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**MULTIBENEFICIARY
PROJECTS
MANAGEMENT AND
IMPLEMENTATION
AND PROJECTS WITH
INTERSECTORAL
IMPACT**

Transition Facility

**Thematic Evaluation of
the European Union
Transition Facility**

The Slovak Republic

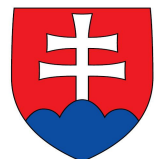
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EXECUTIVE SUMMARY

A) Scope and Objectives

This thematic evaluation covers 2005 Transition Facility Multibeneficiary and Intersectoral 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 benefits in transposing *acquis* and Government's key documents falling into different sectors and to identify lessons learnt, to draw conclusions and to formulate recommendations.

B) Evaluation Findings and Results

Multibeneficiary projects as a form of assistance involving several beneficiaries is key for broad agendas, where the participation of several institutions is necessary to reach the set goal. Multibeneficiary projects are well-suited for the public administration support, fight against drugs or corruption or, for instance control of pesticides, as well as for horizontal market and customer protection. The number of beneficiaries should be, however reasonable, in order to avoid unnecessary increase in project administration, complicated communication and overall project management. In some narrower areas, inclusion of the 2nd or even a 3rd partner might be questionable. In these cases the administrative burden of the additional Final Beneficiary should be compared with benefits when having the direct influence, for instance, when dealing with the provider of the assistance.

The evaluated Multibeneficiary and Intersectoral projects show good results in their *relevance*, when taking into account their linkages to the strategic EU and national documents, both at the time when the projects were designed and at the time of their implementation. The highest relevance could be observed in the area of the Justice and Home Affairs but also the Internal Market Development, where the adjustment of EU *acquis* and enhancement of national capacities in internal market and related customer protection was required by the EC. However, timing of the Transition Facility assistance was not always optimal, when, due to delays in the implementation caused postponement of the original use of the assistance.

'*Co-ownership*' of several project beneficiaries contributed usually positively to the achievement of results and effective achievement of objectives, though the individual projects took several arrangements of co-operation of beneficiaries. Flexibility of co-operation among Final Beneficiaries often depended on the experience of individual Senior Programme Officers and their teams, with the Ministry of Interior and the Ministry of Justice outperforming during the pre- and also implementation phase of the 2005 Fight against Corruption project and the Office of the Government, the Department of Protection of EU Financial Interest and Fight against Corruption showing rather reluctant approach. The Statistical Office of the SR, though not being an official Final Beneficiary, co-operated closely with the Ministry of Labour, Social Affairs and Family, thus contributing to smooth

implementation of the 2005 assistance and creation of national indicators of poverty. In the case of the 2005 Customer Protection project, the 'co-ownership' was influenced by the leading position of the project idea originator- the Slovak Customs Administration, although the Slovak Trade Inspection and other indirect beneficiaries were involved as the Multi-beneficiary partners. Such scheme of leadership of the key beneficiary had, due to the prevalence of the 'customs' topics within the inter-sectoral project topics, no negative influence on the project co-ordination or management, and contributed to the effective achievement of the project results and objectives in the field of customer and internal market protection.

The key factors, which affected effective implementation of the evaluated projects administered through 'institutional partnership', could be identified as follows:

- participation of all potential beneficiaries at the project design, enabling fine-tuning the assistance to real needs of individual institutions
- realistic project design with feasible number of activities and the well-chosen TW partners/contractors
- ownership of the project, especially by the key beneficiary, shown among others, via commitment and active involvement of senior officials supporting the EU intervention
- clear split of responsibilities among Slovak partners, with complementary competencies
- smooth co-operation between the Slovak and Member State partners
- effective work of Steering Committees and Working Groups, Senior Programme Officer's teams and the respective Project Managers, capable to manage the Transition Facility assistance

Main factors, which slow down the decision-making process during the project implementation period could be identified as follows:

- lack of absorption capacities, especially on the key beneficiary side
- lack of experience in management of EU projects, especially Phare / Transition Facility
- fluctuation of staff, including the Senior Programme Officers and Project Managers
- Steering Committees dealing with other than the key agenda, sometimes replacing the Working Groups
- Lack of the Team Leader experience on the contractor side
- Lack of understanding of roles of the Central Finance and Contracting Unit, the Aid Co-ordination Unit

The Steering Committees performed mostly satisfactory, when supporting effective and efficient implementation of Multi-beneficiary and Inter-sectoral operations. The composition of the Steering Committees was usually optimal and already pre-defined in the programming documents, including all the key stakeholders, thus enabling to make necessary decisions to support smooth implementation of the projects. However, establishment of the Steering Committees was rarely done before the signature of the respective contract, though recommended in several Interim Evaluation Reports, which would have contributed to the efficiency of the pre-implementation phase of the projects, especially the complex ones. The meetings of the Steering Committees were usually well-

prepared, however their activities sometimes overlap with those of the Monitoring and Contracting Meetings organised by the Aid Co-ordination Unit or the Working Groups, which had a negative influence on the efficiency of the Transition Facility interventions at the same time.

C) Recommendations

- When several Final Beneficiaries are involved, the split of responsibilities and competencies should be clear from the start of the project, including a clear vertical (intra-institutional) and horizontal (Inter-sectoral, for instance the Aid Co-ordination Unit, the National Contact Point, the Senior Programme Officer, the Central Finance and Contracting Unit) management framework. Also sufficient absorption capacities to be planned and other than project-agenda to be taken into account.
- Besides the composition of Steering Committees in the programming documents, such as the Project Fiche, also the establishment of Steering Committees is recommended at the pre-implementation stage. Meetings of Steering Committee should be well-prepared with the respective agenda available in advance and the content of the discussions should not substitute the expert work, which should be subject to the meetings of the working groups instead.
- For cross-sectoral projects, the respective Senior Programme Officer should be placed in the roof institution, such as the Office of the Government or the Ministry of Finance SR and should be equipped with sufficient competencies and supported administrationally. Also the Project Manager responsible for a Multibeneficiary project should be experienced in EU project management and should preferably not be replaced during the project.
- Increased attention must be paid to the quality of Indicators of Achievement, as well as to their real measurement and performance measurement capacity (within the Structural Funds managing authorities) in the context of the vertical and horizontal project/programme objectives, internal logic and the overall policy. This agenda that proved to be a weakness for the projects funded from the pre-accession funds still remains relevant. Defining high quality indicators is especially relevant for the assessment of an effective use of the EU Structural operations.

TABLE OF CONTENTS

EXECUTIVE SUMMARY	i
PREFACE	5
GLOSSARY OF ACRONYMS	6
MAIN REPORT	8
1. <i>INTRODUCTION</i>	8
1.1 Background and Scope of Evaluation	8
1.2. Objective of the Report	8
1.3 Key Evaluation Questions	9
1.4 Methodology	9
1.5 Previous Evaluations/Studies	10
2. <i>EVALUATION RESULTS</i>	11
2.1 Relevance	11
2.2 Efficiency and Thriftiness	16
2.4 Other Criteria.....	20
2.5 Performance Rating.....	23
3. <i>CONCLUSIONS AND RECOMMENDATIONS</i>	24
3.1 Conclusions	24
3.2.1 Lessons Learnt.....	26
ANNEXES	28
<i>ANNEX 1 List of Interviews</i>	29
<i>ANNEX 2 List of Documents</i>	31
<i>ANNEX 3 List of Selected Projects Included in the Evaluation</i>	33
<i>ANNEX 4 List of Evaluation Questions</i>	34
<i>ANNEX 5 List of Indicators</i>	35
<i>ANNEX 6 Previous Evaluations</i>	37

PREFACE

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

The Thematic Evaluation Report has been prepared by the Distinct, a.s.¹ during the period from December 2008 to February 2009 and reflects the situation as at 31 January 2009, 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.

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GLOSSARY OF ACRONYMS

ACU	Aid Co-ordination Unit
AP	Action Plan
BFAC	Bureau for Fight against Corruption
CFCU	Central Finance and Contracting Unit
CPI	Corruption Perception Index
DPF	Detailed Project Fiche
DPEUFIFAC	Department of Protection of EU Financial Interests and Fight against Corruption
EC	European Commission
EC	European Communities
EU	European Union
EU-SILC	EU Statistics on Income and Living Conditions
FAC	Fight against Corruption
FB	Final Beneficiary
GRECO	Council of Europe's Group of States against Corruption
IA	Indicator of Achievement
IE	Interim Evaluation
INT	Internal Market Development
IO	Immediate Objective
IR	Inception Report
IS	Intersectoral
ISCVBM	Institute for State Control of Veterinary Biologicals and Medicaments
JHA	Justice and Home Affairs
JHS	Justice, Home and Social Affairs
LAC	Legal Aid Centre
LEA	Law Enforcement Agency
MB	Multibeneficiary
MM	Monthly Meeting
MoA	Ministry of Agriculture
MoE	Ministry of Economy
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
NP FAC	National Programme for Fight against Corruption
NCP	National Contact Point
OoG	Office of Government
ORIPES	Department for Management and Implementation of EC Assistance
PF	Project Fiche
PHARE	Poland and Hungary: Assistance for Restructuring their Economies
PL	Project Leader
PM	Project Manager
SC	Steering Committee
SCA	Slovak Customs Administration
SF	Structural Funds
SIDC	State Institute for Drug Control
SMSB	Slovak Market Surveillance Body
SOSR	Statistical Office of the SR
SPO	Senior Programme Officer
SR	Slovak Republic
STI	Slovak Trade Inspection
SVFA	Slovak Veterinary and Food Administration of the SR

TA	Technical Assistance
TF	Transition Facility
ToR	Terms of Reference
TW	Twinning
TWL	Twinning Light
UIBF	Unallocated Institution Building Facility
UNDP	United Nations Development Programme
WG	Working Group
WO	Wider Objective

1. INTRODUCTION

1.1 Background and Scope of Evaluation

1. This Thematic Report is the second from the series of 3 Thematic Reports produced under the contracts 2006/018-175.06.02-01 and 02 within the 2 parts of the project Interim Evaluation of Transition Facility Projects. According to the Terms of Reference (ToR)s for the purpose of this evaluation a cluster of 2005 projects was selected (see also Annex 3), together with the key evaluation questions (see part 1.3 and Annex 4).

2. For the purpose of this evaluation projects for several beneficiaries – Multibeneficiary (MB) and projects with cross-sectoral impact have been chosen – Intersectoral (IS).² As there are not that many Transition Facility (TF) projects in Slovakia, which would fall under the given criteria, the number of the evaluated projects under this Report is consequently limited as well, notably 3 – 2 from the Justice, Home and Social Affairs Sector (JHS) and 1 from the Internal Market Development (INT).

3. Historically, taking into account also the Phare projects, some experience with MB and IS projects exists, especially in the field of Justice and Home Affairs (JHA). In this field the co-operation among the Ministry of Interior (MoI), the Ministry of Justice (MoJ) and the General Prosecution was needed, when, for instance implementing assistance focused on Law Enforcement Agencies (LEA)s. In addition, projects with IS impact to be mentioned from the pre-accession assistance to include interventions in the broad area of Public Administration Reform or several projects for the Roma community. The MB- or IS-based project experience (however, not expressly called a MB) can be reported also in the fields of the Internal Market, Free Movement of Services and the Agriculture. These projects have been implemented since 1998 and under this assistance mainly customs bodies under the auspices of the Ministry of Finance (MoF) and the Slovak Trade Inspection (STI) staff under the Ministry of Economy (MoE) have been developing mutual co-operation. This co-operation in fact has also integrated other market surveillance bodies under the direction of the Ministry of Agriculture (MoA) or the Ministry of Health (MoH). The respective support has been focused on administrative co-operation, namely exchange of information and controls on imported goods and general product safety in relation to customer protection.

1.2. Objective of the Report

4. The aim of this Report is **to assess benefits** in transposing *acquis* and Government's key documents falling into different sectors through the selected 2005 TF projects, which were successfully/unsuccessfully implemented by minimum of 2 beneficiary institutions and **to**

² However, in the EU terminology a Multibeneficiary project is usually meant a same project or scheme provided to several countries, such as SIGMA or TAIEX.

identify lessons learnt, to draw conclusions and to formulate recommendations relevant to the future activities managed by several beneficiaries within the Structural Funds (SF).³

5. The objective of this Report is to assess management and implementation of the Transitional Facility projects implemented through the co-operation of 2 or more beneficiary institutions and to draw pros and cons arguments related to such implementation of a given project.

1.3 Key Evaluation Questions

6. The Report seeks to answer the following questions:

Relevance:

- To which extent are the project objectives in compliance with programming documents and needs of beneficiaries?

Thriftiness and Efficiency of Project Management

- To identify to which extent ‘co-ownership’ of several project beneficiaries contributed to the achievement of results and effective achievement of objectives.
- What factors did affect effective implementation of projects administered through ‘institutional partnership’?
- What factors did slow down the decision-making process during the project implementation period?
- To which extent did Steering Committees (SC)s contribute to effectiveness and efficiency of their operations?

For details see Annex 4 of this Report.

1.4 Methodology

7. 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), Senior Programme Officers (SPO)s and other stakeholders
- Questionnaires for FBs outside Bratislava

³ Direct applications of recommendations for SFs is, however, rather limited due to reasons explained in part 3.1. Conclusions

1.5 Previous Evaluations/Studies

8. The relevance of the MB programmes evaluations initiated by the EC to this thematic report is rather limited. In addition, as the previous reports conclude, by the accession to the EU in May 2004, the demand for services provided under the MBs in Slovakia decreased and their actual use in last years was low. The EC initiated evaluations were carried out at the programme level, while our thematic evaluation addresses the management and implementation of Multibeneficiary activities under the TF at the project level. Moreover, the highly centralised implementation systems for MB programmes differ substantially from the decentralised system of implementation of the TF. However, for the information purposes the concise summary of the EC MB evaluations could be found in Annex 6.

2. EVALUATION RESULTS

2.1 Relevance

9. *The reviewed projects are relevant*, when taking into account their linkages to the strategic EU and national documents, both at the time when the projects were designed and at the time of their implementation. The highest relevance could be observed in the area of the JHA, notably the Fight against Corruption (FAC), also due to the previous heavy support provided to this top priority area by several EU projects (for instance Phare 2000 and 2003) but also other donors, such as the World Bank, the USAID or the United Nations Development Programme (UNDP). Though the corresponding 2005 TF project was originally designed to assist the 2000 National Plan for the FAC (NP FAC) and its Action Plan (AP), after some idle period after the 2006 elections and rather unclear commitment to the FAC agenda in the new policy statement, the political support to this key area has improved as of 2007. Since mid 2007 the Working Group (WG) as an advisory body to the Prime Minister headed by the Minister of Interior for the update of the NP FAC and the AP has been renewed and the work has progressed, thus also the relevance of the complex 2005 intervention shows positive results.

10. Positive relevance to be reported also for the 2005 Indicators of Poverty assistance, as the project has been aligned with the EU Regulation concerning the EU-Statistics on Income and Living Conditions (EU-SILC), already transposed into Slovak legislation before the accession. At the same time clear linkages exist to the EU Council Open Method of Co-ordination and the Common Memorandum on Social Inclusion or Slovakia's commitments towards EUROSTAT. However, due to timing of the intervention the idea to use the outputs of the projects for the National Report of Strategy of Social Protection and Social Inclusions for 2008-10, prepared by the Ministry of Labour, Social Affairs and Family (MoLSAF) of the Slovak Republic (SR) and its Department for Social Inclusion and Assistance in Material Need in September 2008 has been missed and the project's outputs to be materialised in the 2010-12 Report instead.

11. The 2005 Consumer Protection project was, at the time of its origin, highly relevant and demanded, mainly due to the conclusions and recommendations of the EC⁴ in respect to alignment with the revised Directive on General Product Safety⁵ and also capacity development of the main bodies in charge of market surveillance activities including customs officers, with regard to new legislation on general product safety. The relevance has been also supported by application of control of strictly monitored products in practice, according to the EEC Regulation 339/93⁶ and indirectly by the expected Slovakia's accession to the Schengen area. The implementation of the EU *acquis* in practice as from 1 May 2004, has led to solving practical issues and discovered problematic areas in its practical execution, therefore the project correctly aimed at the implementation practice and detailed specification of relevant national legislation changes in the detected areas.

⁴ Comprehensive Monitoring Report on Slovakia's Preparations for Membership. European Commission, DG Enlargement, November 2003.

⁵ Directive 2001/95/EC of 3 December 2001 on General Product Safety (OJ No L 11 of 2002-01-15).

⁶ Council Regulation (EEC) No. 339/93 of 8 February 1993 on checks for conformity with the rules on product safety in the case of products imported from third countries.

12. *Vast majority of key beneficiaries have participated at projects' designs*, which could be evaluated as a positive factor of relevance, when the key stakeholders had a possibility to fine-tune the project to cover their needs. The most number of beneficiaries to be reported for the 2005 FAC project and all of them were included at the programming stage of the 2005 intervention, notably the MoI and its the Bureau of Fight against Corruption (BFAC) of the Police Presidency, the MoJ and the Special Prosecutor's Office and the Special Court. However, the Office of the Government (OoG), the Department of Protection of EU Financial Interests and Fight against Corruption (DPEUFIFAC) as the key FB inherited the project without the possibility to participate in its planning, which had a negative influence on the project's ownership. However, even though inheriting the project and the whole FAC agenda rather late, the DPEUFIFAC used this argument during the whole realisation of the 2005 TF assistance, which could be evaluated negatively.

13. For the 2005 Indicators of Poverty project, the Statistical Office of the SR (SOSR) has participated at the design of the project alongside with the MoLSAF, with the former being responsible for the provision of the respective indicators and the Ministry being a policy maker. However, it remains questionable, why the SOSR has not been officially included in the Project Fiche (PF) as a FB, though the respective modification was prepared. Leaving the MoLSAF as the sole FB lifted some administrative burden from the SOSR. However, including the Office might have had a positive impact on the smooth implementation and methodical coaching of the Contractor (such as pilot studies). The development of new specific indicators – national, 3rd level indicators – requires creation of new variables on the basis of the EU-SILC statistical surveys, household budget surveys, etc., which are now being prepared by the SOSR.

14. Even though the 2005 Customer Protection project was designed for a broad scope of market supervision and surveillance bodies in the area of customer and health protection and product safety, coming from at least 4 different sectors/ministries (the MoF, the MoE, the MoA and the MoH), the project ownership remained with the Slovak Customs Administration (SCA). This situation might have been derived from the project history, where the original Detailed Project Fiche (DPF) was designed for the customs officers' capacity development in the area of customs supervision over the product safety entering the internal market (from 3rd countries). Subject to the EC recommendations raised towards the project design, which related to extending the relevant project to a broader range of market surveillance bodies integrated into the domestic market surveillance system, the DPF was slightly revised and adapted to the arisen needs. In fact, the above mentioned recommendations on integrated co-operation of surveillance bodies in detecting the non compliant products on the market, and thus protecting customers, were also derived from the already mentioned assessment of Slovakia's preparation for EU accession. The respective recommendations were aimed at supporting inter-institutional and administrative co-operation of an integrated national market supervision system. The fact that the project ownership mainly remained with the SCA, although the STI was involved as the second MB partner, had no negative influence on the project co-ordination or management. It rather helped it, as the direct and indirect project beneficiaries came out from different sectors/ministries. It is worth to be mentioned that the STI as one of the 2005 Customer

Protection project MBs had implemented a similar project in 2003/2004⁷, however, under this assistance market surveillance performance by customs authorities was covered only marginally.

15. *The assistance for the MB and IS projects has taken several forms*, with the Twinning Light (TWL) being the prevailing ones. However, also the Technical Assistance (TA) has been used, for instance for 2 Components of the 2005 FAC project or the 2005 National Indicators, often the local one. Twinning (TW) and TWL seem to be well-adjusted for complex areas, such as the FAC⁸, also for the institutional building and *acquis* implementation phase. Therefore, using combination of 2 TWLs and 2 TAs for the 2005 intervention could be evaluated as logical, due to stage of maturity of Slovakia's and developments in FAC. At the same time using the same TWL partner, notably from Spain, where form partnerships have been built and who in fact initiated the creation of the structures of special prosecution and special court in Slovakia could be praised. We stay positive when evaluating the use of local experts for the creation of national indicators of poverty, as implicitly the knowledge of country-specific problems was needed to select the tertiary indicators for Slovakia.

16. The 2005 Customer Protection was designed and implemented as a TWL subject to its specific technical content, which required a relevant Member State (MS) counterpart from the TW public institution with the same or similar scope of responsibilities and competencies (preferably a customs authority). Within 2 circulations commencing in 2006, the only bidder, the Italian Customs Agency in Consortium with the National Health Institute, submitted a bid. This situation pre-determined the TWL partner who had to refine his bid (during the 2nd circulation) in order to comply with the Slovak TWL partners' (the SCA, the STI) needs and requirements. It remained disputable what was the reason of the low interest of the MSs during the given circulations: (i) either the amended title of the redrafted DPF (from the strictly customs oriented to the consumer protection oriented in order to cover a broader group of beneficiaries due to reason mentioned above), or (ii) a very specific subject of the project covering a very wide diapason of market surveillance, which might have required a larger consortium of specifically oriented surveillance bodies, what is, in fact, complicated, or (iii) lack of efficient co-operation in approaching potential TWL candidates prior to circulations. Finally, the Italian Consortium as the TWL partner was selected. The TWL project due to the extensive number of redesigned project activities was approved for 8 (instead of 6) months. Regardless of the circulation procedural issues, which limited the beneficiary to either selection of only 1 candidate or rejection of the project implementation as a whole, the form of the assistance was highly suitable.

17. *Absorption capacities were often lacking to implement MB and IS projects*, which was especially worrying at the pre-implementation phase of the 2005 FAC assistance, originally designed for the OoG, the Department of FAC, where the implementation structures collapsed after the 2006 elections and due to disputes about the ownership of the project, the € 700,000 was almost lost. This fact was repeatedly reported also in the respective Interim Evaluation (IE) Reports and a set of recommendations proposed. Finally, after an active involvement of the Aid Co-ordination Unit (ACU) and other key stakeholders, the project

⁷ PHARE project SR 0104-01-01-0009 Support to Market Surveillance System in Consumer and Helath Protection., implemented in the form of Technical Assistance for the STI as the beneficiary.

⁸ See also the thematic report on twinning R/SK/TW/08.001 of 31 July 2008, prepared by Consortium Distinct/Octigon.

found finally its home at the OoG, the DPEUFIFAC, with, however, only limited capacities for the FAC agenda, notably at the time of writing this Report with only one full-time employee dealing with this top priority and complex agenda.

18. Unfavourable developments influenced also the pre-implementation phase of the 2005 National Indicators project, which was delayed (compared to the original PF) for almost 1.5 year. The delay has been caused partly by a vacuum of staff (in summer 2006) on the FB side, notably at that time the Social Inclusion Department at the MoLSAF. The situation has later improved, notably the staffing of the Department for Social Inclusion and Assistance in Material Need, however, the ownership of the project was still in hands of only 1 employee.

19. Despite the repeated circulation of the 2005 Customer Protection project caused by objective reasons, which resulted in the delayed project start, it proved a very satisfactory level of its absorption capacity, even during preparation of the tendering documents via active participation of the key stakeholders. Further indicators of satisfactory absorption capacity are given by excessive participations of beneficiaries' representatives in project activities (seminars, consultations, etc.), which led to repeating certain seminars or workshops (with a limited participation) in order to satisfy as much beneficiaries' staff/representatives as possible and respond to the increased interest to participate at trainings. On the other hand, the Italian TWL partner couldn't, due to a very broad scope of market surveillance topics and due to the different market surveillance execution and institutional structure in his own country, provide or cover all the required topics exhaustively or in the same high quality. This fact can be reported as the consequence of the weakness of the pre-implementation phase, when the circulation was not efficiently managed (mainly in respect to activating various bidders, and also in respect to adapting the selected bidder' expertise and capacities to the beneficiaries requirements).

20. *The designed activities seem to be logical, being accompanied by corresponding Indicators of Achievement (IA)s included in the logframes.* For the wide area of FAC, bearing in mind the previous assistance from various sources, the 2005 TF focused on 4 main groups of activities: (i) effective implementation of the Council of Europe's Group of States against Corruption (GRECO) recommendations in the field of proceeds of corruption, covering development of guidelines and provision of training for police and investigators, prosecutors and judges, (ii) trainings and transfer of best practices in EU countries to the analytical section of the BFAC and of the Police Presidency, (iii) specialised trainings for lawyers focused on providing legal aid in cases showing the corrupt behaviour, (iv) study on the impact of the anti-corruption activities in the SR. The first Component was a real representative of a MB approach with all the key FBs being involved, notably the MoI and its relevant parts, the Special Court and the Special Prosecutor Office. The 2nd Component was originally aimed for the MoI, the BFAC, however, as later explained not realized. The 3rd Component was focused for the MoJ and the network of Legal Aid Centres (LAC)s and the 4th one for the DPEUFIFAC and the Slovak National Centre for Human Rights.

21. The respective logframe now includes a set of objectives, one overall one, 4 on the purpose level, corresponding the 4 components and the similar set on the result level. After the re-working, similarly to the rest of the TF logframes, this now also includes the measurable and valid IAs (see also Annex 5). However, some of the IAs are the same on the purpose and result levels, such as for the Component 1, 3 or 4. In addition, the IA for the Component 3 on the purpose level could have been defined differently to reflect the improved

work of LACs after the TF assistance, for instance in the increased number of corrupted cases announced by citizens approaching LACs.

22. For the 2005 National Indicators, the TA should have provided the following activities: (i) studying legislative and policy documents on measures in the social inclusion area and possibilities of statistical surveys executed in Slovakia (ii) working out an analytical study focused on analysis of national indicators measuring poverty in Slovakia and the EU MSs (iii) selecting and proposing the most suitable indicators (iv) preparation and performance of the survey resulted in reports on the results (v) working out the reference manual, training officials on the utilisation of the new national indicators and organising of a final conference. The key activities and outputs, notably the analytical study, the reference manual and the terrain survey were logically designed to reach the wanted goal, notably the set of national indicators of poverty. The MoLSAF and the SOSR jointly shared the ownership of these results.

23. The log frame for the project includes one overall and one project purpose objective and 3 objectives on the results level corresponding to key project's outcomes, notably the analytical study and the reference manual, together with the set of the new national indicators. Similarly to the 2005 FAC, the re-designed IAs are measurable, contain the time frame for their fulfilment. However, during the modification the target deadlines, all set for the year 2006, have not been adjusted to the delays of the project at its pre-implementation stage, which has finished only in fall 2008, thus the IAs were not realistic.

24. The 2005 Customer Protection project activities were logically grouped into 11 areas representing individual topics but mostly implemented in the same form, such as (i) seminars on general product safety EU legislation, different approaches of customs officers and market surveillance bodies to market surveillance, their mutual co-operation, different alert systems and its practices (RAS⁹, OLAF¹⁰, RAPEX¹¹), EEC Regulation 339/93, revisions and proposals for customs internal procedures and legislative changes, (ii) consultations related to the agreements on co-operation between the SCA and market surveillance bodies and to the topics derived from the seminars, (iii) study visits, and (iv) regular meetings of TWL partners' project leaders. The expected results correspond, in a more structured form, to the project activities. Despite the fact that the project overall objective and project purpose remained as originally designed, the IAs have changed¹² mainly at the overall objective level. The message of the IAs at the overall objective level remained more or less the same in general, but the quality of the IA definition '*information acquired during project activities and subsequently used in the practice will contribute to the increased expert level of the SCA and market surveillance authorities officers in the SR immediately after the project completion*' even worsened and is rather immeasurable. In contrary, the revised IAs at the project purpose level and regrouped IAs at the project result level provide for relevant relation between project purpose, activities, and desired results and can be reported as qualitative and measurable. The IAs reviewer, through setting up time limits for each result based indicator, made the conditions for fulfilling indicators more difficult. Due to the given

⁹ Rapid Alert System (RAS)

¹⁰ European Anti-Fraud Office (OLAF)

¹¹ RAPEX is the EU rapid alert system for all dangerous consumer products, with the exception of food, pharmaceutical and medical devices. It allows for the rapid exchange of information between Member States via central contact points.

¹² Upon the EC requirement for IAs improvement addressed horizontally to all 2005-2006 TF projects.

time frames, certain indicators couldn't be achieved in time but from the objective reason (e.g. legislative process, etc.) (see also Annex 5).

2.2 Efficiency and Thriftiness

25. ***MB and IS projects have suffered from delays***, caused by several reasons, including the pre-implementation stage, such as unsuccessful circulation of PFs or DPFs but also due to lack of absorption capacities to prepare programme and tendering documents (as explained under the Relevance criterion). The signature of the TWL Contract for the 1st Component of the FAC project was postponed due to combination of unclear competencies of the SPO (i.e. authorities when signing the Contract), plus holiday season in Spain, further delaying the signature of the Contract from the MS side. In addition, the DPF for the TWL under the 2nd Component unsuccessfully circulated even 2 times due to lack of suitable experts on the side of the MSs to be sent to Slovakia for a rather narrow field of assistance and eventually cancelled. For the 2005 Indicators of Poverty the delay at the pre-implementation stage was also remarkable and caused besides lack of absorption capacities at the MoLSAF dealing with social inclusion and staff turnover at that time the Phare Department (including the appointment of a new Director), also by unclear position of the SOSR as a FB (when the idea to include him as the 2nd one in the PF was not realised), and thus lack of co-operation between the MoLSAF and the SOSR when preparing the respective ToRs for the TA.

26. As already reported for the 2005 Consumer Protection project under the Relevance criterion, the repeated circulation delayed the project implementation by almost 9 months. The fact that the 2005 TF project was for the 1st time circulated in February 2006, confirms the pre-implementation efficiency of the intervention. Lack of potential bidders, which led to only 1 and the same proposal in 2 circulations, can show either inefficient co-operation of the NCPs in MSs in searching for national experts/partners or inefficient circulation management, or a demanding project design. Despite the delayed project start, the project implementation was efficiently managed by the main beneficiary (the SCA). Subordinating the project management under one main beneficiary institution proved, in case of this project, to be very efficient, whereas the other project's key beneficiary (the STI) and the indirect beneficiaries (other market surveillance bodies) represented by different ministries/sectors (the MoF, the MoE, the MoA, the MoH, etc.) and their participation in the co-management was rather formal. Such a co-management set up was influenced by the proportional participation of beneficiaries' representatives in the project activities, where the SCA prevailed. As a result, the shared management of the MB intervention with a dominant beneficiary (in terms of its staff benefiting from the project activities) proved efficient when overall managed by the same key beneficiary, what can be positively evaluated in case of the respective project.

27. ***Beneficiaries usually expressed satisfaction with the performance of TWL partners and contractors***, delivering the MB and IS projects, such as the Spanish partner representing the State Prosecution Service, with a long experience of previous pre-accession assistance to Slovakia in the field of the FAC and functioning system of special prosecution and structures. Also the FBs assessed positively the performance of contractors delivering assistance under other 2 Components of the 2005 FAC project, for which a TA form was designed. The overall satisfaction has been expressed also with the 2005 Indicators of Poverty project,

where the local Contractor was capable to put together a well-balanced team of experts, combining academicians and practitioners. However, some of the team leader's competencies had to be taken over by the Project Manager (PM) from the MoLSAF and also the early outputs, such as the Inception Report (IR) needed some coaching from the recipients of the assistance. Direct coaching of the PM contributed to the satisfactory quality of the delivered outputs. However, the key outputs, such as the analytical study and the reference manual are of a good quality. Some disputes were led also about the methodology of terrain surveys, however, without jeopardising the successful completion of the project.

28. More restrained approach in relation to full satisfaction with the TWL partners' performance was expressed by the 2005 Customer Protection beneficiaries. The expressed reservations were related to (i) the limited technical capacity of the Italian TWL Consortium in respect of the broad horizontal scope of market surveillance. Such a broad technical topic usually requires involvement of more actors narrowly specialized in the subject (what might have been the reason for unsuccessful circulation in terms of a very low interest of MSs), (ii) different institutional and responsibilities structure of market surveillance in the TWL partner's country what did lower the opportunity to efficiently benefit from the TWL counterpart best experience and from comparing the TWL partner's national setups with the Slovak surveillance set up, and (iii) the management and co-ordination of project activities from the side of a MS. The above mentioned restrictions, even if observed during the TWL partner selection phase, must have been accepted, otherwise the repeated circulation would have been unsuccessful and the project could not have been implemented at all. Regarding the TWL partner management capacity, it also showed certain limitations (e.g. late delivery of translated supporting documents for seminars what decreased the efficiency of such sessions when the translated documents were, in most cases, delivered only after the seminars). Despite all the above mentioned objections, the beneficiaries appreciated the contribution of the project and its value added as regards topics presented in the seminars, training and the study tour, draft legislative changes and agreements on co-operation adjustments.

29. *Performance of the PM is one of key success factors influencing the efficiency of MB and IS interventions*, as the respective PM is often the key intermediary among several FBs and also between the FBs and the Provider of the assistance, thus having several managerial tasks. The efficiency of the evaluated MBs and ISs was negatively influenced by frequent changes of the PM responsible for the 2005 FAC, as there were together 4 PMs assigned for the project, which caused difficulties in the collective memory and an additional drawback was the lack of necessary experience in managing such a complex project. On the other hand, it could be praised, that especially the 4th PM was very pro-active and tried to overcome the lack of the relevant experience with enthusiasm and quick emersion into the new topic. The key problem of the 2005 Indicators of Poverty PM was her limited capacities, as she besides her PM duties had to deal with her other departmental agenda (for a certain period of time deputising also the Director of the Dept. for Social Inclusion). As mentioned also in the previous evaluation, the PMs often have to deal with other than the TF-related agenda, causing the problems with their limited capacities. Moreover, the support from the Phare/TF implementing unit at the MoLSAF was rather limited, due to staff changes, which put additional burden on the shoulders of the PM. It is quite remarkable that under these conditions, the PM performed well, including the necessary coaching of the contractor and co-operation with the SOSR. Not mentioning the fact that the PM had to re-write the ToRs for the TA Contract as these did not correspondent to the respective PF, thus saving the

feasibility of the realisation of the project. The PM was provided with sufficient competencies to manage the project, which contributed to smooth implementation of the project. On the other hand, especially from the ex-post perspective it is quite surprising that no substitution for the PM was available from the side of the MoLSAF as part of the contingency planning and can be evaluated negatively.

30. The 2005 Customer Protection project reports a satisfactory level of the project management by the beneficiaries, although the SCA Project Leader (PL) was temporary replaced due to the sick leave and the STI PL was replaced due to his leave for another job position. The management and co-ordination of all other project beneficiaries was provided by the SCA as one of the main beneficiaries and 'the owner of the project idea'. The PM (the SCA) proved to be very efficient and contributed to the smooth project implementation (what can be indirectly proved by 8 individual Side Letters initiated by the beneficiaries in order to support the implementation of the project activities)

31. *Co-operation among beneficiaries was usually satisfactory*, contributing to the smooth implementation of individual activities and the whole projects. In this context the experience of the individual SPOs has significantly contributed to the flexible co-operation among ministries and the involved institutions, such as for the 2005 FAC project, where especially the SPOs from the MoI and the MoJ have had a long-term experience in joint management of EU assistance projects. The MoI, for instance, offered its own premises for training activities, printed the necessary material for the MoJ, both partners co-ordinated the timing and participation at training activities and an efficient use of the MS experts. On the other hand the role of the DPEUFIFAC was only in co-ordination of activities, with, for instance little involvement in commenting on project's outputs. The latter was probably caused by little experience of the DPEUFIFAC and the SPO office in EU project management; in fact it was the first big project under the auspices of this department. Moreover, as mentioned before, frequent changes of the PMs contributed to gaps in the collective memory and unnecessary vacuum periods in overseeing the 2005 FAC project.

32. For the 2005 Indicators of Poverty assistance, the co-operation between the MoLSAF and the SOSR could be highly praised. Though the SOSR was not a FB stated in the PF, it closely co-operated with the MoLSAF, especially during the implementation phase. The SOSR also thanks to its enthusiastic team participating at the project has actively stepped into project activities, when, for instance, commenting on documents/materials resulting from the TA, taking part at WGs, consultancies with local experts, also on ad-hoc basis and communicating with them, offering premises. At the same time, thanks to a pro-active PM representing the MoLSAF, regular contacts were kept with the SOSR, using mostly the email communication, due to limited capacities of the PM, as explained before. Moreover, the MoLSAF and the SOSR had a personal meeting prior to each SC to prepare the necessary materials and to plan the agenda.

33. For 2005 Consumer Protection, the main role in co-ordinating and managing the project activities remained with the SCA, although the project had another main beneficiary, notably the STI covering all other market surveillance bodies. Under the SCA management, the regular meetings of the project partners were arranged, invitations for seminars were distributed, interpretation was arranged, the premises for the TWL partners were provided and other project activities were co-ordinated for other main (the STI) or indirect beneficiaries (the Slovak Veterinary and Food Administration (SVFA), the State Institute for

Drug Control (SIDC), the Institute for State Control of Veterinary Biologicals and Medicaments (ISCVBM), related departments of the MoE and the MoF). The beneficiaries' project management, in certain aspects, replaced the TWL partner management. With the strong managerial and technical support of the SPO (and his staff), what was highly appreciated by the beneficiaries, the co-operation of all the involved project partners proved to be very effective and smooth.

34. *Co-operation with the ACU/ORIPES¹³ and the Central Finance and Contracting Unit (CFCU) was usually praised*, when the experienced staff from the both units contributed to the efficient implementation of TF MB projects via active participation at Monthly Meetings (MM)s, SCs and also Monitoring and Contracting Meetings. However, some changes of PMs to be reported, such as at the ACU, although without major negative impact on the project's implementation, including its monitoring (for instance, 2005 FAC). In addition, as mentioned in other evaluations, the coverage of individual sectors by the ACU staff was not fully clear even at the time of this Report. For the 2005 FAC the coaching from the side of the CFCU and calling on its collective memory was necessary to substitute the lack of the relevant experience of the SPO team. Some problems in tendering of projects, such as unsuccessful circulation of the TWL for the 2nd Component of the 2005 FAC or applying the Public Procurement Law giving less stress on the actual content of the bid besides the price and the quality of experts seem to be beyond the scope of competencies of the CFCU.

35. For the 2005 Customer Protection project, co-operation with other institutions coordinating the project proved to be smooth, although the role and competencies of the ACU/ORIPES, the SPO and the CFCU in the overall project management structure were not fully clear to the beneficiaries, in general. It can be proved, e.g. in providing information, where the reporting channels were directed mainly to the CFCU as the Contracting and Paying Authority, bypassing the SPO and the ACU in many cases. The awareness and perception of the role of the ACU and/or the SPO in the project management structure is lagging behind, in general. Each of the key players (the ACU, the SPO, the CFCU) is, from the beneficiary point of view, connected with the certain project (pre-) implementation phase, and thus the information and work flow 'from the bottom up' did not always cover all the involved managing institutions. Within the circulation process, the NCP's more pro-active role in co-operating with the beneficiaries in searching for potential partners was expected by the beneficiaries, however, showing the gaps in awareness about the actual role of the NCP in the whole selection process. Following the first 'unsuccessful' circulation, the beneficiaries tried to contact the most relevant TWL partner on their own, based on the NCP recommendation. Despite the effort of the key beneficiary, the approached TWL partners were finally not contacted by their NCPs. However, the overall co-operation with the ACU, the SPO and the CFCU was highly appreciated by the beneficiaries and can be reported as satisfactory.

36. *The SCs performed mostly satisfactory*, whereas their composition was usually set in the programming documents, their establishment, though recommended in several IE Reports was rarely done before the signature of the respective contract. The composition of SCs was usually appropriate, including the representatives of FBs, the SPO and his/her team, the CFCU of the MoF and the ACU/ORIPES.

¹³ ACU – part of the Department for the Management and Implementation of EC Assistance of the Office of the Government SR (the ACU/ORIPES)

37. For the 2005 FAC the SCs were set separately for all the implemented 3 Components, besides the abovementioned members, the SC were attended also by other members, for instance, the key experts or a representative of the Spanish Embassy, for the 1st Component. The SCs were organized on a regular basis, as a rule once per month, during their meetings progress of implementation was discussed, the future deadlines were harmonized and feedback from activities provided. Besides the SC the DPEUFIFAC organised also MMs with the ACU and the CFCU participating, where information on the progress of all projects under the auspices of the DPEUFIFAC was provided as well. The role of the SC was to a certain extent played also by the Monitoring and Contracting Meetings organised by the ACU, where the CFCU and the Department of Payments of the MoF participated and information on the progress of contracting was provided (together with key problems and developments in implementation of projects).

38. The SC for the 2005 Indicators of Poverty was also established only after the signature of the TA contract with the local provider. The SCs were organised quite frequently, in average once per month. The composition, besides the ACU, the CFCU, the SPO, included the experts of the Contractor, the MoLSAF, the SOSR and also the Institute for Research of Labour and Family of the MoLSAF. The SC meetings were well-prepared, with the MoLSAF and the SOSR always having a pre-SC meeting and the relevant materials were sent to the participants in advance. The SC provided comments to project's outputs, discussed problems and issues, such as pilot surveys and their form. The individual experts often came with new ideas and it was difficult to comment on them during the meeting and the SC seemed to substitute to some extent the role of a WG. Also it took the SC a while to approve, for instance, the respective IR.

39. As for the TWL/TW activities, the SC role and position is perceived as more formal than for the TA. The SC main activities are linked with the approval of the key TW/TWL project reports, the frequency of which is pre-determined. On the other hand, the formal decision making and 'endorsement' body institutionalising the project decisions, outputs and results was assessed and perceived by beneficiaries and SPOs' team as inevitable for the smooth project progress in case of the 2005 Customer Protection project.

2.4 Other Criteria

Effectiveness

40. ***Effectiveness measured via the fulfilment of the Immediate Objectives (IO) shows good results***, The 2005 FAC project via series of training sessions for different LEAs, including the Special Court and the Special Prosecutor's Office, being complemented by specific guidelines and model documents, together with legal recommendations should *further strengthen institutional and administrative capacity to prevent and combat corruption*. The LEAs, however, can not fully benefit from the prepared guidelines by the TWL team, as these are not available in the Slovak language. After the completion of the TA for LACs the project should have brought effects via a comprehensive training, complementary methodological and information material for the experts and also broader public, thus at the same time fulfilling the respective IO: *ensure adequate access to justice by improving the capacity of newly created free legal aid centres*. Also the under the TA completed anti-corruption Study should provide the relevant authorities with *the overview of the evaluation of the regulation*

and the mechanisms favouring the activities in the field of FAC, esp. when updating the NP FAC (the respective IA asks for its amendment till 2010) . Some loss to be reported due to unsuccessful TWL aimed for the component 2, which was not implemented, notably training and transfer of best practices in EU countries to the Analytical Section of the BFAC and of the Police Presidency. However, part of the designed activities were covered by other TF 2005 Components and also provision of internal MoI training; therefore the loss of potential effects is only partial.

41. After the completion of the project in fall 2008, we can conclude that the 2005 National Indicators assistance fulfilled the respective IO, which was defined in the programming documents as *creation of third level indicators of poverty and social exclusion regarding the national particularities to complement the Common Laeken Indicators*. The project, especially via the provision of the set of poverty and exclusion indicators and establishment of their permanent monitoring (now secured by the MoLSAF) as part of the final reference manual, should enable the MoLSAF and the key stakeholders to monitor better social inclusion in Slovakia and at the same time target the respective financial benefits for the key target groups, such as handicapped people, youth or single parents in an enhanced way.

42. As for the 2005 Customer Protection project, the series of 8 (2 or 3 days) specific seminars and training and 2 series of consultations for around 590 participants in total and the study tour for 30 participants substantially *‘enhanced implementation of the EU and national legislation related to customer protection in the practice of the Slovak Customs Administration and Slovak market Surveillance Bodies’* as required by the project IO. Moreover, the TWL partner provided additional final activity, i.e. the conference on administrative procedures for the product safety controls for 100 public officers and representatives of Consumer Associations. The conference was accepted with reservations from the side of the beneficiaries, because it was not originally planned. Finally it proved to serve as an excellent platform for meeting and exchanging experience for all key national players in market surveillance.

Sustainability

43. ***Some first signs of sustainability to be reported for the reviewed projects***, such as using the recommendations from the anti-corruption study in the update of the roof policy document in the field of FAC , notably the NP FAC and the AP, including the proposals for amendment of the relevant legislation or the growing network of the state-supported LACs. In addition, the 2005 and 2006 projects for the MoI follow the previous assistance to FAC focusing on the members of the Police Force. The DPEUFIFAC is also the recipient of the 2006 TF Unallocated Institutional Building Capacity TA 2006 Training of Trainers in the Field of Protection of EU Financial Interests, with some linkages to the FAC agenda as well. On the other hand, the long-term sustainability of the Special Court and the Special Prosecutor’s Office was still not fully clear at the time of the Report, pending on the decision of the Constitutional Court. At the same time the assigned capacities to deal with the complex FAC agenda at the OoG were minimal.

44. The 2005 National Indicators besides materializing the outcomes of the TF intervention in preparing the relevant reporting, as mentioned bellow and fine-tuning the social policy in Slovakia, has managed to contract the Institute for Labour and Family Research under the MoLSAF to perform the monitoring of the indicators of poverty. Moreover, follow-up projects existed to be financed from the European Social Fund and executed by the UNDP in

the field of monitoring of living conditions Roma communities. However, the future position of the PM within the MoLSAF structures was rather unclear at the time of this Report, showing the implicit risk when the project's ownership is limited to only limited members of the staff.

45. The sustainability of the 2005 Customer Protection project can be assessed from several aspects: (i) the sustainable execution of co-operation agreements between the SCA and market surveillance bodies (the STI, the SVFA, the SIDC, the ISCVBM) in the area of common market as adjusted under the given project, (ii) legislative changes derived from the project (except the drug control legislation), (iii) sustainable exchange of information and use of alert systems as supported by the project and finally (iv) more intensive formal and informal co-operation among main beneficiaries confirmed by regular annual informal meetings repeating as from the project implementation period.

Impact

46. ***The forecasts of impact are vastly positive***, such as for the 2005 FAC project, where according to the latest data published on the Transparency International Web site, the Corruption Perception Index (CPI), has slightly improved compared to 2007, reaching now 5.0 (4.9 in 2007). However, Slovakia is ranking only 52nd out of the 180 evaluated countries, which is still rather disappointing result. On the other hand, the target value for the respective IA corresponding to the Wider Objective (WO) '*combat corruption in a more efficient and specialised manner*', notably to reach the CPI 5.2 by 2010 is quite realistic to be reached. However, according to the GRECO 3rd Round Evaluation Report on the SR of February 2008 has identified some issues of FAC in Slovakia, notably criminalisation of corruption and transparency of party funding.

47. The MB EU projects have often contributed to the improved co-operation among several ministries or institutions, otherwise working in isolation, such as LEAs, which could be often evaluated as the key impact from the assistance.

48. The 2005 National Indicators will definitely have a positive impact measured via its contribution to the respective WO '*improvement of monitoring framework of the social inclusion process*'. The TF assistance via providing the methodology for defining, calculation and interpretation of national indicators on poverty and social exclusion, together with the monitoring instruments will be used for setting up the framework of regular monitoring of the socially excluded groups. Also the MoLSAF should be able to adopt more effective state subsidies or benefits for the lowest income groups, together with the improved reporting towards the EU, such as for the 2010-2012 National Report on Social Inclusion for Brussels (though the valid g frame requires earlier deadline).

49. The 2005 Customer Protection impact is closely linked to its sustainability and mainly with achieving the '*overall improvement of customer protection from the sides of the SCA and Slovak Market Surveillance Bodies*' as the project WO. The aim of the project connected with its WO, i.e. that information and practice acquired during the project activities shall be used in the practice and shall contribute to the increased expert level of the SCA and market surveillance authority officers in the SR, has impacted the technical and personnel capacity of the SCA and market surveillance bodies in the short term period, due to the increased official staff reduction (connected to the public administration efficiency and effectiveness measures by the Government) and linked staff fluctuation. One and half year after the project

implementation, it can be concluded that most of the SCA and market surveillance bodies' staff benefited from the project activities have left the beneficiaries due to staff reduction measures and the real project impact has been therefore decreased. Moreover, the beneficiaries currently 'suffer' from undersized technical personnel capacities that are not able to cover the broad range of required market controls, and thus the main feature of the project WO, i.e. the '*improved customer protection*' has waned.

2.5 Performance Rating

JHS	Relevance	Efficiency	Effectiveness	Sustainability	Impact	Verbal Rating
Justice and Home Affairs						
2005/017-464.03.03 Fight against Corruption	2	0	1	1	1	S
Human Resources Development and Health Care						
2005/017-464.05.01 National Indicators	1	1	1	1	1	S

INT	Relevance	Efficiency	Effectiveness	Sustainability	Impact	Verbal Rating
Internal Market						
2005/017-464.02.03 Consumer Protection	1	1	1	1	1	S

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

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

3. CONCLUSIONS AND RECOMMENDATIONS

3.1 Conclusions

50. The evaluated MB and IS projects show good results in their relevance, when taking into account their linkages to the strategic EU and national documents, both at the time when the projects were designed and at the time of their implementation. The highest relevance could be observed in the area of the JHA, such as the FAC, especially after the re-establishment of the works on the update of the NP FAC. The high relevance can be also reported for the Customer Protection, where the adjustment of EU *acquis* and enhancement of national capacities in internal market and related customer protection was required by the EC. However, timing of the TF assistance was not always optimal, when, due to delays in the implementation caused postponement of the original use of the assistance, such as for the preparation of the to use the outputs of the projects for the National Report of Strategy of Social Protection and Social Inclusions 2008-10.

51. As for the project objectives and IAs, the intervention logic based on qualitative indicators is the basis for evaluation of the related intervention/operation (relevance, effectiveness, efficiency, etc.) and for ongoing measurement of its performance. Mainly, in case of several Intersectoral beneficiaries, the set up of relevant horizontal indicators in the context of sectoral and EU policies has also an impact on the quality of the relevant Monitoring and Evaluation.

52. MB and IS projects as a form of assistance involving several FBs is key for broad agendas, where the participation of several institutions is necessary to reach the set goal. Various EU projects incorporated a certain input from more than one FB, however, official involvement of several MBs is justified, once the input is substantial enough, or the project is naturally split into components, which could be easily assigned to different FBs. The number of FBs must be, however reasonable, in order to avoid unnecessary increase in project administration, complicated communication and overall project management. MB projects are well-suited for broad fields, such as public administration support, fight against drugs or corruption or, for instance control of pesticides, as well as for horizontal market and customer protection. In some narrower areas inclusion of the second or third partner might be questionable. In these cases the administrative burden of the additional FB should be compared with benefits when having the direct influence, for instance, when dealing with the provider of the assistance. In either case, the decision about the number of FBs should be done at the very beginning of the project's preparatory phase, to avoid future misunderstandings.

53. Co-operation among beneficiaries was usually satisfactory, contributing to the smooth implementation of individual activities and the whole projects. In this context the experience of the individual SPOs has significantly contributed to the flexible co-operation among ministries and the involved institutions. However, the role and responsibilities of institutions, like the ACU, the SPO, the CFCU, etc. involved in the horizontal project/programme management were not fully clear to some beneficiaries.

54. The MB TWL projects, according to rules designed for 6 months duration proved to be very demanding for the beneficiaries' staff in respect to internal management capacities.

Involvement of extra personnel on the full time basis for 6 months was considered ineffective, thus the key beneficiaries' staff was required to manage the project, participate in the project activities and perform their standard job tasks at the same time. Such combination has decreased the EU project value added for the beneficiaries who performed the project management.

55. The key factors, which affected effective implementation of the evaluated projects administered through 'institutional partnership', could be identified as follows:

- participation of all potential beneficiaries at the project design, enabling fine-tuning the assistance to real needs of individual institutions
- realistic project design with feasible number of activities and the well-chosen TW partners/contractors
- ownership of the project, especially by the key beneficiary, shown among others, via commitment and active involvement of senior officials supporting the EU intervention
- clear split of responsibilities among Slovak partners, with complementary competencies
- smooth co-operation between the Slovak and MS partners
- effective work of SCs and WGs, SPO teams and the respective PMs, capable to manage the TF assistance

56. Main factors, which slow down the decision-making process during the project implementation period, could be identified as follows:

- lack of absorption capacities, especially on the key beneficiary side
- lack of experience in management of EU projects, especially Phare / TF
- fluctuation of staff, including the SPOs and PMs
- SCs dealing with other than the key agenda, sometimes replacing the WGs
- Lack of the TL experience on the contractor side
- Lack of understanding of roles of the CFCU, the ACU

57. The SCs performed mostly satisfactory, when supporting effective and efficient implementation of MB a IS operations. The composition of the SCs was usually optimal and already pre-defined in the programming documents, including all the key stakeholders, thus enabling to make necessary decisions to support smooth implementation of the projects. However, establishment of the SCs was rarely done before the signature of the respective contract, though recommended in several IE Reports, which would have contributed to the efficiency of the pre-implementation phase of the projects, especially the complex ones. The meetings of the SCs were usually well-prepared, however their activities sometimes overlap with those of the Monitoring and Contracting Meetings organised by the ACU or the WGs, which had a negative influence on the efficiency of the TF interventions at the same time.

58. The form, purpose and management of assistance, as well as its institutional set up provided under the TF at the national level differ from the Structural Instruments, where the management and institutional framework are directly regulated by the Council Regulations. The MB approach at the programme level or operations (i.e. projects) level is kept for both forms of assistance. Due to the form of structural assistance, where the project budget and

responsibility for its use and its implementation are directly shared by the MBs and are liable to regular verifications by national control bodies, the active involvement of MBs in the shared management is therefore partially pre-determined. For other aspects of activities managed by several beneficiaries, the lessons learnt and derived recommendations in Chapter 3.2 are valid for both pre- and post-accession assistance.

3.2. Lessons Learnt and Recommendations

3.2.1 Lessons Learnt

59. Besides national and EU strategic documents and legal acts, also political will must exist to implement change or continue in the reform process, expressed, for instance in the policy manifesto and materialized in the actual work of the Government and senior officials.

60. Future FBs and stakeholders should be involved in the preparatory process, at the programming stage for the project to cover their actual needs. Also project goals and IAs to be drafted carefully, reflecting the content of the project and setting realistic goals and tools for their measurement.

61. In respect to the MB project duration, the project/programme management personnel capacities of main beneficiaries shall be taken into account when designing projects: either to place the project at the roof institution where any project/programme management unit is in place and operational or to design the MB projects for min of 1 year with allocation of sufficient internal staff for its management.

62. For complex projects, involving a number of experts and delivering assistance to several institutions, the form of a TW should be considered, as the Resident Twinning Advisor could be beneficial when managing inputs of experts and co-ordinating the activities with FBs, besides the PM . Long-term partnerships tend to work best.

63. Communication is key for the successful implementation of MB and IS projects, the form of the communication to be agreed on the outset of the project and the email communication to be complemented by personal meetings to avoid any communication buzz. Also sufficient budget to be allocated for translation and interpretation purposes for English language not to represent a problem in communication among partners.

3.2.2 Recommendations

64. When several FBs are involved, their split of responsibilities and competencies should be clear from the start of the project, incl. a clear vertical (intra-institutional) and horizontal (Intersectoral, e.g. the ACU, the NCP, the SPO, the CFCU, etc.) management framework. Also sufficient absorption capacities should be planned and other than project-agenda taken into account.

65. Besides the composition of the SCs in the programming documents, such as PF, also the establishment of SCs is recommended at the pre-implementation stage. The meetings of the SC should be well-prepared with the respective agenda available in advance and the content

of the discussions should not substitute the expert work, which should be subject to the meetings of the working groups instead.

66. For cross-sectoral projects, the key recipient and the respective SPO should be placed in the roof institution, such as the OoG or the MoF and equipped with sufficient competencies and supported administratively. Also the PM responsible for a MB should be experienced in EU project management, should preferably not be replaced during the project

67. Increased attention must be paid to the quality of IA, as well as to their real measurement and performance measurement capacity (within the SFs managing authorities) in the context of the vertical and horizontal project/programme objectives, internal logic and the overall policy. This agenda that proved to be a weakness for the projects funded from the pre-accession funds still remains relevant. Defining high quality indicators is especially relevant for the assessment of an effective use of the EU Structural operations.

ANNEXES

ANNEX 1 List of Interviews

INSTITUTION	INTERVIEWEE	DATE
Ministry of Interior SR Pribinova 2 SK-812 72 Bratislava	Ms Nadezda Patoprsta Director, SPO Foreign Aid Dept.	25 November 2008
Statistical Office of the SR Miletičova 3 SK-824 67 Bratislava	Ms. Ludmila Ivancikova	26 November 2008
Office of the Government of the SR Department of Protection of EU Financial Interests and Fight against Corruption Radlinskeho 13 811 07 Bratislava	Ms Draga Inovecka Director	26 November 2008
Office of the Government of the SR Department of Protection of EU Financial Interests and Fight against Corruption Radlinskeho 13 811 07 Bratislava	Ms Renata Petrivalska Deputy SPO	26 November 2008
Office of the Government of the SR Department of Protection of EU Financial Interests and Fight against Corruption Radlinskeho 13 811 07 Bratislava	Ms. Dorisa Tetakova Project Manager	26 November 2008
Ministry of Justice SR Župne nam. 13 SK-813 11 Bratislava	Ms. Margita Petrovicova* Project Manager Section of International and European Law	1 December 2008
The Ministry of Labour, Social Affairs and Family of the SR Spitalska 4-6 SK-812 47 Bratislava	Ms. Silvia Gregorcova	2 December 2008
Office of the Special Prosecution Suvorovova 5/A SK- 902 01 Pezinok	Mr. Vladimir Turan*	2 December 2008
Special Court Suvorovova 5/A SK- 902 01 Pezinok	Mr. Michal Truban** President	4 December 2008
Ministry of Interior SR Bureau for FAC Pribinova 2 SK-812 72 Bratislava	Mr. Roland Kakas** Director	8 December 2008
Office of the Government of the SR Aid Co-ordination Unit Nam. Slobody 29 SK-813 70 Bratislava	Ms. Sona Gabcova Programme Manager	8 December 2008
Office of the Government of the SR Aid Co-ordination Unit Nam. Slobody 29 SK-813 70 Bratislava	Ms. Marianna Macaskova Programme Manager	8 December 2008
Office of the Government of the SR Stefanikova 2 SK-813 70 Bratislava	Ms. Michaela Simunicova* Programme Manager	10 December 2008

INSTITUTION	INTERVIEWEE	DATE
Ministry of Finance of the SR Stefanovicova 5 SK-821 35 Bratislava	Ms. Lucia Zimanyiova	20 January 2009
Customs Directorate of the SR Mierova 23 SK-851 11 Bratislava	Mr. Jan Gajdos Executive Assistant to the Project Manager	21 January 2009
Customs Directorate of the SR Mierova 23 SK-851 11 Bratislava	Mr. Viliam Pruzinec Project Leader	21 January 2009
Customs Directorate of the SR Mierova 23 SK-851 11 Bratislava	Mr. Henrich Cernusko	21 January 2009
Slovak trade Inspection Prievozska 32 827 99 Bratislava	Mrs. Iveta Sedajova Project Leader	21 January 2009

ANNEX 2 List of Documents

LIST OF DOCUMENTS REFERRED TO IN THE THEMATIC EVALUATION

Name of Originator	Date	Title of Document
European Commission	December 2003	Programming and Implementation Guide – Transition Facility
European Commission, DG Enlargement	November 2003	Comprehensive monitoring report on Slovakia's preparations for membership
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/MWH Consortium	2006	Phare Ex-Post Evaluation. Phase 1, Multibeneficiary Programmes: Statistics
European Commission/MWH Consortium	2007	Phare Ex-Post Evaluation. Phase 1, Multibeneficiary Programmes: Small and Medium-Sized Enterprise Finance Facility
European Commission/MWH Consortium	2007	Phare Ex-Post Evaluation. Phase 1, Multibeneficiary Programmes: TAIEX
European Commission/MWH Consortium	2007	Phare Ex-Post Evaluation. Phase 1, Multibeneficiary Programmes: SIGMA
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
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
DISTINCT	December 2008	Country Evaluation Report R/SK/TF/CER/08.002
MoLSAF/Euroformes	January 2008	Inception Report 00501746405-01-01-0001
MoLSAF/Euroformes	February 2008	200501746405-01-01-0001 1st Interim Report
MoLSAF/Euroformes	NA	Draft Analytical Study 00501746405-01-01-0001
MoLSAF/Euroformes	September 2008	Reference Manual Indicators of Poverty
MoLSAF/Euroformes	October 2008	Final Report Indicators of Poverty
OoG	NA	Project Proposal UIBF 2006 Protection of EU Financial Interests
DPFIEUFAC/Euroiuris/C&M	January 2008	1st Progress Report 2005/017-464-03-03-01-0001
DPFIEUFAC/Euroiuris/C&M	April 2008	Final Report 2005/017-464-03-03-01-0001
DPFIEUFAC/Spanish Public Prosecution Office	NA	Inception Report TWL SK/2005/IB/OT/01

Name of Originator	Date	Title of Document
DPFIEUFAC/Spanish Public Prosecution Office	February 2008	Start-up Report SK/2005/IB/OT/01
DPFIEUFAC/Euroiuris/C&M	February 2008	1st Progress Report 2005/017-464-03-03-01-0003
DPFIEUFAC/Euroiuris/C&M Government Office SR	April 2008	Final Report 2005/017-464-03-03-01-0003
Customs Agency Italy National Health Institute Italy	5 January2007	Terms of Reference 2005/017-464.02.03
Customs Agency Italy National Health Institute Italy	April 2007	Start-up Report 2005/017-464.02.03
Customs Agency Italy National Health Institute Italy	July 2007	Interim Report 2005/017-464.02.03
Customs Agency Italy National Health Institute Italy		Final Report 2005/017-464.02.03

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

ANNEX 3 List of Selected Projects Included in the Evaluation

Project No.	Project Name	Allocated Budget	Beneficiary
JHS			
2005/017-464.03.03	Continued Support to the Fight against Corruption in the SR	340,000	OoG
2005/017-464.05.01	Creation of National Indicators in the area of Poverty and Social Exclusion (Tertiary Indicators)	250,000	MoLSAF
INT			
2005/017-464.02.03	Improvement of Co-ordination among the Slovak Customs Administration and Slovak Market Surveillance Organisations in the area of Consumer protection	250,000	MoF, SCA and STI

ANNEX 4 List of Evaluation Questions

THEMATIC EVALUATION REPORT 1 EVALUATION QUESTIONS

Evaluation Criterion	Question	Proof of Evidence
Relevance	To which extent are the project objectives in compliance with programming documents and needs of activities' beneficiaries?	Available documentation related to the needs of the Slovak republic and available strategic documentation.
Thriftiness and Effectiveness of Project Management	To identify to which extent 'co-ownership' of several project beneficiaries contributed to the achievement of results and effective achievement of objectives.	Achieved results as defined in Project Proposals. Appraisal of project implementation by beneficiaries
	What factors did affect the effective implementation of projects administered through 'institutional partnership'?	Assured flexibility of institutions in the partnership
	What factors did slow down the decision/making process during the project implementation period? Do propose how to improve the project management/ administration at the related conditions.	The developed strategy
	To which extent did Steering Committees contribute to effectiveness and efficiency of their operations?	Establishment of Steering Committees before the tender dossier have been completed

ANNEX 5 List of Indicators

INDICATORS OF ACHIEVEMENT

INDICATOR LEVEL	OBJECTIVES	INDICATORS OF ACHIEVEMENT (OBJECTIVELY VERIFIABLE INDICATORS)	STATE OF ACHIEVEMENT ¹⁴
JUSTICE AND HOME AFFAIRS			
2005/017-464.03.03 Continued Support to the Fight against Corruption in the SR			
Project Purpose	Further strengthening of institutional and administrative capacity to prevent and combat corruption	<ul style="list-style-type: none"> ▪ Law enforcement agencies investigate, reveal and make decisions in the field of combating corruption according to the recommendations presented in the GRECO report after the project implementation 	The TWL finished in summer 2008, guidelines in the area of search, seizure and confiscation of the proceeds of crime delivered, staff of LEAs trained. The last GEREKO Report issued in February 2008.
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"> ▪ Increase of disclosed crimes related to corruption of 4% by 2010 compared to the number of 2% disclosed in the year 2006 	The component not implemented, however the MoI provided training from internal sources, plus other components substituted part of the training
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"> ▪ 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 	LACs staff trained and equipped with the methodological materials and leaflets for public provided
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"> ▪ Upgrading of the National Programme for Fight against Corruption by December 2010 	The anti-corruption study approved finalized in June 2008, recommendations used for the update of the Fight against Drugs NP, however, the deadline is unclear.
2005/017-464.05.01 Creation of National Indicators in the Field of Poverty and Social Exclusion (the Tertiary Indicators)			
Project Purpose	Creation of third level indicators of poverty and social exclusion regarding the national specificities to complement the Common Laeken Indicators	<ul style="list-style-type: none"> ▪ Required national poverty and exclusion indicators and methodology of their calculation delivered till 03/2006 ▪ Proposals for establishment of permanent monitoring delivered till 12/2006 	Required national poverty and exclusion indicators and methodology of their calculation delivered in the final Reference Manual in September 2008.

¹⁴ Source : ORIPES

INDICATOR LEVEL	OBJECTIVES	INDICATORS OF ACHIEVEMENT (OBJECTIVELY VERIFIABLE INDICATORS)	STATE OF ACHIEVEMENT ¹⁴
			As a result of activities 2 and 3 reflected in Final Reference Manual dated on 5 Sept2008. Final proposal stipulations raised at the closing SC, financial means of the MoLSAF in the 2009 budget for monitoring allocated and the contract assigned for the Institute for the Research of Labour and Family
INTERNAL MARKET DEVELOPMENT			
2005/017-464.02.03 Enhancement of Co-ordination between Slovak Customs Administration and Slovak market Surveillance Bodies in the Field of Consumer Protection			
Project Purpose	Enhanced implementation of the EU and national legislation related to consumer protection in the practice of the SCA and Slovak Market Surveillance Bodies (SMSB)	<ul style="list-style-type: none"> ▪ Compiled database of relevant legislation and interpretation of the legislation in the field of market protection co-ordination by Customs and Market Surveillance Bodies till 7/2007 ▪ Trained SCA and Market Surveillance Authorities officers in customer protection till 7/2007 ▪ Agreements on co-operation revised by the SCA and SMSB till 7/2007 ▪ Internal regulations of SCA procedures revised by the SCA till 8/2007 	<p>The database was compiled till 07/2007. In the database there are 25 EU legislation rules.</p> <p>66 customs officials and 22 officials from the STI, 2 officials from the SVFA, 1 officer from the MoE and 1 officer from the MoF were trained till 07/2007.</p> <p>The Agreement on Co-operation between the SCA and the STI, the SVFA, the SIDC and the ISCVBM were reviewed.</p> <p>Within the project, the SCA has started revision of the internal regulation issued by the General Director on consumer protection. The process was finalized in the 3rd quarter of 2008.</p>

ANNEX 6 Previous Evaluations

Pre-accession and post-accession assistance provided to beneficiary countries by the EU has been regularly assessed using the standardised evaluation methodology. The evaluation of MB programmes available on the official EC Web site¹⁵ was carried out during 2005 and 2006 by external evaluators. The published evaluation reports addressed specifically the implementation of SIGMA, TAIEX, Statistics programmes and Small and Medium-Sized Enterprise Finance Facility¹⁶. They were elaborated on a sample of beneficiary countries and the Slovak Republic was covered by all evaluations analysed.

The MB interventions were into considerable extent demand driven, so highly relevant to prevailing needs of beneficiaries. However, securing the relevance, as well as desired effects, required an active participation of all stakeholders in the design and implementation phases. Involvement of numerous partners implied the need for sound management and good co-ordination with other activities. The quality of management was determined by existence of clearly defined procedures and adherence to the procedures, but at the same time had to remain flexible in order to reflect changes in external and internal environment. The centralised system often led to increased use of resources necessary for management and implementation, which lowered the cost effectiveness of operations.

Addressing needs of various beneficiaries within the single operation seemed to have, in most cases, a capacity to produce quality outputs. The spectrum of factors that potentially can influence an accomplishment of objectives is wider compared to single beneficiary actions. However, the effectiveness of MB interventions under the programmes seemed to be above the average. The engagement of partners in design and implementation visibly contributed to the ownership of outputs and results, and consequently the higher effectiveness of actions. Both formal, as well as informal relationships impacted the achievement of objectives. The EC internal monitoring of some programmes showed some deficiencies and should be improved to be a fully functional management instrument. Additionally, introduction of indicators able to capture primarily qualitative aspects of Multibeneficiary interventions seems to be a challenge.

Sustainability of operations implemented for benefit of various institutions seemed to be below the desired level. The key factors undermining the lasting of positive effects on beneficiaries was: (i) constrained dissemination of outcomes within beneficiary organisations, (ii) change of personnel involved and (iii) lack of follow up activities, particularly in human resources development. Learning could be considered as an important lasting effect of this type of interventions, although not measurable, as design, management and implementation of domestic policies placed more emphasis on cross-sectoral approach and close co-operation of numerous partners. It was recommended to take concrete measures to enhance sustainability of activities within beneficiary institutions.

¹⁵ http://ec.europa.eu/enlargement/how-does-it-work/financial-assistance/phare/evaluation/interim_en.htm

¹⁶ Other evaluations were focused on the JHA and also Environmental programmes