EU legislation and international agreements should be in compliance with national legislation, primarily with the SR Labour Code, Act on Civil Service (eventually Act on Public Service), Act on Travel Expense and other related legal provisions; (ii) TW Out experts' extra income taxation; (iii) TW Out management cost related to the experts' missions – clear and unambiguous rules resulting from primary legislation and/or amendments to primary legislation (Act on Budgetary Rules) compliant with the EU legislation must be applied in respect of such revenue; (iv) subcontracting obligations - to adopt national secondary legislation governing the enforcement of subcontracts (commitments and obligations) concluded under the TW contracts.

118. For the future, the EC needs to adopt a more flexible approach to the issue of where the source of MS expertise in *acquis*-related matters lies and to design a framework which makes it easier for the competent organisation to participate in TW regardless of its status within or on the periphery of the MS public service. This will be particularly important due to the fact that MS resources may be becoming exhausted and that their willingness to participate may be waning.





# ANNEX 1 LIST OF INTERVIEWS

INSTITUTION	INTERVIEWEE	DATE
<b>State Institute for Drug Control</b> Kvetna 11 SK-825 08 Bratislava 26	<b>Ms. Dagmar Stara</b> Head of the EU Affairs Co-ordination Unit	19 May 2008
<b>The Ministry of Labour, Social Affairs and Family of the SR</b> Spitalska 41 SK-812 47 Bratislava	<b>Alois Machalek</b> RTA	20 May 2008
<b>Office of the Government SR</b> General Secretariat of the Board of Ministers for Drug Dependencies and Drug Control Cukrova 14 SK-811 08 Bratislava	<b>Ms. Zuzana Jelenkova</b> Project Manager	21 May 2008
<b>Office of the Government SR</b> General Secretariat of the Board of Ministers for Drug Dependencies and Drug Control Cukrova 14 SK-811 08 Bratislava	<b>Matthieu Chalumeau</b> RTA	21 May 2008
<b>Teaching Hospital Bratislava</b> Ruzinovska 6 SK-821 02 Bratislava	<b>Mr. Jan Koller</b> Project Manager	22 May 2008
<b>Office for Standards, Metrology and Testing of the SR</b> Stefanovicova 3 SK-810 05 Bratislava 15	<b>Ms. Erika Kraslanova</b> Project Manager	26 May 2008
<b>Slovak Institute of Metrology</b> Stefanovicova 3, 810 05 Bratislava	<b>Mr. Ivan Mikulecky</b>	26 May 2008
<b>The SR Ministry of Finance</b> Central Finance and Contracting Unit Stefanovicova 5 SK-813 08 Bratislava	<b>Ms. Silvia Matusova</b> Director	28 May 2008
<b>Tax Directorate of the SR</b> Nova Street 13 SK-975 04 Banska Bystrica	<b>Ms. Iveta Petrovicova ★</b> Head of International Project Management Unit, Project Leader	29 May 2008
<b>The SR Ministry of Interior</b> Pribinova 2 SK-812 72 Bratislava	<b>Ms Nadezda Patoprsta</b> Director, SPO Foreign Aid Dept.	30 May 2008
<b>Regulatory Office for Network Industries</b> Bajkalska 27 820 07 Bratislava 27	<b>Ing. Miroslav Luptak</b> Spiker / SPO	30 May 2008
<b>The SR Ministry of Finance</b> Stefanovicova 5 SK- 817 82 Bratislava	<b>Ing. Sona Tykova</b> Section of Audit and Control/Project leader	30 May 2008
<b>The SR Ministry of Finance</b> Stefanovicova 5 SK- 817 82 Bratislava	<b>Mgr. Nora Gyureova</b> Section of Audit and Control	30 May 2008
<b>The SR Ministry of Finance</b> PIU Phare Stefanovicova 5 SK- 817 82 Bratislava	<b>Mr. Matej Dostal</b> Deputy SPO	30 May 2008 02June 2008 02 July 2008

INSTITUTION	INTERVIEWEE	DATE
<b>The SR Ministry of Finance</b> PIU Phare Stefanovičova 5 SK- 817 82 Bratislava	<b>Ms. Lucia Zimanyiova</b> Task Manager	02June 2008 02 July 2008
<b>Pesticide Security Directorate</b> York, UK	<b>Mr. John Winfield</b> TWL Team-leader	02 June 2008
<b>The SR Ministry of Finance</b> Stefanovicova 5 SK-817 82 Bratislava	<b>Mr. Jan W. van der Ploeg</b> RTA	02June 2008
<b>The SR Ministry of Finance</b> Stefanovicova 5 SK-817 82 Bratislava	<b>Ing. Zuzana Falatova</b> RTA Assistant	02June 2008
<b>CCTIA</b> Dept. of Pesticides Registration Matuskova 21 SK-833 16 Bratislava	<b>Ms. Marta Galusova*</b> Project Co-ordinator	04 June 2008
<b>CCTIA</b> Dept. of Pesticides Registration Matuskova 21 SK-833 16 Bratislava	<b>Ms. Michaela Novackova*</b>	04 June 2008
<b>Slovak Hydrometeorological Institute</b> Jeseniová 17 SK-833 15 Bratislava	<b>Ms. Durkovicova</b> Project Manager	05 June 2008
<b>Customs Directorate of the SR</b> Mierova 23 SK - 851 11 Bratislava	<b>Mr. Jan Gajdos</b> Executive Assistant to the PM	06 June 2008
<b>Customs Directorate of the SR</b> Mierova 23 SK - 851 11 Bratislava	<b>Mr. Viliam Pruzinec</b> Project Leader	06 June 2008
<b>Customs Directorate of the SR</b> Mierova 23 SK - 851 11 Bratislava	<b>Mr. Henrich Cernusko</b> Deputy Project Leader	06 June 2008
<b>Slovak Trade Inspection</b> Prievozska 32 SK-827 99 Bratislava 27	<b>Ms. Milota Sedajova</b> Project Leader	06 June 2008
<b>Office of the Government of the SR</b> Aid Co-ordination Unit Stefanikova 2 SK-813 70 Bratislava	<b>Ms. Sona Gabcova</b> Programme Manager	18 June 2008
<b>Office of the Government of the SR</b> Aid Co-ordination Unit Stefanikova 2 SK-813 70 Bratislava	<b>Ms. Marianna Macaskova</b> Programme Manager	18 June 2008
<b>Border and Alien Police Office</b> Vajnorska 25 SK-831 03 Bratislava	<b>Ms. Olga Simorova</b> PM	19 June 2008
<b>The Ministry of Labour, Social Affairs and Family of the SR</b> International Labour and Social Policy Spitalska 4-6 SK-812 47 Bratislava	<b>Mr. Miloslav Hettes</b> Director General	19 June 2008
<b>The Ministry of Labour, Social Affairs and Family of the SR</b> Spitalska 4-6 SK-812 47 Bratislava	<b>Mr. Vladimir Bujalka</b> PM	19 June 2008

INSTITUTION	INTERVIEWEE	DATE
<b>Office of Standards, Metrology and Testing of the SR</b> Stefanovicova 3 SK-810 05 Bratislava 15	<b>Ms. Miloslava Steinlova</b> SPO	20 June 2008
<b>The SR Ministry of Agriculture</b> Foreign Relations Department Dobrovicova 12 SK-812 66 Bratislava	<b>Ms. Eva Kolesarova</b> Director	23 June 2008
<b>The SR Ministry of Agriculture</b> Foreign Relations Department Dobrovicova 12 SK-812 66 Bratislava	<b>Ms. Silvia Takacova</b> Project Manager	23 June 2008
<b>Office of the Government of the SR</b> Aid Co-ordination Unit Stefanikova 2 SK-813 70 Bratislava	<b>Ms. Jana Minarovicova*</b> National Contact Point (currently on a mission in Ukraine)	26 June 2008
<b>Regional Development Agency (RDA) Senec- Pezinok/Ministry of Labour, Social Affairs and Family of the SR</b> M.R.Stefanika 1, 902 01 Pezinok Spitalska 4-6 SK-816 43 Bratislava	<b>Ms. Luba Pavlovova**</b> RTA on the Slovak TW OUT in Macedonia and the RDA Director	03 July 2008
<b>Agricultural Paying Agency</b> External Relations Department Dobrovicova 12 SK-815 26 Bratislava	<b>Ms. Júlia Černáčková**</b> APA Senior Advisor TW Out Contact Point	04 July 2008
<b>The SR Ministry of Finance</b> PIU Phare Stefanovicova 5 SK- 817 82 Bratislava	<b>Mr. Albin Kotian</b> State Secretary Advisor - Slovak TW Out Expert in the CR	07 July 2008
<b>Slovak Agricultural Research Centre</b> Hlohovska 2 SK-949 92 Nitra	<b>Mr. Štefan Mihina**</b> SARC General Director	08 July 2008
<b>Research Institute of Agricultural and Food Economics</b> Trencianska 55 SK-824 80 Bratislava	<b>Ms. Mária Kubanková**</b> Science Secretary	08 July 2008
<b>Slovak Standards Institute</b> Karloveska 63 SK-841 01 Bratislava	<b>Ms. Lubica Pernecka**</b> Director of the International Cooperation Unit	09 July 2008
<b>Institute of Labour and Family Research</b> Zupne Sq. 5-6 SK-812 41 Bratislava	<b>Mr. Teodor Hatina**</b> TW Project Leader	10 July 2008

\*Telephone interviews

\*\*E-mail/fax correspondence

## ANNEX 2 LIST OF DOCUMENTS

### LIST OF DOCUMENTS REFERRED TO IN THE THEMATIC EVALUATION

Name of Originator	Date	Title of Document
European Commission	2003	Comprehensive Monitoring Report on Slovakia's Preparedness for the EU Membership
European Commission	December 2003	Programming and Implementation Guide – Transition Facility
Chris Cooper/Mikael Johansen	January 2003	Evaluation of Completed TW Projects
European Commission/Court of Auditors	July 2003	Official Journal of the EU
European Commission	2004	Planning Document Transition Facility 2004-2006, Slovak Republic
European Commission/Office of the Government SR	2004-2005	Project Fiches for TF Programmes 2004 - 2006
European Commission/EMS	March 2004	Thematic Report ZZ/TWI/03057
European Commission	2004	Commission Decision of Financial Contribution of Transition Facility for Strengthening Institutional Capacity to the Slovak Republic
European Commission/Office of the Government SR	August 2004	Memorandum of Understanding on the Implementation of the TF 2004 – 2006 (in Slovak only)
European Commission/Office of the Government	July 2006	Financial Proposal on the Implementation of the TF 2006
European Commission	2006	Building Europe Together
European Commission	2007	Twinning-Key Facts and Statistics
Office of the Government SR	April 2008	Update of logframes 2005-2006 TF projects
Office of the Government SR	June 2008	Implementation Status Report
DISTINCT/OCTIGON	June 2008	Country Evaluation Report R/SK/TF/CER/08.001
Ministry of Interior SR	N.A	Twinning Manual (in Slovak)
European Commission	2007	Common Twinning Manual
Institute of International Relations (Prague, CR)	November 2006	RM 01/04/04 Analysing the Experience of the “Old” Member States and Evaluating Benefits of Twinning Out for the Czech Republic (a survey project of the MFA of the CR)
Slovak Office of Standards, Metrology and Testing of the SR	2008	Legal Opinion of the SOSMT Legislation Department regarding TW Out
Ministry of Labour, Social Affairs and Family of the SR, Section of International Relations	23 April 2008	Legal Analysis on “Performing civil servants’ tasks in implementing TW projects – such as EU Aid provided to third countries, implemented by the SR through a related ministry or central government body and funded by EU – is considered as performance of civil service tasks and therefore it is civil service performance”
Office of the Government ORIPES	25 April 2008	Minutes of Working Session related to TW Out projects’ coordination and implementation
Ministry of Foreign Affairs of the SR	N.A	2003 – 2008 Mid-Term ODA Concept

**Documents requested but not made available (with reasons):** none

## ANNEX 3 LIST OF TWINNING PROJECTS INCLUDED IN THE EVALUATION

<b>Project No.</b>	<b>Project Name</b>	<b>Allocated Budget</b>	<b>Beneficiary</b>
<b>JHA</b>			
2005/017-464.03.01	Support to the Finalisation of the Setting-up of the Judicial Academy of Slovakia	250,000	MoJ
2005/017-464.03.03	Continued Support to the Fight against Corruption in the SR	340,000	OoG
2005/017-464.03.04	Reinforcement of Capacities to Fight Corruption among Police Officers	250,000	MoI
2005/017-464.03.01	Finalisation of the Implementation of the Schengen Action Plan	600,000	MoI
2006/018-175.06.01 UIBF 2006	Further Support for the Reinforcement of Judicial Capacity in the Area of Penal Matters	150,000	MoJ
2006/018-175.06.01 UIBF 2006/018-175.06.01	Improvement of Criminal Proceedings in the Cases of Crime and Corruption Committed by Members of the Police Force	80,000	MoI
2006/018-175.05.02	Improving and Broadening the Care for the Re-socialisation and Rehabilitation of Persons Addicted to Psychoactive Substances	700,000	OoG
<b>HRD and HC</b>			
2005/017-464.04.02	Improvement of Safety, Quality and Availability of Organs, Tissues and Cells for Transplantation	500,000	MoH
2005/017-464.01	Strengthening the Administrative Capacity of the State Institute for Drug Control as regards medicinal products for human use	150,000	MoH
2005/017-464.05.02	Improvement of Working Time Organisation in the Health Sector	200,000	MoH
2005/017-464.04.03	Strengthening of National Monitoring of Drugs and Drug Abuse	120,000	MoH
2006/018-175.05.03	Improving Analyses and Risk Assessment Regarding Residue Pesticides	150,000	MoH
2006/018-175.05.01	Strengthening of Occupational Health and Safety Structure	300,000	MoLSAF

<b>Project No.</b>	<b>Project Name</b>	<b>Allocated Budget</b>	<b>Beneficiary</b>
<b>AGRI</b>			
2005/017-464.01.02	Strengthening of the Management Capacity of the Central Controlling and Testing Institute in Agriculture in the Area of Organic Farming	190,000	MoA
2005/017-464.08.01 UIBF	Further Strengthening of Systems for Registration of Plant Protection Products	100,000	MoA
2006/018-175.01.01	Strengthening Capacities and Quality of Control Services of the CCTIA	200,000	MoA
<b>ENV and ENE</b>			
2005/017-464.06.01	Establishment of the Environmental Quality Standards for Water	1.100,000	MoEnv
2005/17-464.08.01 (UIB 2005)	Development of WFD Compliant National Method for Water Quality Assessment of Lowland Rivers using Phytoplankton and Proposal for Phytobenthos Monitoring	120,000	MoEnv
2005/017-464.07.01	Preparation for the Opening of the Market in Electricity and Gas to Households	650,000	RONI
<b>INT</b>			
2006/018-175.03.01	Strengthening of Internal Auditor's Independence in the Public Sector by Creating Audit Committees	400,000	MoF
2005/017-464.02.03	Enhancement of coordination between Slovak Customs Administration & Slovak Market Surveillance Bodies in the field of Consumer Protection	250,000	MoF
2006/018-175.06.01	Interpretation of the Directive 2006/112/EC in Connection with the Court of Justice of the European Communities' case law and the Practice of EU Member States' Tax Administrations	120,000	MoF
2005/017-464.02.01	Reinforcement of Administrative Capacity as regards Measuring Instruments	250,000	SOSMT

# ANNEX 4 LIST OF EVALUATION QUESTIONS

## THEMATIC REPORT EVALUATION QUESTIONS

Evaluation Criterion	Question	Proof of Evidence
<b>Relevance</b>	To what extent are TW projects' goals in line with beneficiaries' needs and programme documents?	Documents on Slovak needs and policy documents available
	To what extent has the use of the TW tool provided value added to the harmonisation of the Slovak legislation with the EU and standards in comparison with selection of other tools for implementation of the EU rules?	Completion of an expertise or gaining know-how in a certain field.  Strengthening of institutions.
<b>The Efficiency and Effectiveness of Twinning Projects / Twinning Out in Slovakia</b>	To what extent have the projects reached the goals defined in PF?	Outputs delivered and outcomes achieved.
	To what extent have the TW parties involved in financial and personal management processes influenced the efficiency of activities/operations?	Suitable operation decision made in case of appearance of unwanted impacts/problems.
	To what extent has the cooperation between the EU Member state and the recipient country positively influenced the achievement of outcomes?  Has the split of tasks between the senior and junior partner been effective?  What was the value added of a consortium of two or more MS teams at implementation of the selected project?	Project ownership from the side of the beneficiary and donor institution (in case of TW partnerships – the ratio of participation of both sides in project management) will show in successful fulfilment of activities defined in formal documents/action plan.
	To what extent has the experience of employees of the beneficiary institution in management of TW projects influenced the success of a project?	Interviews with TW beneficiaries (with those who gave priority TW instead of TA and with those who have administered several TWs).
	What barriers need to be taken into account when sending Slovak experts for TW missions?	Questionnaires to RTAs.  Lessons learnt or good practice from other Member States from the start of twinning out projects in Slovakia.
	To what extent is the Civil Service Law/the Slovak legislation open to sending the national professionals for implementation of TW activities abroad?	Theoretical study of legislation/Civil Service Law.

## ANNEX 5 QUESTIONNAIRE FOR TWINNING OUT

### Questionnaire - Key Questions (posed to the NCP/MBs and PIUs):

- 1) What kind of barriers needs to be taken into account when sending Slovak experts for TW missions?
- 2) To what extent is the Civil Service Law/the Slovak legislation open to sending national experts for implementation of TW activities abroad?

### Questionnaire TW Out (distributed to the Slovak experts participating in the Twining Out projects and missions):

1. How did you learn about a possibility to work as a Slovak expert abroad?
2. Have you participated at a similar mission/ever before?
3. How was the selection process conducted?
4. How long did the selection take?
5. What, according to your opinion were the key conditions for you to participate at the foreign project?
6. What kind of information did you get about the hosting country?
7. Did you have a possibility to negotiate your working conditions?
8. Were you satisfied with the financial conditions?
9. Have you received any tailor-made training for the foreign mission?
10. Was your home institution willing to release you temporary from your labour relations?
11. Did your organization guarantee your job in Slovakia?
12. How long did it take you to immerse in a different environment/culture?
13. What were the key barriers to perform 100 percent?
14. What kind of support did you get from your home institution/Slovakia to overcome the barriers?
15. What according to you are the key blocking points for the Slovak experts top participate at the foreign aid projects?
16. Are you aware about any concrete legal conditions to be changed to ease the participation at foreign missions?
17. How has the mission helped in your carrier development?
18. Has the mission had any impact on your position in your home institution / on your home institution as such?
19. Would you be interested to go for another mission?
20. What do you consider as main advantages/disadvantages of such kind of assignments?



## ANNEX 6 LIST OF INDICATORS

### INDICATORS OF ACHIEVEMENT

INDICATOR LEVEL	OBJECTIVES	INDICATORS OF ACHIEVEMENT (OBJECTIVELY VERIFIABLE INDICATORS)	STATE OF ACHIEVEMENT <sup>17</sup>
<b>COMPONENT 1 : JUSTICE AND HOME AFFAIRS</b>			
<b>2005/017-464.03.01 Support to the Finalisation of the Setting-up of the Judicial Academy of Slovakia</b>			
Project Purpose	Improved functioning and organisation of the Judicial Academy of Slovakia	<ul style="list-style-type: none"> <li>▪ Functioning and organisation of the JA based on the amendment of basic documents governing JA will be realised 6 months after the completion of the project lately</li> <li>▪ Judges as JA lecturers will use methodology obtained within the project in their daily practise as soon as the project is completed</li> </ul>	N.A
Project Purpose	The transfer of the experiences concerning professional and methodological aspects of the training in the judiciary from EU Member State partner having long-lasting experiences		N.A
<b>2005/017-464.03.03 Continued Support to the Fight against Corruption in the SR</b>			
Project Purpose	Further strengthening of institutional and administrative capacity to prevent and combat corruption	<ul style="list-style-type: none"> <li>▪ Informative lists (templates) of all variants proposals, requests, applications, requisitions, grievances, which help applicants being available in print in the Centres proposed after the project implementation</li> </ul>	N.A
Project Purpose	To ensure that specialized Law Enforcement Agencies dealing with corruption are well qualified and more effective in investigating, revealing and decision-making in cases showing the corrupt behaviour	<ul style="list-style-type: none"> <li>▪ Law enforcement agencies investigate, reveal and make decisions in the field of combating corruption according to the recommendations presented in GRECO report after the project implementation</li> </ul>	N.A
Project Purpose	Ensure adequate access to justice by improving the capacity of the newly created free legal aid centres	<ul style="list-style-type: none"> <li>▪ Increase of disclosed crimes related to corruption of 4% by 2010 compared to the number of 2% disclosed in the year 2006</li> </ul>	N.A
Project Purpose	Overview of the evaluation of the regulations and the mechanisms favouring the activities in the field of Fight against Corruption	<ul style="list-style-type: none"> <li>▪ Upgrading of the National Programme for Fight against Corruption by December 2010</li> </ul>	N.A

<sup>17</sup> Source : Implementation Status Report, 16 June 2008

INDICATOR LEVEL	OBJECTIVES	INDICATORS OF ACHIEVEMENT (OBJECTIVELY VERIFIABLE INDICATORS)	STATE OF ACHIEVEMENT <sup>17</sup>
<b>2005/017-464.03.04 Reinforcement of Capacities to Fight Corruption among Police Officers</b>			
Project Purpose	Information and analytical system (IAS) for central and regional units of the Office for Inspection Service (OIS) installed and fully operational	<ul style="list-style-type: none"> <li>▪ Immediate access to information for operative-searching activity by means of information and analytical system from all OIS regional units</li> <li>▪ Direct access to information on family ties, property situation, possession of motor vehicle, the used telephone contacts</li> </ul>	N.A
<b>2005/017-464.03.01 Finalisation of the Implementation of the Schengen Action Plan and Setting up of the Integrated Model of Border Security</b>			
Project Purpose	Finalize the implementation of the Schengen Action Plan (since it has been under implementation already for some time) and the setting up of the Integrated Model of Border Security in the Slovak Republic	<ul style="list-style-type: none"> <li>▪ Completion of the Schengen Evaluation by end of 2007</li> <li>▪ Compliance confirmed by EC and Schengen Committee by the end of 2007</li> </ul>	Positive Schengen Evaluation Report received in September 2007
Project Purpose	Successful achievement and the operational launching of the general strategy adopted by the Slovak Government within the framework of the fight against irregular immigration and the protection of European Union's external border with the Ukraine	<ul style="list-style-type: none"> <li>▪ Improvement of the Criminal Law and the criminal procedure, by the end of 2007</li> <li>▪ Adoption of an inter-ministerial Act between the Ministry of Interior and the Ministry of Foreign Affairs by the end of 2007</li> <li>▪ Adoption of a new text defining the content of the officers training programme by the end of 2007</li> </ul>	N.A
<b>2006/018-175.06.01 UIBF 2006 Further Support for the Reinforcement of Judicial Capacity in the Area of Penal Matters</b>			
Project Purpose	Improvement of the results obtained in previous period characterised by building up probation and mediation services at courts in Slovakia	<ul style="list-style-type: none"> <li>▪ Increased number of successful solved penal cases by penal mediation at courts by 10% in 2009 (In the year 2006 there were 1879 cases successfully solved by penal mediation)</li> </ul>	N.A
<b>2006/018-175.06.01 UIBF 2006/018-175.06.01 Improvement of Criminal Proceedings in the Cases of Crime and Corruption Committed by Members of the Police Force</b>			
Project Purpose	To increase the exploitation rate of records monitoring persons and objects as a direct evidence in criminal trial and increase of the informative value of the records made during observation	<ul style="list-style-type: none"> <li>▪ Increase execution of records by using audiovisual means against total number of monitoring applications by 10% by 2012 compared to the percentage rate stated in final report 2007 of Department of Special Activities</li> <li>▪ Increased percentage rate of informative value of records monitoring persons and objects by 20% by 2009 compared to the percentage rate stated in final report 2007 of Department of Special Activities</li> </ul>	N.A
<b>2006/018-175.05.02 Improving and Broadening the Care for the Re-socialisation and Rehabilitation of Persons Addicted to Psychoactive Substances</b>			
Project Purpose	To raise the standard of all activities performed by re-socialisation facilities for the provision of care for persons addicted to psychoactive substances	<ul style="list-style-type: none"> <li>▪ 20 employees of the services performing work with addicts to psychoactive substances will be trained, educated and professionally qualified for the work with addicted persons during the TW realisation</li> <li>▪ Draft of the quality standards for the provision of care to</li> </ul>	Standards manual finalised

INDICATOR LEVEL	OBJECTIVES	INDICATORS OF ACHIEVEMENT (OBJECTIVELY VERIFIABLE INDICATORS)	STATE OF ACHIEVEMENT <sup>17</sup>
		<p>addicted persons will be elaborated at the end of the activity 2 of the TW</p> <ul style="list-style-type: none"> <li>▪ The personal and professional standards will be adopted by the responsible institutions within 2 years after the end of the TW</li> <li>▪ Modification of the conditions of functioning of re-socialization facilities under the adopted personal and professional standards by the Legislative Act nr. 305/2005 Coll. on social and legal protection of children and on social custody will be implemented within one year after the adoption new conditions by responsible institutions</li> </ul>	
<b>COMPONENT 2 : HUMAN RESOURCE DEVELOPMENT AND HEALTH CARE</b>			
<b>2006/018-175.05.01 Strengthening the Occupation Health and Safety Structure</b>			
Project Purpose	<p>Labour inspection administrative capacity structures reinforcement</p> <ul style="list-style-type: none"> <li>▪ in implementation of EU legislation in the field of major industrial accidents prevention</li> <li>▪ in the field of occupational accidents data collection and processing</li> </ul>	<ul style="list-style-type: none"> <li>▪ Increase of LI system performance as a result of the improvement of its subsystems – major industrial accidents (decrease from 20% in 2006 to 10% in 2008)</li> <li>▪ Capacity of inspection's subsystems will rise by 10% (the higher number of inspections done from 6,500 in 2006 to 7,150 in 2008)</li> </ul>	N.A
<b>2005/017-464.05.02 Improvement of Working Time Organisation in the Health Sector</b>			
Project Purpose	<p>Strengthening of human capacities responsible for Human Resources within the health sector to implement the Directives No. 93/104/EC, 2000/34/EC and 2003/88/EC</p>	<ul style="list-style-type: none"> <li>▪ The principles of the Directives introduced in the health care are used by the health care facilities by the end of 2008</li> </ul>	N.A
<b>2005/017-464.04.01 Strengthening the Administrative Capacity of the State Institute for Drug Control as regards medicinal products for human use</b>			
Project Purpose	<p>Strengthening of the administrative capacity of the SIDC to be able to prepare Assessment Reports of Registration documents of human drugs</p>	<ul style="list-style-type: none"> <li>▪ 100% of all Final Assessment Reports and Public Assessment Reports accepted by the SIDC by the end of 2008</li> <li>▪ Increased production of the Final Assessment reports from 0 in 2006 to 3 in 2008</li> </ul>	N.A
<b>2005/017-464.04.02 Improvement of the Safety, Quality, Availability of Organs, Tissues and Cells for Transplantation in the SR</b>			
Project Purpose	<p>Introducing quality management for organ transplantation, tissue and cell banking, to assure the highest possible level of public health protection</p>	<ul style="list-style-type: none"> <li>▪ Increasing of the number of real donors from indicated donors by 10% by the end of the project compared to 2006</li> <li>▪ Decreasing the number of insufficient organs by 5% by the end of the project compared to 2006</li> </ul>	N.A
<b>2005/017-464.04.03 Strengthening of National Monitoring of Drugs and Drug Abuse</b>			

INDICATOR LEVEL	OBJECTIVES	INDICATORS OF ACHIEVEMENT (OBJECTIVELY VERIFIABLE INDICATORS)	STATE OF ACHIEVEMENT <sup>17</sup>
Project Purpose	To adjust and strengthen the Laboratory of the Forensic-Medical Toxicology (within the Institute of Forensic Medicine in Bratislava – Petržalka) to be established and accredited as the National Reference Laboratory (NRL) - the main institution responsible for the necrotic toxicology within the established nationally coordinated system of the forensic medicine	<ul style="list-style-type: none"> <li>▪ NRL to be accredited in by the Health Care Surveillance Authority (HCSA) in 2009</li> </ul>	The documentation for accreditation process has been prepared according to the Slovak National Accreditation Service rules. Based on the successful accreditation in 2009, the Health Care Surveillance authority to promote the laboratory in Bratislava as a Reference one.
<b>2006/018-175.05.03 Improving Analyses and Risk Assessment Regarding Residue Pesticides</b>			
Project Purpose	<p>Improvement and upgrading of the Public Health Authority (PHA) of the SR capacities in the area of human health protection related to foodstuffs containing residue pesticides</p> <p>Improvement and upgrading of present knowledge on Risk assessment and analyzing in the field of residue pesticides issue especially in infant and baby food</p> <p>Strengthening the laboratory capacities of PHA SR (the main institution responsible for analysis of residue pesticides in foodstuffs) in the field of analysing of residue pesticides in foodstuffs (especially in infant and baby food) due to official control and monitoring purposes</p>	<ul style="list-style-type: none"> <li>▪ PHA SR professionals analyse the residue pesticides and determine the scale of 80 kinds of residue pesticides in foodstuff at the end of 2009 based on the knowledge gained under the project trainings</li> <li>▪ Increased number of analysed pesticides from current 17 up to 80 in two years after the end of the project</li> </ul>	N.A
<b>COMPONENT 3 AGRICULTURE</b>			
<b>2005/017-464.01.02 Strengthening of the Management Capacity of the Central Controlling and Testing Institute in Agriculture in the Area of Organic Farming</b>			
Project Purpose	Improvement and extension of performance of duties and tasks of the organic farming competent authority in the Slovak Republic according to the provisions of Council Regulation (EEC) 2092/1991	<ul style="list-style-type: none"> <li>▪ Infringements and irregularities will be reported by the CCTIA in 2 reports issued in March and June every year in line with the provisions of the Council regulation (EEC) 2092/1991 after the project completion.</li> <li>▪ The EC will be notified about infringements and irregularities in the form of annual reports according to the Council regulation (EEC) 2092/1991</li> </ul>	Improvement of performance of the Competent Authority Preparation of reports, including infringements and irregularities in line with the EU OF provisions Preparation of Annual Report on the Slovak OF for EC
Project Purpose	Establishment and management of granting import certificates for third countries organic products/foods. Update collection of data on	<ul style="list-style-type: none"> <li>▪ The CCTIA will issue the 3rd country import organic certificates in quality defined in Council regulation (EEC) 2092/1991 and Commission regulation 1788/2001 after the</li> </ul>	Application of EU import rules for OF and organic production from 3 <sup>rd</sup> countries to the EU

INDICATOR LEVEL	OBJECTIVES	INDICATORS OF ACHIEVEMENT (OBJECTIVELY VERIFIABLE INDICATORS)	STATE OF ACHIEVEMENT <sup>17</sup>
	organic farming for EU notification purposes.	<ul style="list-style-type: none"> <li>end of the project.</li> <li>The CCTIA will ensure less than 1 % negative reports of all issued import certificates.</li> </ul>	
Project Purpose	Enforcement of the new acquis: Art.8.1. of the Council Regulation (EC) 392/2004.	<ul style="list-style-type: none"> <li>EC will be notified about updated annual collection of data on Slovak organic farming in 2 reports per annum (prepared in line with Council Regulation 2092/91 after CR 392/2004 (EC)) after the end of the TWL.</li> </ul>	Preparation of Slovak OF notification in line with <i>acquis</i>
<b>2005/017-464.08.01 UIBF Further Strengthening of Systems for Registration of Plant Protection Products (PPP)</b>			
Project Purpose	The establishment of a fully functioning Coordinating Unit at CCTIA who are expert in regulatory and administrative affairs and will be responsible for coordinating all aspects of the regulatory procedure in cooperation with scientists in other relevant institutes.	<ul style="list-style-type: none"> <li>Functioning Coordination Unit established within the Department of Pesticides Registration in 6 months after the end of project implementation</li> </ul>	The Control Unit within the CCTIA established
Project Purpose	Restructuring of organisational structure of the regulatory system such that the Coordinating Unit and other institutes work effectively together.	<ul style="list-style-type: none"> <li>After the implementation of the project (in 2008) a suitable and effective organisational structure in the process of PPPs registration will be approved</li> </ul>	New organisation structure of the CCTIA approved
Project Purpose	Provide higher level training on development and policy respect on plant protection products both nationally and at EU level.	<ul style="list-style-type: none"> <li>2 higher level trainings in the field of PPPs legislation during the project implementation</li> </ul>	Training delivered
<b>2006/018-175.01.01 Strengthening Capacities and Quality of Control Services of the CCTIA</b>			
Project Purpose	Improvement and strengthening of the quality control procedures and the statistical evaluation of analytical data according to EN 17,025 in order to reach needed accreditation of laboratory determinations in frame of environmental analyses	<ul style="list-style-type: none"> <li>EN 17,025 requirements performed in practice in order to gain the accreditation after fulfilment of conditions.</li> </ul>	The lab staff and methods are at the stage of quality improvement in order to apply for the EN 17,025
Project Purpose	Improvement of the supervision over plant protection products (PPPs) in vertical chain	<ul style="list-style-type: none"> <li>Controls/Supervision of farmers, producers and distributors enhanced in order to improve environment and increase the quality of plant products by increase of controls in 10 percent per year Laboratory accredited</li> </ul>	N.A
<b>COMPONENT 4 ENVIRONMENT (ENVIRONMENT, ENERGY)</b>			
<b>2005/17-464.06.01 Establishment of the Environmental Quality Standards (EQS) for Water and Strengthening of Regional and District Offices for Implementation of Water Controls and Monitoring</b>			
Project Purpose	To establish EQS for priority substances and dangerous substances relevant for the SR the EQS	<ul style="list-style-type: none"> <li>EQS for priority substances and dangerous substances relevant for the SR published (end of project)</li> <li>Monitoring system comprising all dangerous substances in</li> </ul>	17 EQS estimated, methodology approved in April 2007, the EQS is undergoing approval process by the MoEnv and the Government.

INDICATOR LEVEL	OBJECTIVES	INDICATORS OF ACHIEVEMENT (OBJECTIVELY VERIFIABLE INDICATORS)	STATE OF ACHIEVEMENT <sup>17</sup>
Project Purpose	To fulfil the requirements of the Water Framework Directive 60/2000/EC and Council Directive 76/464/EEC, by using proper communication and information exchange for relevant decision making process.	<ul style="list-style-type: none"> <li>▪ State administration offices provide relevant information for reporting and for the decision making process (end of project)</li> <li>▪ Authorisation regime in compliance with Directive WFD and functioning and enforcement system in practice (end of project)</li> </ul>	Updated regulation on monitoring and control of dangerous substances completed, being now discussed at the national and EU level.
Project Purpose	Adjustment of the monitoring and assessment of the biological quality elements in rivers according to their specific preferences as an integral part of the assessment of ecological status of the surface water.	<ul style="list-style-type: none"> <li>▪ Biological quality elements incorporated as an integral part of the assessment of ecological status of the surface water by the end of the project</li> </ul>	Data management SW under preparation  So far biological communities structure analysed
<b>2005/117-464.08.01 Development of WFD Compliant National Method for Water Quality Assessment of Lowland Rivers using Phytoplankton and Proposal for PhytoBenthos Monitoring</b>			
Project Purpose	Preparation for opening of the markets in electricity and gas to households on 1 July 2007. In connection with market liberalisation for households, to change decisions on regulation of distribution and supply of electricity and natural gas to end consumers. Revision of regulation setting for companies supplying electricity and natural gas to households.	<ul style="list-style-type: none"> <li>▪ Approximately 14 decrees of the RONI published by the end of 2006.</li> </ul>	5 decrees published for electricity, gas, water and heat Code of Law of the SR Annual report of the RONI Bulletin of the RONI – Nr. 48/2007, 49/2007, 50/2007, 51/2007.
<b>COMPONENT 5 INTERNAL MARKET (FINANCE, CUSTOMS, TAXES, AUDIT, CULTURE, STANDARDS)</b>			
Project Purpose	Establishment of the Audit Committee(s) at the Ministry of Finance and at the other central state administration bodies.	<ul style="list-style-type: none"> <li>▪ Nominated members of the Audit Committee in February 2008.</li> <li>▪ Actions taken by the Audit Committee (issuing opinion on 30 annual internal audit plans) since February 2008 onwards</li> <li>▪ 6 Audit Committees meetings (each Committee at least four times a year)</li> </ul>	Nomination of audit Committee members postponed
<b>2006/018-175.03.01 Strengthening the Internal Auditors' Independence in the Public Sector by Creating Audit Committee(s)</b>			
Project Purpose	Enhanced implementation of the EU and national legislation related to consumer protection in the practice of Slovak Customs Administration (SCA) and Slovak Market	<ul style="list-style-type: none"> <li>▪ Increase of the relevant information bases in the field of market protection coordination by SCA and SMSB</li> <li>▪ Trained SCA and Slovak Market Surveillance Authority (SMSA) officers</li> </ul>	Database of relevant legislation compiled in July 2007  About 100 officers trained in consumer protection
<b>2005/017-464.02.03 Enhancement of Coordination between Slovak Customs Administration and Slovak market Surveillance Bodies in the Filed of Consumer Protection</b>			



INDICATOR LEVEL	OBJECTIVES	INDICATORS OF ACHIEVEMENT (OBJECTIVELY VERIFIABLE INDICATORS)	STATE OF ACHIEVEMENT <sup>17</sup>
	Surveillance Bodies (SMSB)	<ul style="list-style-type: none"> <li>▪ Agreements on cooperation revised</li> <li>▪ Internal regulations of SCA procedures revised</li> </ul>	<p>Agreement cooperation among key stakeholders reviewed</p> <p>The SCA has started to review internal regulations (to be finished later in 2008)</p>
<b><i>2006/018-175.06.01 UIBF Interpretation of the Directive 2006/112/EC in connection with the Court of Justice of the European Communities' case law and the practice of EU Member States' Tax Administrations</i></b>			
Project Purpose	To increase the proficiency of the Slovak Tax Administration (STA)'s employees dealing with Value Added Tax (VAT) issues by over-viewing issued and resolved Court of Justice of the European Communities (ECJ) legal cases connected with the interpretation of particular articles of the Directive 2006/112/EC	<ul style="list-style-type: none"> <li>▪ At least 20 employees of the STA trained during the Project</li> </ul>	N.A
Project Purpose	To adopt the abovementioned knowledge into the practice of the STA and the Slovak taxpayers	<ul style="list-style-type: none"> <li>▪ Other STA employees dealing with VAT issues informed through Intranet and Slovak taxpayers through Internet about gained knowledge within this Project half a year after the termination of the Project at the latest</li> </ul>	N.A
<b><i>2005/017-464.02.01 Reinforcement of Administrative Capacity as regards Measuring Instruments (RACMI)</i></b>			
Project Purpose	Implementation of the Directive 2004/22/EC and smooth transferring of the application of the former old approach or national regulations to the New Approach	<ul style="list-style-type: none"> <li>▪ Governmental Ordinance transposing Measuring Instrument Directive (MID) is published, changes in the borderlines legislation identified and implemented. Concluded till end of the year 2008.</li> </ul>	N.A

## ANNEX 7 LIST OF TWINNING OUT PROPOSALS

The below table represents all officially known TW Out proposals that the SR has been involved in.

The list was created on basis of available information from interviewed subjects by the cut off date of this Report (15 July 2008).

### PROPOSALS / SUCCESSFUL BIDS OF THE SLOVAK REPUBLIC IN TW OUT PROJECTS

Project No.	Twinning number/ Country	Project title (type of a project)	Date of circulation <sup>18</sup> / Date of proposal submission	Institution(s) applying for the project	Result
1	MK06/IB/SO/01 Macedonia	Review of the national labour legislation (TW)	20.3.2007/ 9.5.2007	MoLSAF SR + RDA Senec-Pezinok (Mandated Body)	<b>Successful bid</b> (SR – Single Partner)
2	EG07/AA/SO07 Egypt	Organizational Modernization of the Occupational Health and Safety Management System (TW)	4.9.2007/ 29.10.2007	Institute for Labour and Family Research (Mandated Body)	<i>Unsuccessful bid</i>
3	MN 07 IB JLS 01 Monte Negro	Legal Harmonisation (TW)	21.12.2007/ 25.3.2008	Chancellery of the National Council of the Slovak Republic (Lead Partner) + Chancellery of the Chamber of Deputies Parliament of the Czech Republic (Junior Partner)	<b>Under selection</b> (SR – Lead Partner + CR – Junior Partner)
4	MD/07/PCA/JH/01 Moldova	Support to the Parliament of the Republic of Moldova (TW)	27.7.2007/ 14.9.2007	Chancellery of the Chamber of Deputies, Parliament of the Czech Republic (Lead Partner) + National Council of the Slovak Republic (Junior Partner)	<i>Unsuccessful bid</i> (CR –Lead Partner + SR –Junior Partner)
5	AZ07/PCA/TR03 Azerbaijan	Strengthening of Standardisation, Metrology, Conformity Assessment and Accreditation in SASMP – Standards Agency Azerbaijan	5.10.2007/ 6.12.2007	Slovak Office of Standards, Metrology and Testing (in cooperation with SMU, SSI, SNAS, SOI, MoA SR, MoLSAF SR)	<i>Unsuccessful bid</i> (SR – Single Partner)
6	BG/07/IB/EN /01 Bulgaria	Strengthening the administrative capacity of water management	16.10.2007/ 4.2.2008	Slovak Hydrometeorological Institute (Mandated Body) as Junior Partner;	<i>Bid not submitted finally</i>

<sup>18</sup> From EC/Beneficiary country to MS NCPs



Project No.	Twinning number/ Country	Project title (type of a project)	Date of circulation <sup>18</sup> / Date of proposal submission	Institution(s) applying for the project	Result
7	EE05-IB-TWP-AGR-08 Estonia	authorities in Bulgaria for the implementation of economic instruments for water management according to the Water Framework Directive 2000/60/EC (TW) Strengthening of the management capacity of the inspection authorities in the area of organic farming according to the requirements of the Council Regulation (EEC) No 2092/91 (TWL)	14.9.2008/ 15.12.2008	Water Research Institute (Mandated Body) as Junior Partner Central Controlling and Testing Institute in Agriculture (Mandated Body)	<b>Under selection</b> (SR – Single Partner)
8	BG/2006/IB/OT/02/UE/TWL Bulgaria	Establishment of institutional capacity in the field of approval and control of tachograph workshops (TWL)	9.10.2007/ 20.11.2007	Slovak Office of Standards, Metrology and Testing	<b>Unsuccessful bid</b> (SR - Single Partner)
9	CZ / 2005/IB/SO/02 Czech Republic	Strengthening of Labour Inspection Administration (TW)	10.11.2006 (recirculation)/ 18.1.2007	Institute for Labour and Family Research (Mandated Body)	<b>Successful bid</b> (SR - Single Partner)
10	BG 06 IB SO 01 Bulgaria	Strengthening of administrative structures for radiation protection and safety use of ionizing radiation in diagnostics and therapy (TW)	23.7.2007/ 3.10.2007	Slovak Institute of Metrology (Mandated Body)	<b>Unsuccessful bid</b> (SR - Single Partner)
11	TR/2004/IB/EC/06 Turkey	Strengthening the Ministries of health, environment and forests, and agriculture and rural affairs to harmonize and implement legislation in the field of Good laboratory practice for non-clinical health and environmental protection	14.12.2004/ 17.2.2005	Slovak Office of Standards, Metrology and Testing	<b>Successful bid</b> (SR - Single Partner)
12	TR/2004/IB/EC/02 Turkey	Strengthening the capacity of Turkish Ministries for market surveillance in selected areas“ PROJECT No TR 0402.02	14.12.2004/ 17.2.2005	Slovak Office of Standards, Metrology and Testing	<b>Successful bid</b> (SR - Single Partner)

Project No.	Twinning number/ Country	Project title (type of a project)	Date of circulation <sup>18</sup> / Date of proposal submission	Institution(s) applying for the project	Result
		Market Surveillance Support on Medical Devices (MOH Medical Devices Component)			
13	LT/2004/IB/NS/01 Lithuania	Development of national ionizing radiation measurement infrastructure according to the practice of EU member states	no details available	Slovak Office of Standards, Metrology and Testing	<b>Successful bid</b> (SR - Single Partner)
14	CZ05/IB/FI 03 The Czech Republic	State Treasury Building – phase II	no details available	SR Ministry of Finance Director General of the State Reporting Section (Junior Partner) and France (Leading Partner)	<b>Successful bid</b> (SR - Junior Partner + France - Leading Partner)
15	HR2003/IB/FI/02 Croatia	Support to the Croatian Customs Administration in the area of Excise Duties	no details available	SR Ministry of Finance Excise Duties Department no more details available	<b>Successful bid</b> no more details available
16	AZ07/PCA/EY02 Azerbaijan	Support to the Implementation of the EU/Azerbaijan Partnership and Cooperation Agreement	5.10.2007 / no details available	Regulatory Office for Networking Industries of the SR (Junior Partner) and the German Federal Ministry of Economic and Technology	<b>Under selection</b> (SR - Junior Partner + Germany – Lead Partner)
17	TR/2004/IB/EC/01 Turkey	Strengthening the capacity of Turkish Ministries for market surveillance in selected areas“	14.12.2004/ 17.2.2005	Slovak Office of Standards, Metrology and Testing	<i>Unsuccessful bid</i> (SR - Single Partner)