

Interim Evaluation No. R/SR/JHA/0106



Programmes covered:

2002/000-610.01 Support to the Civil Service Office
2002/000-610.02 Unallocated Institution Building Facility
2002/000-610.19 Implement the Schengen Action Plan and Continue to Upgrade the Infrastructure at the EU Future External Borders
2002/000-610.21 Support for the Implementation of the Dublin Convention
2002/0000-610.22 Strengthening the Effectiveness of Investigation and Prosecution Procedures
2003-004-995-01-01 Modernisation of the Slovak Civil Service and Public Service
2003-004-995-01-02 Support to the Public Administration Reform
2003-004-995-01-03 Fight against Corruption
2003-004-995-01-04 Unallocated Institution Building Facility
2003-004-995-03-19 Strengthening the Reception Capacities for Asylum Seekers in the SR
2003-004-995-03-20 Establishment of EURODAC in the SR
2003-004-995-03-21 Modernisation of Technical Equipment at the Slovak International Airports
2003-004-995-03-22 Strengthening the Efficiency of the Judiciary
2003-004-995-01-23 Compliance with EU Criteria on Police Co-operation and the Fight against Crime
2003-004-995-03-24 Combating Money Laundering

**Interim Evaluation of the
European Union
Pre-Accession Instrument
Phare**

The Slovak Republic

**Sector: Justice and Home
Affairs**

Author:



Date: 15 March 2006

Controlled copy.....of.....

Signed:.....



This report has been prepared as a result of an independent evaluation by D&D Consulting being contracted under the Phare programme.

The views expressed are those of D&D Consulting and do not necessarily reflect those of the Government Office of the Slovak Republic.

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EXECUTIVE SUMMARY

The Slovak Republic – Justice and Home Affairs

Monitoring Reports: M/SR/JHA/05011 issued on 20 October 2005

Interim Evaluation Report: R/SR/JHA/0106

A) Background and scope of the evaluation

The purpose of this Interim Evaluation is to assess the performance of on-going Phare support under the Justice and Home Affairs Monitoring Sector, assisting Slovakia in the area of justice, public administration, fight against crime, corruption, drugs, and law enforcement, preparation for Schengen border management, asylum and migration. This Evaluation covers Phare support allocated for the years 2002 and 2003, approximately totalling a sector allocation of 24.4 M€ from Phare and 5.6 M€ from national sources. The applied interim evaluation methodology is based on the following four main evaluation criteria: *relevance*, *efficiency*, *effectiveness*, *sustainability* and on *impact*¹.

B) Main evaluation findings and conclusions

Most of the projects under evaluation are *relevant*, clearly directed towards identified sectoral problems and needs. Overall, there have been some improvements in the design of individual interventions. In general, however, the design of individual interventions suffers still too much from the usual weaknesses, such as too general and inadequate objectives and indicators. The quality of logframes has still room for improvement. Since the design phase of the pre-accession assistance is essentially completed, there is only hope that at least lessons learnt will be drawn by the respective authorities for an improved programming of Structural Funds interventions.

There remains serious concern for the 2003 Modernisation of Civil Service intervention which does not satisfy the relevance criterion at the time when physical implementation has been launched. The changed direction of the governmental policy in the area of civil service reform together with ceasing governmental commitment towards the benefiting Civil Service Office puts the whole assistance under question. Again approval was granted to construction projects having no building permits, which resulted in difficulties with timely implementation (2002 Schengen). The 2003 Airports proposal aims to equip airports with security equipment but was approved without prior checking if proper facilities would be available.

Efficiency of the various Justice and Home Affairs projects under evaluation varies. Too many projects were contracted only by the end of the commitment deadline. Some implementation problems are attributed to the rigidity of the PHARE system, lack of experience, insufficient

¹ *Relevance*, whether the design of the project targets the needs of beneficiaries; *Efficiency*, whether the same results could have been achieved at lower costs; *Effectiveness*, whether the project purpose has been achieved; *Sustainability*, whether project benefits are likely to continue after external funding ends; *Impact*, the extent to which the benefits received by the beneficiaries had a wider overall effect.

absorption capacity, and lengthy tendering procedures - this time also affected by the lengthy accreditation for the Extended Decentralised Implementation System. In a few cases allocations were lost because of delays in tender preparation. The supply contracts were managed rather quickly. They often expire earlier than other related projects and the delivered equipment has then to wait for completion of construction works or software development. Several issues were identified where solutions should be found quickly in order to make the already purchased equipment operational. For instance, the supply of camera monitoring systems (2003 Airports) needs some reasonable decision to ensure the proper utilisation of the supplied equipment². The parallel development of two asylum databases (one for the Migration Office, one for the asylum courts) was inefficient.

After encouraging results achieved by the 2002 intervention for the Civil Service Office, the governmental policy towards Office has changed and in this context the implementation of assistance provided through PHARE 2003 requires reconsideration. Delays in contracting caused a problem for the Ministry of Justice where an important technical assistance project was lost. In terms of the efficiency more could have been achieved also within the 2002 Investigation and Prosecution twinning. The project suffered from a lack of experience and from design deficiencies. The electronic exchange of files among Law Enforcement Agencies is a long term and costly national effort supported through PHARE since years but it cannot be successfully completed without the more active involvement of the Ministry of Interior.

The management of PHARE programmes at the Ministry of Interior suffered from frequent personnel changes. Additional availability of EU funds from the Schengen Facility reduced the effective absorption capacity of the Ministry. Working methods and co-operation and communication with other Law Enforcement Agencies still ask for improvement at the Ministry of Interior.

The *effectiveness* of the PHARE assistance is in most cases adequate. A few interventions have performed less effectively and did not succeed to achieve the project purpose. For instance the 2002 Development of Asylum Database is not utilised. It would not be reasonable to insist on further use of both SW tools and agreement on the provision of data from only one database to both, Migration office and asylum courts staff, could be a feasible solution. The effectiveness of 2003 Money Laundering is hampered because of the lack of political support to adopt the respective legislation. The ambitious aims of the 2002 Support to Civil Service Office programme were achieved however, under the current political circumstances they are not likely to substantially maintain. For the same reason, the 2003 Modernisation of Civil Service programme is at present unlikely to achieve the original purpose. The current unfavourable situation will also require adequate action to ensure cost-effectiveness. Despite obvious benefits from the 2002 Investigation and Prosecution intervention, effectiveness of the outputs is only limited. The full benefit of the various projects for Law Enforcement Agencies' networks cannot be realised unless the Ministry of Interior increases its efforts to complete its part, indispensable for making the overall system fully operational.

Prospects for *sustainability* are satisfactory in the main. In a few cases sustainability is either not secured because the originally planned benefits have not been fully achieved and there is

² According to the report's debriefing, as a result of recent meetings of the parties responsible it has been agreed that the facilities for the installation of the camera monitoring system will be available by 15 September 2006 latest. An addendum to the supply contract has been signed to postpone the delivery and installation of the equipment. The Aid Co-ordination declared to follow-up effective progress in this matter.

little to sustain (2003 Money Laundering) or because of the adverse effects of the policy changes. In case of the 2003 Unallocated Institution Building Facility-Drugs project, in order to sustain the results, decisions need to be made on division of responsibilities for collecting data for the calculation. Serious concerns appear in case of assistance provided to the Civil Service Office. This institution is well managed, showing now adequately trained staff, sufficient equipment and knowledge. However, the policy changes on-going have an adverse effects on sustainability of both, previously completed and on-going interventions. Equally, in order to sustain the long-term assistance given to the Law Enforcement Agencies project, adequate measures have still to be introduced by the beneficiaries.

In relation to *impact*, most of the sectoral interventions under review contributed or will contribute to the achievement of their overall objectives. Beneficial steps were taken to assist effectively the implementation of the Schengen Action Plan; required measures were introduced to align asylum and migration policy, to fight against crime and to decrease the level of corruption in the longer term. The overall objectives of the assistance provided to the Civil Service Office are unlikely to be achieved under the current political circumstances. The ceasing governmental commitment towards civil service/ state administration services potentially jeopardises any impact expected from PHARE in this area.

C) Main recommendations

Ministry of Interior

The Ministry of Interior should encourage the established working group to propose alternatives for the equipment installation. As soon as the privatisation process for the airport is completed and the new owner is announced, negotiations should be initiated to make sure that the supplied monitoring system is installed and effectively utilised. With regard to latest development (see footnote 2) we recommend the ACU to follow closely the progress.

Ministry of Interior and Ministry of Justice

Ministry of Interior and Ministry of Justice should in the future seriously consider the common use and further development of one asylum database, most likely of the one existing at the Migration Office; both Ministries should formally agree all technical and administrative details of such a co-operation or an option to establish an independent Documentary Centre serving purposes of relevant Ministries should be considered.

Aid Co-ordination Unit

The Aid Co-ordination Unit should assess in detail the likelihood for effective delivery and sustainability of the 2003 project for the Civil Service Office, in the light of the expected further changes in the Civil Service Law, possibly leading to severe institutional consequences for the Civil Service Office. Pending on the future institutional situation of the Civil Service Office, immediate considerations should be given to adequate corrective measures.

The Aid Co-ordination Unit should reconsider the approval of the so-called LEA 3 phase, to be financed from Transition Facility funds, unless sufficient guarantee for timely completion of the overall system can be received from the Ministry of Interior. The Ministry should co-ordinate the preparation of an agreed detailed proposal for the establishment of its internal system. Based on the quality of the proposal the Aid Co-ordination Unit should decide on

further provision of external funds. Implementation of the submitted plan should be closely monitored by the Aid Co-ordination Unit.

General Secretariat of the Committee of Ministers for Drug Addiction and Drug Control

The General Secretariat should liaise with the Statistical Office in order to formalise their co-operation; should initiate the change in the methodological instructions to make sure that the duty to gather necessary data is secured by individual state administration bodies and should follow the recommendation of the Commission Services as regards methodology and frequency for the calculation of the costs of illicit drugs.

D) Performance rating

Component/ Project	Relevance	Efficiency	Effectiveness	Sustainability	Impact	Verbal overall rating
Schengen Border Management	1	-1	0	1	1	S
2002/000-610.21	1	0	0	0	1	S
2002 UIBF SW MO	1	0	1	1	1	S
2003-004-995-03-19	1	0	1	1	1	S
2003-004-995-03-20	2	1	2	1	1	S
2003 UIBF Adminstr	1	1	1	1	1	S
Asylum and Migration	1	0	1	1	1	S
2003-004-995-03-23	1	0	1	1	1	S
2003-004-995-03-24	1	-1	-1	0	0	U
2003 UIBF EUROPOL	1	1	1	1	0	S
2003-004-995-01-03	1	0	1	0	1	S
2003 UIBF Drugs	1	1	0	0	1	S
Fight Against Crime	1	-1	0	1	1	S
2002/000-610.01	-1	2	1	-1	-1	U
2003-004-995-01-01	-1	0	-1	-1	-1	U
2003-004-995-01-02	1	1	1	1	0	S
Public Administration	-1	1	1	-1	-1	U
2003-004-995-03-22	1	-1	-1	1	0	S
2003 UIBF Penal matt	1	2	1	1	1	S
2002/000-610.22	0	0	0	1	0	S
2002 UIBF Security	1	1	1	1	1	S
2002 UIBF IS Corps	1	1	1	1	1	S
2003 UIBF IS prisons	1	1	1	1	1	S
2003 UIBF Protection	1	1	1	1	1	S
Justice, Prosecution and Law Enforcement	1	1	1	1	1	S
Taking into account the contextual constraints on the evaluation, the sector overall is rated to be 'SATISFACTORY'						
Justice and Home Affairs Monitoring Sector	1	-1	1	1	1	S

Ratings guide: -2 unacceptable; -1 poor; 0 sufficient/adequate; +1 good; +2 excellent.

HS - Highly Satisfactory, S- Satisfactory, U-Unsatisfactory, HU-Highly Unsatisfactory.

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PREFACE

This Interim Evaluation Report covers Phare assistance to the Justice and Home Affairs sector in the Slovak Republic under the following programmes:

2002/000.610-19 Implement the Schengen Action Plan and Continue to Upgrade the Infrastructure at the EU Future External Borders; 2002/000.610-21 Support for the Implementation of the Dublin Convention; 2002/000-610.02 Unallocated Institution Building Facility (UIBF) - Special Documentation Software for Migration Office (MO) for Analysis of the Countries of Origin; 2003-004-995-01-04 UIBF - Improvement of the Readiness of the Police of the Slovak Republic for Accession to the EUROPOL and Improving the Administrative Structure in the Field of Migration in the Light of the Slovak Republic's EU Membership; 2003-004-995-03-19 Strengthening the Reception Capacities for Asylum Seekers in the SR; 2003-004-995-03-20 Establishment of EURODAC in the SR; 2003-004-995-03-21 Modernisation of Technical Equipment at the Slovak International Airports; 2003-004 -995-03-23 Compliance with EU Criteria on Police Co-operation and the Fight against Crime (DNA); 2003-004-995-03-24 Combating Money Laundering; 2003-004-995-01-03 Fight against Corruption; 2003-004-995-01-04 UIBF – Social and Economic Costs of Illicit Drugs Used in the SR; 2003-004-995-03-22 Strengthening the Efficiency of the Judiciary; 2003-004-995-01-04 UIBF - Reinforcement of Judicial Capacity in the Area of Penal Matters; 2002/000-610.01 Support to the Civil Service Office (CSO); 2003-004-995-01-01 Modernisation of the Slovak Civil Service and Public Service; 2003-004-995-01-02 Support to the Public Administration Reform (PAR); 2002/0000-610.22 Strengthening the Effectiveness of Investigation and Prosecution Procedures; 2002/000-610.02 UIBF - Increasing the Security of Information and Data Processing among Law Enforcement Agencies (LEAs), Development of Information System under the Condition of the Corps of Prison and Court Guard; 2003-004-995-01-04 UIBF - Development of IS within the Fight Against Corruption Programme under the Conditions of the Sector of Prisons; and 2003-004-995-01-04 UIBF - Reinforcement of the Protection of the Special Court and the Special Prosecutor's Office.

This Interim Evaluation Report has been prepared by D&D Consulting Ltd.³ during the period from December 2005 to January 2006 and reflects the situation at 12 January 2006, the cut-off date for the Report. The factual basis is provided by the Monitoring Report M/SR/JHA/05011 prepared by the Aid Co-ordination Unit of the Government Office and issued on 20 October 2005, covering the period from 1 May to 31 August 2005. Other findings are based on analysis of the Financing Memoranda, formal Programme documentation, interviews with the main parties and published material.

The Interim Evaluation Report examines the progress of the programmes towards the objectives stated in the formal programming documents, i.e. Financing Memoranda, Project Fiches, etc. The report is intended to provide management information for the benefit of the Joint Monitoring Committee and other involved parties. It draws conclusions and puts forward recommendations. It provides a general assessment of programmes or components under consideration and included in the corresponding Sectoral Monitoring Report.

³ Authors: Dagmar Gombitova, Dietmar Aigner. This Report has been reviewed by Dietmar Aigner (D&D Interim Evaluation Cell) and by Peter Hall (MWH Headquarters).

Comments requested on the draft version were received from the following parties:

Parties invited	Comments received
Ministry of Justice	yes
Ministry of Interior/ Bureau of European Affairs and Foreign Relations	yes
Ministry of Interior/ Public Administration Reform	yes
Ministry of Labour, Social Affairs and Family	no
Civil Service Office	yes
Office of General Prosecution	no
Office of Government/ Aid Co-ordination Unit	yes
General Secretariat of the Board of Ministers for Drug Dependencies and Drug Control	no
Office of Government/ Fight Against Corruption	no
Ministry of Finance/ Central Finance and Contracting Unit	yes
Ministry of Finance/ National Fund	yes

Where possible, the Evaluators have integrated the comments received into the report. Dissenting views are in Annex 5.

The findings and recommendations of this Interim Evaluation Report have been formally debriefed in Bratislava on 07 March 2006, following an invitation of the Office of the Government of the Slovak Republic/ Aid Co-ordination Unit.

GLOSSARY OF ACRONYMS

ACU	Aid Co-ordination Unit
BAP	Border and Alien Police
BOC	Bureau of Organised Crime
CSO	Civil Service Office
FM	Financing Memorandum
FSI	Forensic Science Institute
HW	Hardware
GPO	General Prosecutor Office
IE	Interim Evaluation
IS	Information System
IT	Information Technology
JHA	Justice and Home Affairs
LEA	Law Enforcement Agency
MO	Migration Office
MoI	Ministry of Interior
MoJ	Ministry of Justice
MoLSAF	Ministry of Labour, Social Affairs and Family
NMS	New Member State
PF	Project Fiche
PIS	Personal Information System
PMO	Probation and Mediation Officer
RTA	Resident Twinning Adviser
SIRENE	Supplementary Information on National Entry
SIS	Schengen Information System
SR	Slovak Republic
SW	Software
TA	Technical Assistance
TF	Transition Facility
TW	Twining
TWL	Twining Light
UIBF	Unallocated Institution Building Facility

FINANCIAL AND CONTRACTUAL DATA OF THE SECTOR JUSTICE AND HOME AFFAIRS

Number	Title	Beneficiary	Contract		Phare			Co-financing		
			start	expiry	allocated M€	com %	dis %	allocated M€	com %	dis %
COMPONENT 1 - SCHENGEN BORDER MANAGEMENT										
2002/000-610.19	Implement the Schengen Action Plan and continue to upgrade the infrastructure at the EU future external borders	MoI			5.800	68	65	1.764	67	66
	Twinning		28/10/03	28/04/05	0.400	97	61	0	0	0
	Supply of data processing and communication equipment				4.900	72	64	1.634	72	64
	Rehabilitation works – green border temporary detection facilities and posts		cancelled		0.390	0	0	0.130	0	0
	TA – Rehabilitation works – green border temporary detection facilities and posts		cancelled		0.110	0	0	0	0	0
2003-004-995-03-21	Modernisation of technical equipment at the Slovak international airports - Supply of camera monitoring systems	Police	18/10/05	18/04/06	1.500	86	0	0.520	86	0
COMPONENT 2 – ASYLUM AND MIGRATION										
2002/000-610.21	Support for the implementation of the Dublin Convention	MoI	-	-	1.090*	100	91	0.183	100	87
	Twinning		14/07/03	14/11/04	0.500	83	83	0	0	0
	Support to the implementation of the Dublin Convention		03/06/04	03/09/04	0.175*	62	48			
	Equipment for Dublin Regulation		30/11/04	30/04/05	0.080*	61	55			
	Establishment of EURODAC ⁴		06/02/04	06/05/04	0.225	100	100	0.075	100	100

	Development of Asylum Database (MoJ)		14/06/04	14/05/05	0.110	97	97	0	0	0
2002/000-610.02 UIBF	Special documentation software for Migration Office for analysis of the countries of origin	MoI	25/05/04	25/01/05	0.080	100	100	0	0	0
2003-004-995-03-19	Strengthening the reception capacities for asylum seekers in the SR	MO	-	-	1.900	97	40	0.634	97	40
	Supply of technical equipment for five refugee camps		22/11/05	28/02/06	0.150	62	0	0.050	62	0
	Transformation of a former military facility into a new reception centre for refugees		09/03/05	30/04/06	1.750	100	44	0.584	100	44
2003-004-995-03-20	Establishment of EURODAC in the SR	Police	-	-	0.790*	97	97	0.224	96	96
	Establishment of EURODAC in the SR (TWL)		cancelled/reallocated		0	0	0	0	0	0
	Supply		06/02/04	06/05/04	0.790	97	97	0.224	97	97
2003-004-995-01-04 UIBF	Improving the administrative structure in the field of migration in the light of the Slovak Republic's EU membership	MoI	16/08/04	15/04/05	0.160	83	83	0	0	0
COMPONENT 3 – FIGHT AGAINST CRIME AND CORRUPTION										
2003-004-995-03-23	Compliance with EU criteria on police co-operation and fight against crime	Police	-	-	1.800	95	0	0.600	94	0
	Design, quality assurance and cooperation for the forensic DNA analysis (TA)		07/11/05	07/08/06	0.150	97	0	0	0	0
	DNA Laboratory adaptations - works		30/11/05	31/07/06	0.400	100	0	0.100	100	0
	Supply of technology for establishment of national DNA database		28/11/05	30/06/06	1.250	93	0	0.500	93	0
2003-004-995-	Combating Money Laundering	Police	-	-	1.000	93	16	0.277	100	0

⁴ Includes also a part of the 2003 EURODAC supply.

03-24	Combating Money Laundering TWL		07/05/04	07/01/05	0.150	56	41	0	0	0
	Supply of HW and standard SW for FIU		25/11/05	25/02/06	0.259	100	0	0.087	100	0
	Supply of bespoke SW for FIU		30/11/05	31/08/06	0.591	100	0	0.190	100	0
2003-004-995-01-04 UIBF	Improvement of readiness of the Police of SR for accession to EUROPOL	Police	31/08/04	30/03/05	0.180	88	71	0	0	0
2003-004-995-01-03	Fight Against Corruption	OoG			0.900	95	15	0	0	0
	Transparency of functioning of State Administration and Public Self-Administration		29/03/05	29/02/06	0.400	93	0	0	0	0
	Fine-tuning of the legislative framework and sharing EU MS experience with new anticorruption institutions in Slovakia		29/11/05	30/09/06	0.350	100	0	0	0	0
	Analysis of training of professional journalism in Slovakia		26/05/04	31/12/04	0.150	92	92	0	0	0
2003-004-995-01-04 UIBF	Social and Economic Costs of Illicit Drugs Used in SR		16/07/04	30/09/05	0.200	100	60	0	0	0
COMPONENT 4 – PUBLIC ADMINISTRATION										
2002/000-610.01	Support to the Civil Service Office	CSO	-	-	1.700	100	92	0	0	0
	Twinning		21/05/03	31/07/05	1.500	92	92	0	0	0
	IT support systems development		16/09/03	15/07/04	0.159	98	98	0	0	
	Supply of hardware and software for the personnel management information system of the CSO		13/05/04	20/07/04	0.040	87	79	0	0	0
2003-004-995-01-01	Modernisation of the Slovak Civil Service and Public Service - TA to CSO	CSO	29/11/05	30/11/06	1.700	100	0	0	0	0
2003-004-995-01-02	Support to the Public Administration Reform	MoI	-	-	1.100	94	40	0	0	0
	Design and implementation of process of administrative decentralisation - twinning		02/02/05	02/08/06	0.631	99	72	0	0	0

	Design and delivery of pilot projects on info and communication system of selected regional governments - TA		30/11/05	30/08/06	0.300	90	0	0	0	0
	Practical organisation of delivery of training programme and edition of training materials –TA		30/11/05	30/07/06	0.169	80	0	0	0	0
COMPONENT 5- JUSTICE, PROSECUTION AND LAW ENFORCEMENT										
2003-004-995-03-22	Strengthening the efficiency of the judiciary	MoJ	-	-	1.600*	72	60	0.446	80	72
	Legislative advisory expertise on amendments of the commercial, bankruptcy law and civil code procedure - TA		cancelled/reallocated		0.210*	0	0	0	0	0
	Development of ad hoc software for the management and archiving system - TA		30/11/05	30/04/06	0.120	74	0	0	0	0
	HW supply for the management and archiving system		12/08/05	12/10/05	1.270	84	76	0.446	80	72
2003-004-995-01-04 UIBF	Reinforcement of judicial capacity in the area of penal matters	MoJ	29/10/04	31/08/05	0.150	90	90	0	0	0
2002/000-610.22	Strengthening the effectiveness of investigation and prosecution procedures	GPO	-	-	2.100	98	95	0.489	98	98
	Twinning	MoI	12/12/03	11/01/05	0.400	99	79	0	0	0
	Equipment for prosecutor offices	GPO	14/06/04	14/08/04	1.200	99	99	0.404	98	98
	Development of information system for exchange of criminal information and data processing among all prosecutor offices		05/07/04	26/09/05	0.500	95	95	0.085	100	100
2002/000-610.02 UIBF	Increasing the security of information and data processing among LEAs	MoJ	15/06/04	14/01/05	0.200	88	88	0	0	0
2002/000-610.02 UIBF	Development of information system under the condition of the Corps of Prisons and Court Guard	MoJ	21/11/03	31/05/04	0.200	98	98	0	0	0

2003-004-995-01-04 UIBF	Development of information system within the fight against corruption programme under the conditions of the sector of prisons	MoJ	30/07/04	30/01/05	0.200	95	95	0	0	0
2003-004-995-01-04 UIBF	Reinforcement of the Protection of the Special Court and the Special Prosecutor's Office	MoI	13/10/05	13/05/06	0.080	100	0	0	0	0

Phare 2002: commitment deadline 30/11/04; disbursement deadline 30/11/05

Phare 2003: commitment deadline 30/11/05; disbursement deadline 30/11/06

Source: Perseus by cut-off date 12 January 2006

*following reallocation

1. SECTORAL BACKGROUND AND SCOPE OF EVALUATION

1.1 Sectoral Background

1. This Interim Evaluation (IE) report covers Phare support under the Justice and Home Affairs (JHA) sector, one of the three monitoring sectors for Phare assistance in Slovakia. The individual programmes under evaluation are closely linked to the priorities set out in the Accession Partnership and the National Programme for Adoption of the *Acquis* valid at the time of the programmes' preparation.

1.2 Scope of Evaluation

2. The JHA monitoring sector covers an extensive number of projects financed from Financing Memoranda (FM) 2002 and 2003 relating to the area of JHA. For the purpose of the IE, the individual projects under the sector were grouped into the following Components:

- Schengen Border Management
- Asylum and Migration
- Fight Against Crime and Corruption
- Public Administration
- Justice, Prosecution and Law Enforcement

1.2.1 Performance of Activities

This section provides a basic overview of activities, outputs and effects. For more detailed information on the individual Components please see Annex 6 of the Report.

Component 1 – Schengen Border Management

2002/000-610.19 Implement the Schengen Action Plan and Continue to Upgrade the Infrastructure at the EU Future External Borders, 2003-004-995-03-21 Modernisation of Technical Equipment at the Slovak International Airports

Activities and Outputs

3. The intention of the 2002 Schengen programme was to strengthen the control and management capacities at the Slovak external border, including visa policy, management of international airports, improvement of the green border infrastructure, and establishment of the national part of the Schengen Information System (SIS), via twinning (TW) and supply. The 2003 Airports programme aims at protecting the future EU external borders via the installation of a camera monitoring system at the three international airports.

Effects

4. The TW Component of 2002 Schengen has been completed. The French Resident Twinning Adviser (RTA) and his team, focused on a new territorial split of border posts and on the establishment of a Central Management Office for the Eastern border in Sobrance. The actual effects achieved are still to be identified via the European Commission's audit, currently on-going, which should assess the level of preparedness. The Austrian part of the TW focused on airports and visa policy. The supply part was delivered however, a part of the equipment is

not used and installed since the refurbishment of needed facilities has not been completed yet. The intended green border rehabilitation works were cancelled due to missing building permissions and unresolved land ownership. Both projects are currently being implemented via the Schengen Facility. The 2003 Airports project encountered difficulties at the Bratislava airport where the operator was not able to provide facilities for the installation of the equipment. Moreover, the whole process is currently influenced by the on-going airport privatisation, which also became subject of the political agenda.

Component 2 - Asylum and Migration

2002/000-610.21 Support for the Implementation of the Dublin Convention, 2002/000-610.02 Special Documentation Software for Migration Office for Analysis of the Countries of Origin, 2003-004-995-03-19 Strengthening the Reception Capacities for Asylum Seekers in the SR, 2003-004-995-03-20 Establishment of EURODAC in the SR, 2003-004-995-01-04 Improving the Administrative Structure in the Field of Migration in the Light of the Slovak Republic's EU Membership

Activities and Outputs

5. The 2002 Dublin Convention programme focused on reinforcing the implementation of the new Asylum Act and at meeting the requirements of the Dublin Convention, to be delivered through TW, equipment purchase and software (SW) development. The 2002 UIBF project on Documentation Software is closely linked to the implementation of the relevant Dublin Regulation and contributes to the efficient processing of asylum applications. The developed database provides an effective tool for the Migration Office (MO); nevertheless it requires further development and IT support as any SW tool. The 2003 Asylum investment programme is intended to increase the reception capacities by establishing a new reception facility in Humenne (Eastern Slovakia) and by enhancing the equipment of the five existing facilities. The 2003 EURODAC intervention is to set up the EURODAC system in Slovakia through the provision of hardware (HW), SW development and training, thus ensuring full compatibility with other EU countries. The 2003 UIBF - Administrative Structure project focused on the implementation of migration and asylum policies and legislation resulting from the EU membership and elaborated the detailed Action Plan for 2005-2006 and the Reception Strategy.

Effects

6. Assistance from the 2002 Dublin TW has materialised with the opening of the first Dublin Station in May 2004, the first one opened in any New Member State (NMS); its staff have been trained and the corresponding action plan has been completed. Phare assisted also with procuring equipment for the Dublin Station, which is currently considered to be one of the best functioning units in the NMS. However, difficulties with insufficient staffing have not been resolved yet. Legal assistance under the TW has advised on the Amendment to the Asylum Law, which came into force in March 2004, including the relevant ministerial ordinance. Slovakia was the first NMS, ratifying the Dublin Convention in March 2004. The Technical Assistance (TA) project dealing with the Development of Asylum Database for the asylum courts was a duplication of the 2002 Documentation Software activities. Whilst the courts' database was developed but does hardly comprise data and therefore is hardly useable, the MO with its already pre-established database and professional staff dealing with the information gathering has a product full of good quality data but which requires further development. The 2003 Asylum programme should shortly supply the equipment for networking of the refugee camps and refurbishment of the future refugee centre in the east of

Slovakia is on-going. The twinning part of the 2003 EURODAC project, after repeated unsuccessful and lengthy tendering, has not been implemented as the beneficiary did not need it any longer. The supply project delivered equipment that was installed and the provided training was sufficient to run operations immediately without any substantial difficulties. The System became fully operational by the date of Slovakia's accession. The 2003 Administrative Structure project provided assessment, conclusions and recommendations concerning the existing administrative structures and the reception system in the area of asylum in the Slovak Republic; the Action Plan contains *inter alia* required legislative changes and budgetary implications in the field of migration and asylum and a new Reception Strategy.

Component 3 - Fight against Crime and Corruption

2003-004-995-03-23 Compliance with EU Criteria on Police Co-operation and Fight Against Crime (DNA), 2003-004-995-03-24 Combating Money Laundering, 2003-004-995-01-04 UIBF - Improvement of the Readiness of the Police of the SR for Accession to EUROPOL, 2003-004-995-01-03 Fight Against Corruption, 2003-004-995-01-04 UIBF Social and Economic Costs of Illicit Drugs Used in SR

Activities and Outputs

7. The 2003 Fight Against Crime intervention is intended to assist Slovakia in establishing a national DNA database and exchanging DNA results as required by the EU, through the setting up and equipping of DNA laboratories, together with staff training. 2003 Money Laundering aims at the enforcement of the *acquis* in the field of combating large-scale financial crime, through training of staff from the Bureau of Organised Crime (BOC) and by providing specialised HW and SW for the Finance Intelligence Unit (FIU). The 2003 EUROPOL project should strengthen the capacity of the Police Corps for implementing the EUROPOL Convention through training and awareness rising for police officers and local decision makers. 2003 Fight Against Corruption should contribute to decreasing rates of corruption in the public administration. Here, TA projects should be implemented in order to increase the transparency in the public administration, and to improve the respective legal framework and operations of new anti-corruption institutions. The follow-up project for journalists was focused on training dealing with different aspects of investigative journalism. The 2003-UIBF Drugs activity developed the methodology on the social and economic costs of illicit drugs.

Effects

8. The 2003 Fight Against Crime project only started recently. The TWL under 2003 Money Laundering was completed however, due to the incompatible legislative frameworks of the financial police in the advising Netherlands and the benefiting Slovakia, the transferred knowledge cannot be applied for the Slovak situation. The supply of equipment and upgraded SW was about to start at the time of assessment. 2003 EUROPOL initiated awareness raising activities and explained the role of EUROPOL office. Personal contacts were established and provide a good base for police co-operation. As regards 2003 Fight Against Corruption, the training project for journalists was fully delivered but the effects can not be judged as no feedback from the final beneficiaries could be gathered. The TA project dealing with the development of a web portal is progressing well but its future development and continuation depends strongly on guaranteed commitment, support and leadership. The project on fine-tuning of legislation has just commenced. 2003 UIBF-Drugs provided a methodology and calculation of social and economic costs of illicit drugs that can be also used for budgeting

purposes. Since such calculations are not obligatory, the EU member states apply different methodologies. It was found out that some sample data is collected and processed by the Statistical Office of the SR for EUROSTAT.

Component 4 - Public Administration

2002/000-610.01 Support to the Civil Service Office, 2003-004-995-01-01 Modernisation of the Slovak Civil Service and Public Service, 2003-004-995-01-02 Support to the Public Administration Reform (PAR)

Activities

9. Component 4 intends to strengthen the capacity of the public administration services, and is implemented through the Civil Service Office (CSO) and the MoI/ Section for Public Administration. CSO completed successfully the 2002 Support to the Civil Service Office consisting of TW for the newly established office, TA for developing a Personal Information System, plus small IT supply. The 2003 Modernisation of the Slovak Civil Service programme is to support the implementation of the Civil Service Law and the local Strategy for the Reform of Public Sector Employment; to continue with the reform of the public administration system and to develop capacity for the implementation of EU policies. The 2003 Support to PAR for the MoI is implemented through three projects: (i) one TW, dealing with structures and mechanisms for the efficient functioning, co-ordination and co-operation of state administration; and (ii) two TA projects, one on information and communication systems of the decentralised public administration, and one on strengthening the administrative capacity of the decentralised public administration following the transfer of administration competencies.

Effects

10. The 2002 Support to the CSO TW was a positive example of a typical institution building project and provided supporting tools such as strategies, methods, guidelines, regulations and IT systems for the operations of the CSO. The supplied and adopted Personal Information System (PIS) is a user-friendly flexible tool enabling immediate access and selection of information that was originally scattered in nearly 400 service offices all over the country. 2003 Modernisation of the Slovak Civil Service has just commenced. The TW part of 2003 Support to PAR is progressing well. A first effect has been the conclusion that the introduced decentralisation led to the absence of co-ordination and also the control function of the state has been diminished. A pilot testing exercise is being carried out to resolve these deficiencies. Moreover, financial analyses are at present taking place to determine the effects of fiscal decentralisation.

Component 5 – Justice, Prosecution and Law Enforcement

2003-004-995-03-22 Strengthening the Efficiency of the Judiciary, 2003-004-995-01-04 UIBF – Reinforcement of Judicial Capacity in the Area of Penal Matters, 2002/000-610.22 Strengthening the Effectiveness of Investigation and Prosecution Procedures, 2002/000-610.02 UIBF – Increasing the Security of Information and Data Processing among LEA's, Development of Information System under the Conditions of the Corps of Prisons and Court Guard, 2003-0004-995-01-04 UIBF – Development of Information System within the Fight Against Corruption Programme under the Conditions of the Sector of Prisons, 2003-0004-995-01-04 - UIBF Reinforcement of the Protection of the Special Court and the Special Prosecutor's Office

Activities

11. The Justice part of Component 5 was originally designed to assist relevant Slovak authorities with the amendment of the Civil Procedure Code, the Commercial and Bankruptcy laws, and to proceed with the computerisation in the sector of justice via the establishment of the electronic archiving system. Eventually, because of a conflict of interest the main service contract for 2003 Efficiency of the Judiciary could not be concluded and the project had to be cancelled. SW development for the archiving Document Management System was contracted at the ultimate commitment deadline whilst supply of HW for eight regional courts has already been completed and is now awaiting SW installation. The 2003 Penal Matters project successfully assisted the introduction of probation and mediation officers (PMO) at courts. Currently, the courts employ 127 PMOs. The re-codification of Penal Procedures Code introduced alternative sanctions, the legal status of the PMOs was set out and it is expected that 80% of the cases originally solved by courts could be resolved at the preparatory stage through the probation and mediation services. The TW part of the 2002 Investigation and Prosecution programme focused on structure, operation, information flow and co-ordination of the investigation procedures under newly adopted organisational structure, whilst the corresponding equipment supply and information system development were earmarked for the General Prosecutor Office (GPO). The internal IT system of GPO was built, enabling internal exchange of documents and external communication with other LEAs. Adjustments in connection to the re-codification are taking place. The 2002/ 2003 UIBF projects, with the exception of Reinforcement of the Protection dealing with the protection of special courts and prosecutors, are closely related to the electronic information exchange among LEAs, an undertaking that has been in the past supported by PHARE 2000 assistance.

Effects

12. Apart from the delivered HW no other effects from 2003 Efficiency of the Judiciary can be reported since the TA was cancelled and SW development activities have just started. 2003 Penal Matters effectively assisted the preparation of newly introduced probation and mediation officers and their work via training. The comparison of the investigation procedures under the 2002 Prosecution TW has resulted in several recommendations. A few of them have been applied in the meanwhile. Abbreviated investigation and fast bringing to court was introduced in the new Code of Penal Procedures, however, the complementary measures have not been adjusted yet to simplify such a procedure. The most valuable benefit of the TW so far are the personal contacts being used. The 2002 and 2003 LEA related UIBF projects were successfully completed. The 2002 LEA security project enabled exchange of three documents and provision of data from the Criminal Register. The 2002 and 2003 Corps of Prisons projects developed internal database and networking among all prisons and set up the register of accused and convicted persons, including access to the register. The audit carried out within the Reinforcement of the Protection project was completed and training activities will follow as planned.

2. EVALUATION RESULTS

2.1 Component 1 – Schengen Border Management

2.1.1 *Relevance*

13. The 2002 Schengen intervention is fully justified and covers the urgent need of the Slovakia to secure the external EU border in line with the provisions of the Schengen *acquis*. The intervention was in line with identified needs but suffered from design weaknesses. The original programme design comprised TW, supply and works activities where however, projects were approved without proper building permits. Moreover, unresolved land ownership and missing project documentation for the works part resulted in delays, modification of project fiche (PF) and subsequent cancellation of projects, with the eventual loss of 0.500 M€. At the time when the tendering procedure for supply parts started, the original specification was already outdated, and some equipment had been already purchased. The required PF modification was lengthy, which created further difficulties to implement the project in time. Funds from two independent EU sources were made available (Schengen Facility, PHARE) plus national budget, but any clear distinction of priorities for the use of financial sources was missing. Only at the later stage the Commission Services expressed their preference to support Schengen related activities preferably from Schengen Facility and the beneficiary consequently prepared a harmonised plan ensuring the co-ordination of funding sources.

14. The 2003 Airports programme, supplying camera monitoring systems, was trying to respond to the need to ensure higher security standards for the three international airports that should be upgraded to comply with the requirements of their operation within Schengen regime. However, this effort encountered serious difficulties. Undoubtedly the mistakes were done in the design phase as the airport operators were not duly consulted. The operator of the Bratislava airport was not in the position to provide the required facilities and therefore the supplied system cannot be installed. The operator plans the construction of additional facilities, to be completed this summer. In the meantime, however, privatisation of the airports is taking place, which was most likely not foreseen at the planning stage. This unexpected external factor does not enable to predict the future development once the airport is run by a private company. The installation will be most likely become subject of negotiation with the future airport owner.

2.1.2 *Efficiency*

15. The highly appreciated previous PHARE project provided a good base for the follow up, resulting in the 2002 Schengen activities. Some delays in activities were encountered due to delayed decision of the Commission Services Headquarters in relation to the future Schengen Information System (SIS) II application but in general the outputs were delivered as planned and built well on previous achievements. Despite that, the results set out in the PF, have not materialised yet. The main reason is that the facility accommodating National SIS and SIRENE is currently under refurbishment. Organisational work is completed and the IT equipment was delivered, but the installation is expected to be in a one-month time only. An additional part of the equipment (financed from the Schengen Facility), enabling pilot testing operations, is currently being tendered. Some pieces of the equipment should be installed at the

green border despite the risk that they will be damaged before the actual Schengen regime comes into force.

16. Due to the above mentioned reasons (see Para 13) substantial savings accumulated from the supply part and 0.500 M€ allocation for works was lost. This clearly indicates the need for more efficient project management and may suggest that too much money was available for the same purpose, whilst the absorption capacity of the MoI remained limited. These limits have been even more reduced by frequent personnel changes in the position of the person responsible for PHARE implementation. The implementation difficulties of the 2003 Airports project produced so far more questions to be resolved rather than results achieved. Although the working group was established to resolve the problems occurred, it is not known if the group met and solutions were found. Moreover, the individual tasks implemented under Schengen Action Plan are shared between several ministries however, the current progress does not indicate appropriate commitment from all concerned bodies, which will most likely result in the enormous effort undertaken only shortly before the final deadline.

17. As pointed out in the latest IE report the difficulties with high turnover of MoI staff still persists and contributes to the encountered difficulties in the management of PHARE programmes. Moreover, the position of the Head of PHARE at MoI is very weak internally, which causes difficulties to perform adequately the co-ordination and monitoring functions. Information flows at the MoI are very restricted, which is most likely a result of its specific internal (police) structure, but for the management of any sort of foreign assistance it causes a number of difficulties that otherwise could be easily avoided.

2.1.3 Effectiveness

18. It is obvious that the project purpose of the 2002 Schengen programme has partly materialised and the set up of corresponding IT systems should follow in the near future. Although still a lot needs to be done, progress has been achieved and staff members are familiar with their tasks and duties. A detailed assessment of all activities connected with the implementation of the Schengen *acquis* has just been conducted by the Commission Services. The 2003 Airports programme is likely to achieve its purpose focused on improved control at only at two airports. For the time being, however it remains to be seen if and when the same purpose can be achieved for the dominant airport in country, Bratislava.

2.1.4 Sustainability

19. Previous experience shows that projects assisting the country in fulfilling legal or other clearly binding membership requirements of the EU are generally successful in particular, once these requirements are clearly spelled out and/or legally specified. The 2002 Schengen programme is building new systems completely from the scratch. The system of the protection of the EU external border, being one of the basic obligations of the member state, has thus guaranteed sustainability. It is assumed that Slovakia will join Schengen regime in 2007. Sustainability of the 2003 Airports programme is conditional upon the delivery of the output – installation of the systems. It is most likely to expect that any reasonable solution for Bratislava airport will be only a question of time. The intended camera monitoring system should serve not only for the police and customs, but also for the security of the airport itself, thus sustainability should be an issue of concern following installation.

2.1.5 Impact

20. The 2002 Schengen programme will quite substantially contribute to the achievement of its overall objective set out as 'full compliance with *Schengen Acquis*'. Although it sounds rather simple, there is enormous work on-going behind this short statement. Whilst the technical requirements and IT systems are straightforward, the cultural change – change in behaviour and thinking of the involved police and customs authorities will still take time. Once the current realisation problems are resolved, the investment under the 2003 Airports programme should contribute 'to upgrading security surveillance at the Slovak international airports', as stipulated in the relevant PF. This is again closely related to the Schengen system since certain standards must be achieved by the airports so that they can operate as Schengen airports.

2.2 Component 2 - Asylum and Migration

2.2.1 Relevance

21. In terms of relevance all of the interventions within this Component adequately covered the need of Slovakia as a NMS to adopt and enforce the measures in the area of migration and asylum policy; and to implement the Dublin Convention. As regards the design, however, some basic mistakes were done, which could not be fully recovered at a later stage. The 2002 Dublin Convention originally comprised TW and supply, providing equipment for the MO, receiving centres, appeal courts and EURODAC. Moreover, it included development of an asylum database for the courts. A similar database has appeared in the MO proposal but its budget was severely underestimated. As soon as the mistake was recognised, the original PF was modified, funds reallocated and a new project on Special Documentation SW was submitted under the 2002 UIBF. The outstanding need to develop and stimulate co-operation between MO and the Border and Alien Police (BAP) lead to a proposal for a 2003 UIBF project aiming at Improving the Administrative Structure in the Field of Migration.

22. Essential implementation conditions, such as to harmonise work on the asylum database with the similar project at the MO, to ensure completion of works for the refugee camp in Humenne prior to equipment delivery under the 'Asylum' project, or to supply EURODAC equipment before the start of the corresponding TWL, were clearly determined. Despite that, the actual implementation of projects, did not respect any of these preconditions adequately.

2.2.2 Efficiency

23. The 2002 Dublin Convention programme performed well. The TW delivered all the expected outputs and both sides were very committed. This eventually materialised in the form of the first Dublin Station opened in the NMS. The Station became fully operational by the accession date. The only outstanding deficiency permanently underlined since the beginning of the project is the question of insufficient human resources, which still has not improved although the government has already officially confirmed this need. Despite obvious duplication of SW development projects for the same purpose (asylum database) but for two different beneficiaries, instead of merging two projects into one, as requested by both beneficiaries, the Commission Services insisted on two separate tenders. Consequently two contractors were contracted, one for the MO and one for MoJ but it was practically impossible to co-ordinate their work. The Development of Asylum Database project for the courts and the Special Documentation SW project of the MO were completed. The courts' database seems to be well done but it is still practically empty and maybe utilised only by maximum 10 people in future. The MO ended up with a packed database, which might be used by perhaps 50 users in

future. However full operations would permanently require further utilities as well as professional IT support and administration, which is not ensured yet. The condition to enable exchange of information is technically fulfilled. However, it has not been pilot tested yet and permanent operations of such connection between the two ministries require further financial support to establish such an external line, which is so far unlikely to materialise in time. The eventual result represents one nearly empty and therefore practically unused database and one full database of excellent information, operational and utilised but requiring urgent further development. Such outputs can hardly be considered as fully efficient.

24. The 2003 Asylum programme is being implemented after long-lasting tender preparation and approval procedures and the refurbishment is now obviously progressing. The 2003 EURODAC project was one of the very few exceptions with extremely quick implementation. In this case the 2002 part on EURODAC supply was logically tendered with the 2003 EURODAC supply project to commence its operations by the accession date. This was connected with the need to have the system operational by the time of the EU accession. Some of the operational aspects of the system were decided by the Commission Services rather late and had not been known at the preparatory stages of the 2002 intervention but were flexibly built into the 2003 project. The planned TWL was however, unsuccessfully tendered and eventually became redundant. The Forensic Science Institute (FSI) proved its competency and managed to operate the EURODAC system from the accession date without any serious difficulties. The 2003 UIBF - Administrative Structure promoted the mutual co-operation of the MO and BAP and the corresponding Action Plan is being implemented.

2.2.3 Effectiveness

25. Most project results stemming from 2002 Dublin Convention are utilised. The legal framework has been set up in compliance with the *acquis*. Slovakia was the first NMS that ratified the Dublin Convention. Dublin Station as well as EURODAC are operational and comply with the required standards. The asylum database developed for the courts, which should support decision-making is not being utilised as expected. The loading of data is poor and transfer of data from the MO database is not considered as a long-term solution. The Special Documentation SW project for the MO produced an asylum database, which needs to be further developed but it provides basic expected functions, selection of documents based on criteria, and contains numerous documents and internal files of the MO. This database already contains fully converted data and is used for the daily operations of the MO. The project purpose of the 2003 Asylum programme is likely to be met since the reception capacity for asylum seekers will be increased. The outputs of the 2003 UIBF -Administrative Structure project are being implemented effectively; adopted strategies assume the establishment of the Naturalisation and Migration Office, by merging MO and BAP until 2010.

2.2.4 Sustainability

26. The PHARE results dealing with the introduction of obligatory measures resulting from EU membership are generally successfully adopted and self-sustained. Majority of results achieved within the 2002 Dublin Convention and EURODAC interventions are sustainable. Despite a good quality output of the 2002 Development of Asylum Database, the likelihood of the operation of the database is very low and therefore the project outcomes are not considered sustainable at the time of this IE. On the other side, commitment and ownership demonstrated by the MO suggest that the Special Documentation SW for MO has good prospects for sustainability, despite the difficulties encountered. The achieved increase of reception capacities under 2003 Asylum should be sustained and most likely will cover the current needs

since the number of adopted measures like new legal framework, strengthened border protection, etc. led to a significant reduction of asylum seekers. Regarding 2003 UIBF - Administrative Structure, the outputs are being implemented and gradually becoming sustainable.

2.2.5 Impact

27. In general, the projects implemented within the Component contributed to the achievement of the overall objectives referring to the harmonisation of asylum legislation with the *acquis*. This impact is practically immediately visible although a number of small technical and organisational problems remains and need to be resolved gradually. Since the number of asylum seekers is not predictable, the structures must be in place and should potentially be able to manage also any sudden increases.

2.3 Component 3 - Fight Against Crime and Corruption

2.3.1 Relevance

28. This Component contains a wider spectrum of different type of projects covering topics such as DNA profile analyses, money laundering, Europol, corruption and drugs. All the projects are responding to problems or needs identified as Accession Partnership priorities and thus are considered relevant. Most of the activities under this Component will not lead to measures, which are automatically binding/ obligatory for EU membership but will try to adopt best practise examples in the respective JHA area. The 2003 Fight Against Crime programme focused on the need of the FSI to become an officially certified body for performing DNA analyses and to establish the national DNA database. The 2003 Money Laundering equipped the BOC with HW and an upgraded version of special SW, serving specific needs of the financial police. 2003 UIBF - EUROPOL addressed the lack of knowledge on EU matters among the police and the need to explain the role of EUROPOL, although this has not been a pre-condition for the EUROPOL accession. The 2003 Fight Against Corruption programme represents three different types of projects dealing with the development of the web portal, filling legislative gaps in anti-corruption and related training of journalists. The 2003 UIBF project on Drugs was connected with the need to estimate the state expenditures on anti-drug policy.

29. Overall, the design of these various programmes shows more inconsistencies, most likely due to insufficient experience of the respective designers. The overall objectives and project purposes are less consistent, sometimes referring to achievements not related to the project activities, or mentioning aims that had been already achieved before the project start, perhaps also due to the long duration between project design and physical implementation.

2.3.2 Efficiency

30. In terms of outputs delivered the 2003 Fight Against Crime programme is difficult to assess since the implementation of all three subordinated projects started only recently. The TA project was contracted sooner but due to insufficient contractor's expertise it was cancelled and re-tendered again. Delays in the supply and works projects were caused by re-drafting of tender dossiers since some items in the works and supply parts had to be swapped. The TWL of the 2003 Money Laundering programme is completed but in the absence of a law on seizure of illegal assets it would be difficult to implement the knowledge and expertise gained in money laundering and large-scale financial investigations. Positively, the contractor has

emphasized the necessity to involve prosecutors and investigators in similar future projects. The supply of HW and SW was delayed since the beneficiary required applying the negotiated procedure for the special SW. 2003 UIBF - EUROPOL raised the level of knowledge on EU affairs and similar awareness raising training should continue at the regional level. Local EUROPOL staff was trained and materials were prepared to deliver such training. 2003 Fight Against Corruption should deliver a web portal; the training of journalists was completed but any feedback is missing that would help to assess whether any results have materialised. The project dealing with the legislation has just started. The 2003 - UIBF Drugs project provided the methodology for the calculation of costs, which can also serve budgeting purposes.

2.3.3 Effectiveness

31. The planned effects from the 2003 Fight Against Crime programme have not materialised yet. Based on the current progress it is likely to assume in general that the original purpose will be met. Less effective was the 2003 Money Laundering TWL project, which cannot materialise its effects due to the absence of an adequate legal framework. Delivery of SW and HW will serve the BOC, which performs the initial screening of transactions and reports the findings to other departments of the Financial Police. The 2003 UIBF - EUROPOL project fulfilled the role of awareness raising and managed to promote the need of co-operation at least with those who provide the data collected for the central EUROPOL office. The web portal resulting from the 2003 Fight Against Corruption programme could potentially contribute to some decrease of the rate of corruption in the public administration. To make this contribution somewhat significant however, a much higher computerisation of the society would be required (access for everybody). In order to achieve that, a number of legal and financial measures would need to be adopted and there is still a number of untreated areas left such as health care, justice, education etc. Not much can be said about the effectiveness of the training projects; although the outputs were duly delivered appearing benefits are not known. The 2003 - UIBF project on Drugs proposed and applied a methodology for the calculation of the costs of drugs⁵.

2.3.4 Sustainability

32. Taking into account the state-of-the-art technology of DNA identification for the use in criminal investigations, the 2003 Fight against Crime shows good very prospects for sustainability. Whilst the supply part of 2003 Money Laundering programme should be self-sustainable, not much has been sustained so far from TWL results. The 2003 UIBF - EUROPOL secures continuation via the trained trainers, which will further on replicate training at regional levels. The necessary steps have been done to ensure the sustainability of the web portal prepared within 2003 Fight Against Corruption, however the absent feedback on the benefits from the training project for journalists does not enable to assess any sustainability. The proposed methodology from the 2003 UIBF Drugs project can be applied for future calculations. However no final decision has been taken yet on how the data are collected, who will perform the calculation and how often this should be done.

2.3.5 Impact

33. It can be expected that after the completion of the 2003 Fight Against Crime programme the impact, in the form of an exchange of DNA profiles analyses, will substantially materialise. The 2003 Money Laundering programme is not likely to make any significant contribution to the effective implementation of the *acquis* in the field of combating economic crime whilst some contribution to the implementation EUROPOL convention was achieved via the 2003

⁵ converted into the percentage of gross domestic product (GDP) for the comparison with other countries.

UIBF- EUROPOL activities. The envisaged contribution of the 2003 Fight Against Corruption to the decrease of the corruption rate is likely to be quite minor. Any impact from the 2003 UIBF-Drugs is more reflected in the identification of the real costs of the drug problem rather than in any substantial strengthening of governmental programmes and actions in the field of combating drug addiction and ensuring control of illicit drugs.

2.4 Component 4 - Public Administration

2.4.1 Relevance

34. This Component has dealt with the strengthening of the state administration services and in this context it has been clearly relevant. The 2002 Support to CSO programme covered the most urgent needs of the newly established CSO, focused on the installation of systems and on the provision of supporting tools. The relevance of 2003 Modernisation of Civil Service activities was fully justified at the planning stage. The current development with civil service reform in Slovakia however, raises substantial doubts in relation to the relevance of the foreseen assistance. The Civil Service Law since was adopted in 2001. In the meantime the original philosophy of the law underwent substantial changes. Various legal amendments cancelled all incentives for civil servants whilst obligations are retained and, eventually, there is now hardly any difference between civil and public servants. Moreover, remuneration schemes were changed and personal liability has been added, which created confusion and inconvenient frameworks for recruiting and retaining qualified staff. During the five years of existence of the Civil Service Law its initial purpose to decrease the high turnover of civil servants and to build professional service has not been achieved.

35. At the time of this IE the 17th amendment of the Civil Service Law has been waiting for likely Parliamentary approval. This amendment proposes substantial changes which directly influence the role of the key beneficiary institution in the area, the CSO. Since its establishment, due to legal measures, original key competencies of the CSO were gradually taken away. The currently proposed changes, if adopted, would practically diminish the role of CSO in the recruitment procedures. Government members have officially presented their opinions about the redundancy of this office and their political willingness to abolish it. This is rather surprising since it was the similar composition of the government which explicitly decided to establish such an office, though other options could have been used to comply with the Commission Service's request to substantially reform the civil service in the country. Nevertheless, under such unfavourable conditions, expressed by the ceasing commitment of the government towards the CSO, the relevance of the just started 2003 activities has to be seriously questioned. Despite the fact that the CSO has suffered from the absence of political support since its establishment, it appears to be in the meanwhile as an internationally well recognised institution with the membership in several important EU and international bodies.

36. The 2003 Support to PAR programme, implemented by MoI, is focusing on difficulties that were encountered as a result of decentralisation and it is assisting self-governing regions and municipalities to properly perform their role. This purpose responds to the urgent needs appearing under the decentralisation.

2.4.2 Efficiency

37. The 2002 Support to CSO programme could be presented as one of the few PHARE success stories in the country. Excellent working relations between CSO and twinning were established and a remarkable number of useful outputs was produced. The Personal Information System (PIS) was established as a user-friendly and flexible tool. Both sides showed commitment and enthusiasm and where possible CSO immediately brought all developed systems into operations. The only outstanding issue of twinning activities was training. Despite the CSO was given the responsibility for the horizontal training of civil servants and, consequently training curricula were prepared for the CSO, the Office is most likely the only central administration body in Slovakia without having its own training facility. Alternatives on how to secure training were not found feasible. Eventually trainers from both, state administration and private sector were trained. However training is not taking place as foreseen since the private sector is at present quite reluctant to offer training to state administrations. In fact, practically every single ministry has its own training plan and training facilities and/or training institutions, which makes it difficult for private business initiatives. Moreover, all these various training systems and activities are not centrally co-ordinated by CSO since the Office has not been entrusted with any overall co-ordination function in this area. The 2003 Modernisation of Civil Service programme has just started. Initial confusion and delay was caused by the withdrawal of the Ministry of Labour, Social and Family Affairs as one of the original main project beneficiaries. After all, this did not happen but the project was tendered and contracted only in the very last minute. Due to the current institutional uncertainties for the CSO both contractor as well as Office have a more than difficult situation to plan adequately their project activities.

38. The 2003 Support to PAR programme is so far performing without any substantial difficulties under the auspices of the MoI. The TW part has delivered expected specifications, needed to initiate the two TA contracts. The co-operation is very good and fruitful and the regional government involved in pilot testing activities is also very co-operative and committed. However, no obvious interest to participate in project activities is seen from the important Union and Association of Towns and Municipalities. First TW recommendations have already materialised and a Collegium was established to assist with the absence of co-operation and co-ordination matters at the regional level. As regards the effects of fiscal decentralisation some preliminary findings are awaited after completion of at least one fiscal year.

2.4.3 Effectiveness

39. The 2002 Support to CSO programme managed to achieve most of the expected results. The CSO is a fully operational institution able to perform in compliance with the valid legislation. All basic systems and administrative tools to perform its functions are in place. Despite that, the CSO is still perceived mostly by the ministries as a rather useless institution. However, in case of abandoning the CSO there is no other horizontal structure created to guarantee the professional, politically impartial civil service in the country. All the achievements from the past are at present seriously jeopardised in the context of the current legislative development and the approaching election period. Consequently the prospects for the effective use of 2003 Modernisation of Civil Service are not only unclear but raise the question whether such assistance can bring any effective results, taking into account the rapidly ceasing governmental commitment. The effectiveness of the 2003 Support to PAR intervention shows in general good prospects to bring expected benefits, also since decentralisation and local self-government remains an area of strong political commitment.

2.4.4 Sustainability

40. Without the external factors described above there should be in principle no doubt about the sustainability of the 2002 Support to CSO programme as such. Taking into account the present political and institutional uncertainties there are serious worries about the sustainability of the CSO as such, which puts in question the overall sustainability of any PHARE assistance provided so far to the civil service reform in Slovakia. Apparently, political pressure seems to be strong enough to severely influence the CSO operations, including its further existence. Projections for sustainability as regards the 2003 Modernisation of Civil Service follow exactly the same scenario unless some alternative is found on how to secure the implementation and to guarantee the future utilisation of the achieved results. It is expected that the 2003 Support to PAR interventions should be sustainable. The chosen pilot testing is a good initial step to eliminate all deficiencies before changes are applied in the large scale and, thus should potentially strengthen also the sustainability of results.

2.4.5 Impact

41. Having in mind what has been mentioned above, both 2002 Support to the CSO and 2003 Modernisation of Civil Service activities will hardly produce any visible impact apart from frustration unless institutional continuity of the CSO is secured, together with reasonable key competencies for civil service reform remaining with the CSO. The 2003 Support to PAR intervention has the potential to reasonable impact on the process of decentralisation and local self-government.

2.5 Component 5 – Justice, Prosecution and Law Enforcement

2.5.1 Relevance

42. The 2003 Efficiency of the Judiciary programme is completing the computerisation of the judiciary, started in 1998. This effort was initiated by the need to improve the performance of judiciary in terms of the transparency and reduction of delays at courts. The 2003 UIBF – Penal Matters project was also linked to this problem and assisted the introduction of alternative penal proceedings to release overloading of courts in penal procedure. According to the Regular Report the investigation and prosecution system constituted one of the main weaknesses of the judicial system. The 2002 Investigation and Prosecution TW part was therefore focused on the need to strengthen the effectiveness of police investigation and prosecution procedures. The TW was designed at the time before the change of organisational structure. Moreover, the content of the project has not been mutually consulted and the final version of the approved covenant was not fully compliant with the beneficiary requirements. This has been reflected not only in a difficult TW start but eventually influenced the final result of the assistance. In order to satisfy the beneficiary requirements some adjustments of activities were introduced during the implementation.

43. The Government approved the methodology for the proceedings and the analysis of the co-operation at electronic exchange of information on the penal agenda and agreed project implementation in July 2002. The rest of the projects for the GPO under 2002 Investigation and Prosecution, was closely related to the exchange of criminal information and data processing among LEA, as a follow-up of the project initiated under PHARE 2000. This particular problem was also addressed by the rest of 2002 and 2003 UIBF projects within the Component, with the exception of 2003 Protection of the Special Courts. In order to justify the need for the assistance all of the UIBF projects (including LEA) referred to the fight against

corruption, although there is only some indirect relation with this priority. Despite that, the projects are focused on actual needs, and although not directly attributed to top priorities, they can be considered as relevant.

2.5.2 Efficiency

44. The most important outputs of the 2003 Efficiency of the Judiciary programme will not materialise. The TA project intended to provide legislative advisory expertise was not successfully tendered - the only submitted offer did not meet the formal criteria and the Ministry of Justice refused the possibility of negotiated procedure because of a possible conflict of interest. The allocation of 0.210 M€ was lost and the MoJ will have to secure the resources (human and financial) to have the work done from other sources. The HW has been supplied and is awaiting completion of the recently contracted SW development project. The 2003 UIBF – Penal Matters has successfully delivered the intended outputs. Probation and mediation services were introduced as alternative proceeding. The actual results should be seen at the later stage; they will be closely monitored and assessed in order to adopt any necessary changes.

45. The 2002 Investigation and Prosecution TW project has not delivered much in terms of tangible results. Despite the commitment of both sides at the working level, there was no actual willingness of responsible senior officers to adjust the newly adopted structure and most of the TW recommendations were not noticed. Because of the design inconsistencies, the focus of the assistance was too wide. The apparent difference of the legal frameworks for the operation of investigators and prosecutors and in particular cultural differences do not enable any radical changes in the system. Although introduction of the abbreviated investigation and fast bringing to court was introduced in newly adopted legislation - outputs that are considered to be the most significant achievement - there are some doubts if this is fully realistic. It might be somewhat quicker than standard procedure but it will not work in the same efficiency as other member states – for instance as in France, within a 48 hours time framework. The established personal contacts are considered to be one of the most valuable outputs.

46. The efficiency of individual LEA projects is good however, when assessed as one overall complex undertaking it does not look so promising. Basically, the equipment was supplied and the internal information systems (IS) at the courts, corps of prisons and GPO, including networks and mutual connections among the systems, have been built and are operational, though not all over the country. The key element of the whole system – IS of the MoI, which generates the data to be processed, is however, missing. Although the LEA network project has been running already for a few years, apart from declared initial interest, the MoI has not demonstrated much commitment and ownership. It is apparent that internal agreement or common understanding/view between the various LEAs is also absent. The management of the MoI provided recently an official declaration stating that funds are allocated for the supply of equipment and IS development however, the presented deadlines are considered unrealistic. The proposal for further development of the project from Transition Facility funding is waiting for approval. The issues of the type of documents to be exchanged and of the security of transfer are still the subject of discussion. As regards 2003 Protection of the Special Courts project it is progressing well and the expected outputs should be achieved.

2.5.3 Effectiveness

47. The objective of the 2003 Efficiency of the Judiciary in the absence of the TA project will not be achieved. Establishment of the archiving system is expected to bring positive

benefits but this cannot reduce the backlog at the courts. The 2003 UIBF – Penal Matters project introduced the intended new services and thus achieved its aim. The 2002 Investigation and Prosecution intervention has not fully succeeded in utilising its outputs. Undoubtedly, new experience was gained and some of the skills and knowledge can be applied immediately, however, effective adoption of the new systems would require more profound behavioural changes. The LEA project results are highly appreciated with the exception of the MoI. Contradictory opinions were presented on how much time is saved when electronic exchange takes place. Successful completion of the LEA activities will very much depend on increasing MoI efforts. The 2003 Protection of the Special Courts should achieve its project purpose.

2.5.4 Sustainability

48. The archiving system to be delivered within 2003 Efficiency of the Judiciary should be automatically sustained. The likelihood of the sustainability of the newly introduced probation and mediation services under 2003 UIBF – Penal Matters is also promising. The benefits resulting from the 2002 Investigation and Prosecution TW should be sustained, provided they are adequately incorporated into legislation. However, one of the outputs in the form of Manual had only a short immediate life period due to introduced re-codifications. Nevertheless, it was found a useful tool as the Academy prepared and issued its amended version. As regards LEA, the MoI is a key contributor to make it finally fully operational. Provided its involvement is not secured the system would not be able to serve its purpose and the sustainability of the substantial investment provided by PHARE and State budget is endangered. Under the provision that recommendations submitted within 2003 Protection of the Special Courts are accepted, the results will sustain.

2.5.5 Impact

49. It is likely to expect that completion of the computerisation of the justice will contribute to the efficiency of its operation but this impact cannot be directly attributed to the 2003 Efficiency of the Judiciary projects. The achievements of the 2003 UIBF – Penal Matters project could however, substantially contribute to the efficiency of the judiciary. The wider effect of 2002 Investigation and Prosecution TW on strengthening of the administrative capacity in the fight against crime is rather negligible. As regards the various LEA projects, it is still pre-mature to judge their impact unless the system is fully operational. Moreover, the individual projects inconsistently refer to various overall objectives. The 2003 Protection of the Special Courts is eventually expected to contribute to the decrease of the rate of the corruption.

3. CONCLUSIONS AND RECOMMENDATIONS

3.1 Conclusions and Recommendations

3.1.1 Relevance

50. The projects under evaluation were selected at the approval stage according to the addressed priorities and most of them remain relevant, clearly directed towards identified problems and needs of the JHA sector. Top priorities projects are those assisting to fulfil the EU membership obligations, in particular where the deadlines are fixed (e.g. joining the Schengen area, operation of Dublin Station, EURODAC). Another part of the projects under evaluation are focused on the adoption of certain standards or best practises applied in the EU-15 members states, which are not obligatory but commonly applied and thus, often provide a common platform/unified approach to share and exchange information (DNA database, costs of illicit drugs). The remaining projects are addressing deficiencies identified in the various Commission reports and are supported by official governmental policies/reforms though often missing beneficial governmental action plans (tasks and timelines). The 2003 Modernisation of Civil Service intervention does not satisfy the relevance criterion at the time when physical implementation has been launched. The changed direction of the governmental policy in the area of civil service reform together with ceasing governmental commitment towards the benefiting CSO puts the whole assistance under question.

51. There have been some improvements in the design of individual interventions. In particular where the beneficiaries collected some experience in designing projects from the past, the objectives are more consistent and precise. In general, however, the design of individual interventions repeatedly suffers still too much from the usual weaknesses, such as too general and inadequate objectives and indicators. Again approval was granted to construction projects having no building permits, which has always resulted in difficulties with timely implementation. The 2003 Phare proposal to equip airports with security equipment was approved without prior checking if proper facilities would be available. Some implementation problems are attributed also to the rigidity of the PHARE system, lack of experience, insufficient absorption capacity, and lengthy tendering procedures - this time also affected by the lengthy EDIS accreditation. In the meantime a new difficulty has sometimes occurred – insufficient interest of bidders, which could be partly attributed to the change of web pages where tenders are announced, as well as the use of the national language in tendering. In the case of Phare 2003 in particular all this led to usual long periods between PF formulation and physical implementation and subsequently required additional changes in the planning documents. Such delays eventually resulted in extreme contracting efforts in the commitment deadline. The quality of logframes has still room for improvement. The indicators set out in the PF are either not related to the project activities or do not provide sufficient quality or quantity data to measure the change that can be attributed to the project. Small projects from UIBF proved to be more flexible and managed to avoid these problems. As the design phase of the pre-accession instruments is essentially completed, there is only hope that these findings will serve as lessons learnt for the Structural Funds implementation and for the Commission Services future interventions in other countries.

3.1.2 Efficiency

52. Efficiency of the JHA projects under evaluation varies. Too many projects were contracted only by the end of the commitment deadline. In a few cases allocations were lost because of delays in the tender preparation linked to difficulties in preparing and amending technical documents in a timely and professional manner. The supply contracts were managed rather quickly. They often expire earlier than other related projects and the delivered equipment has then to wait for completion of construction works or SW development. Several issues were identified where the solution should be found quickly in order to make the purchased equipment operational. For instance, the supply of camera monitoring systems (2003 Airports) needs some reasonable decision to ensure the proper utilisation of the supplied equipment. The parallel development of two asylum databases was inefficient and will be costly in future. There is a need to find a mutually acceptable solution to have one professional database available which could serve the purpose of both the MO and asylum courts.

53. As regards the public administration part of the JHA sector, after encouraging results achieved by the 2002 intervention for the CSO, the governmental policy towards CSO has changed and in this context the assistance provided through PHARE 2003 requires reconsideration. Delays in contracting caused a problem for the MoJ where the important TA project was lost. In terms of the efficiency more could have been achieved also within the 2002 Investigation and Prosecution TW. The project suffered from a lack of experience and from design deficiencies. Changes were introduced but no time was left to see the consequences, not all of the stakeholders were consulted on the objectives from the outset and only ad-hoc agreements were made throughout the implementation. The electronic exchange of files among LEAs is a long term and costly effort supported through PHARE since years but it cannot be successfully completed without the more active involvement of the MoI, demonstrating increased commitment and will for co-operation. Based on the overall performance in JHA it can be concluded that the projects which focused on the establishment of the institutions or systems indispensable under EU membership more successful though being built from the scratch. On contrary, the assistance provided to improve the performance of the existing systems was less accepted and successfully implemented.

54. The management of PHARE programmes at the MoI suffered from frequent personnel changes. Additional availability of EU funds from the Schengen Facility reduced the effective absorption capacity of the MoI. Whilst it is generally often observed that the working environment at the ministries is not very co-operative, in the case of the MoI this feature is more than visible. It is understood and accepted that the internal structure and communication of the MoI is somewhat specific due to the sensitivity of its business but the problems observed indicate certain shortages, which are more dedicated to insufficient interest and poor working methods than to respect of confidentiality and national security. Moreover, projects like provided by PHARE often require the involvement of police in co-operation with other institutions (prosecutors and judges) where the communication and co-operation is a very important factor for successfully achieving the intended purpose. Also here, the performance of the MoI can still improve.

3.1.3 Effectiveness

55. The effectiveness of the PHARE assistance is in most cases adequate although the various project aims are not always very specific and often accompanied by insufficient indicators. A few interventions have performed less effectively and did not succeed to achieve the project purpose. This was the case of the 2002 Development of Asylum Database, which is

not utilised. It would not be reasonable to insist on further use of both SW tools and agreement on the provision of data from only one database to both, MO and courts staff, could be a feasible solution. The effective achievement of the aim set out for 2003 Money Laundering is hampered because of the lack of political support to adopt the respective legislation. The ambitious aims of the 2002 Support to CSO programme were achieved well however, under the current political circumstances they are not likely to substantially maintain. For the same reason, the 2003 Modernisation of Civil Service programme is at present unlikely to achieve the original purpose. The current unfavourable situation will also require adequate action to ensure cost-effectiveness. Despite obvious benefits of the 2002 Investigation and Prosecution intervention, effectiveness of the outputs is only limited. The full benefit of the various LEA projects cannot be realised unless the MoI part is completed, indispensable for making the overall system fully operational. Effective operation of the system definitely requires more commitment from all concerned parties, requires feasible internal agreements within the MoI as well as specific rules among the involved LEAs on the content of the information exchanged.

3.1.4 Sustainability

56. With the exception of a few highlighted cases the prospects for sustainability are satisfactory in the main. In a few cases sustainability is either not secured because the originally planned benefits have not been fully achieved and there is little to sustain (2003 Money Laundering) or because of the adverse effects of the policy changes. In case of the 2003 UIBF-Drugs project, in order to sustain the results, decisions need to be made on division of responsibilities at conducting the calculation. Serious concerns appear in case of the PHARE assistance provided to the CSO. This institution was capable of continuing the flow of benefits when the 2002 PHARE project ended. It is well managed, showing now adequately trained staff, sufficient equipment and knowledge. However, the policy changes on-going have an adverse effects on sustainability of both, previously completed and on-going interventions. To sustain these benefits, the situation must be consciously and thoroughly judged and subsequent decisions have to be made. Equally, in order to sustain the long-term assistance given to the LEA project, adequate measures have still to be introduced by the beneficiaries.

3.1.5 Impact

57. In relation to impact, most of the JHA interventions under review contributed or will contribute to the achievement of their overall objectives. Beneficial steps were taken to assist effectively the implementation of the Schengen Action Plan, required measures were introduced to align asylum and migration policy, and activities were carried out that should in the longer term contribute to fight against crime and decreasing of corruption. Observing some of the intended impacts may take more time since changes in thinking and behaviour need often a much longer period to materialise and cannot be expected to take place immediately. The overall objectives of the assistance provided to the CSO are unlikely to be achieved under the current political circumstances. The changing governmental policy towards civil service/state administration services potentially jeopardises any impact expected from PHARE in this area.

Recommendations table

Conclusion	Recommendation	Output	Reference/ Paragraph	Responsibility	Deadline
<p>2003-004-995-03-21 Modernisation of the Airports The outstanding problem with the supply of camera monitoring systems needs immediate and reasonable action in order to ensure the proper utilisation of the supplied equipment.</p>	<p>The MoI should initiate a meeting of the established working group (Ministry of Transport, MoI, MO, Airport Authority) to propose alternatives for the equipment installation. As soon as the privatisation process for the airport is completed and the new owner is announced, negotiations should be initiated to make sure that the supplied monitoring system is installed and effectively utilised.⁶</p>	<p>Installed and utilised camera monitoring system</p>		<p>MoI</p>	<p>As soon as possible</p>
<p>2002/000-610.02 Special Documentation Software for MO The parallel existence of two asylum databases is inefficient and costly in future. There is a need to find a mutually acceptable solution in order to have one professional database available which could serve the purpose of both, the MO and asylum courts and/or other potential users.</p>	<p>Two options should be considered:</p> <ol style="list-style-type: none"> 1. MoI and MoJ should find a mutually beneficial solution for the common use and further development of one database, most likely of the one existing at the MO. In such case the MoI/ MO together with the MoJ – asylum courts should assess the most convenient technical and prompt solution, to enable also the restricted access of judges to the database and the MoI needs to provide staff for the MO for managing these tasks. 2. Provided that such an access is not realistic due to security reasons it should be considered to establish a Documentary Centre which would serve purposes of relevant ministries/central state administration bodies. Such Documentary Centre has to be sufficiently equipped and staffed in order to secure administration and technical support for the further development of the database. 	<p>One asylum database utilised by both, MO and courts staff</p>		<p>MoI/MO/MoJ</p>	<p>As soon as legally and technically possible</p>
<p>2002/000-610.01 Support to CSO, 2003-004-995-01-01 Modernisation of the Slovak Civil Service The governmental policy and commitment</p>	<p>Based on the expected further changes in the Civil Service Law, possibly leading to severe institutional consequences for the CSO, the ACU should assess in detail the likelihood for effective delivery and sustainability of this 2003 project.</p>	<p>Decision on the further continuation of the project</p>		<p>ACU</p>	<p>After the adoption of the new amended</p>

⁶ According to the report's debriefing, as a result of recent meetings of the parties responsible it has been agreed that the facilities for the installation of the camera monitoring system will be available by 15 September 2006 latest. An addendum to the supply contract has been signed to postpone the delivery and installation of the equipment. The Aid Co-ordination declared to follow-up effective progress in this matter.

towards civil service reform has changed and in this context the further assistance provided through PHARE 2003 to the CSO should be consciously and thoroughly reassessed in the light of the changed project relevance.	Pending on the institutional situation of the CSO, immediate considerations should be given to adequate corrective measures, including also request for extension, re-orientation of project activities to more prospective project users (e.g. MOLSAF) and/ or cutting of activities/ budgets which became redundant.	and /or change of its content			legislation
2002/000-610.02 and 2003-004-995-0104 UIBF – LEA The electronic exchange of files among LEA is a long term and costly effort supported by PHARE since years, which however cannot be completed without the more active involvement of the MoI. Effective operation of the overall LEA network system cannot be achieved without the commitment of all concerned parties.	The ACU should reconsider the approval of the so-called LEA 3 phase, to be financed from Transition Facility funds, provided that no sufficient guarantee for timely completion of the overall system can be received from the MoI. The MoI should internally agree (with the working group – future users) the conditions and functionalities of the LEA system, including feasible deadlines. Subsequently, discussions should take place with the LEA partners and agreements should be reached on further details of the co-operation (e.g. documents to be exchanged, security issues). The agreed detailed proposal - confirmed by the inter-sectoral committee - containing financial provisions, individual tasks, persons responsible and deadlines indicating how the MoI will proceed with the establishment of its internal system – should then be submitted to the ACU. Based on the quality of the proposal a decision should be taken on further provision of external funds. Implementation of the submitted plan should be closely monitored by the ACU.	Detailed plan for the development of MoI IS (part of LEA)		ACU/MoI	With immediate effect
2003-004-995-0104 UIBF Social and Economic Costs of Illicit Drugs Decisions need to be made on division of responsibilities for conducting the calculation for the cost of illicit drugs.	The General Secretariat should liaise with the Statistical Office in order to formally establish official co-operation and thus enable exchange of relevant data and information. The General Secretariat should also initiate the incorporation of the duty to collect necessary data by individual central state administration bodies through the Methodological Instruction of the Ministry of Finance on the direction of programme budgeting (No. 14/2004), collection of data for the calculation of the costs of illicit drugs. At the same time it should specify necessary details to make sure that correct data are provided. Calculations should be made in accordance with EC recommendations as regards methodology and frequency.	Clearly dedicated responsibility for the collection of data		General Secretariat of the Committee of Ministers for Drug Addiction and Drug Control	With immediate effect

3.2 Performance rating

Component/ Project	Relevance	Efficiency	Effectiveness	Sustainability	Impact	Verbal overall rating
2002/006-610.19	1	-1	1	1	1	S
2003-004-995-03-21	0	-1	0	0	1	S
Schengen Border Management	1	-1	0	1	1	S
2002/000-610.21	1	0	0	0	1	S
2002 UIBF SW MO	1	0	1	1	1	S
2003-004-995-03-19	1	0	1	1	1	S
2003-004-995-03-20	2	1	2	1	1	S
2003 UIBF Admin str	1	1	1	1	1	S
Asylum and Migration	1	0	1	1	1	S
2003-004-995-03-23	1	0	1	1	1	S
2003-004-995-03-24	1	-1	-1	0	0	U
2003 UIBF EUROPOL	1	1	1	1	0	S
2003-004-995-01-03	1	0	1	0	1	S
2003 UIBF Drugs	1	1	0	0	1	S
Fight Against Crime	1	-1	0	1	1	S
2002/000-610.01	-1	2	1	-1	-1	U
2003-004-995-01-01	-1	0	-1	-1	-1	U
2003-004-995-01-02	1	1	1	1	0	S
Public Administration	-1	1	1	-1	-1	U
2003-004-995-03-22	1	-1	-1	1	0	S
2003 UIBF Penal matt	1	2	1	1	1	S
2002/000-610.22	0	0	0	1	0	S
2002 UIBF Security	1	1	1	1	1	S
2002 UIBF IS Corps	1	1	1	1	1	S
2003 UIBF IS prisons	1	1	1	1	1	S
2003 UIBF Protection	1	1	1	1	1	S
Justice, Prosecution and Law Enforcement	1	1	1	1	1	S
Taking into account the contextual constraints on the evaluation, the sector overall is rated to be 'SATISFACTORY'						
Justice and Home Affairs Monitoring Sector	1	-1	1	1	1	S

Ratings guide: -2 unacceptable; -1 poor; 0 sufficient/adequate; +1 good; +2 excellent.

HS-Highly Satisfactory, S- Satisfactory, U-Unsatisfactory, HU-Highly Unsatisfactory.

ANNEXES

ANNEX 1

Indicators of Achievement

Immediate Objectives (Project Purpose)	Indicators of Achievement (Objectively Verifiable Indicators)	Remarks
Component 1- Schengen Border Management		
2002/000.610-19 Implementation of the Schengen Action Plan and Continue to Upgrade the infrastructure at the EU Future External Borders		
Adoption of Category I of the provision of the Schengen <i>Acquis</i>	Until 1 May 2004	Not specific enough and hardly manageable within 5 months duration of TW activities, adjustment would be needed to reflect the real timing
Strengthened Control and Management of Slovak-Ukraine Border	124 recruited police staff until 31.12.2004	Not valid as indicator – human resources have been assessed as sufficient for the expected scope of activities
Establishment of the national part of the Schengen Information System	Creation of SIS consisting of N-SIS and Sirene until 30 December 2006	Valid as indicator
2003-004-995.03.21 Modernisation of Technical Equipment at the SR Airports		
To control and monitor the facilities of the Slovak international airports (Bratislava, Košice, Poprad-Tatry)	To increase detection of suspicious targets (persons, luggage) at international airports	Not valid or applicable as indicators
Component 2 – Asylum and Migration		
2002/000.610-21 Support for the Implementation of the Dublin Convention		

Immediate Objectives (Project Purpose)	Indicators of Achievement (Objectively Verifiable Indicators)	Remarks
Preparation of the organisational, personal, legal and material conditions for the implementation of the Dublin Convention in the close connection with the entry of the Slovak Republic to the future Schengen area	Remaining <i>acquis Communautaire</i> in the field of asylum adopted in the new asylum act and relating acts and respective measures	To set up adoption of legislation as an indicator is always very tricky and doesn't say anything about the quality of the law, which could be easily prepared without any project contribution; we would suggest to avoid it for the future
	Building up the Department of Documentation and Foreign Co-operation as a key working place with appropriate prepared staff and technical equipment for the support of the asylum procedure and international co-operation	The SW development can hardly be considered as building up the Department, that has been already in place and functioning, moreover the project activities were not specifically focused on the staff preparation
2003-04-995-03-19 Strengthening Reception Capacities for Asylum Seekers in the SR		
Capacities to receive refugees and process asylum applications in line with the EU <i>acquis</i> and international agreements ensured	By the end of 2004 overall asylum reception capacity in SR will meet the effective demand as reflected in data on asylum seekers and use of reception capacities Maximum processing time for applications equal or below the limits set by the Act on Asylum by the end of 2004	Valid and applicable as indicators but still not achieved at the beginning of 2006
2003-004-995.03.20 Establishment of EURODAC in the SR		
Institutional capacities concerning the EURODAC to effectively implementing the Dublin Convention prepared	Processing time for asylum request (Dublin cases) in line with EU requirements by the end of 2004	Valid and applicable as indicator
Component 3 - Fight Against Crime and Corruption		
2003-004-995.03.23 Compliance with EU Criteria on Police Co-operation and Fight against Crime (DNA)		
Setting-up of a national DNA profiling database of suspicious persons	Number of profiles – 14.000 (target number) by 30.11.2005	Could be considered valid as indicator but not met via project activities yet as the project has only started, it is quite likely to expect that stated figures have been already achieved in the old national databases
Setting-up of a national DNA profiling database from crime scenes	Number of profiles – 7.000 (minimum for effective operation) by 30.11.2005	
2003-004-995.03.24 Combating Money Laundering		

Immediate Objectives (Project Purpose)	Indicators of Achievement (Objectively Verifiable Indicators)	Remarks
Operational capacity for Financial Intelligence Unit (FIU) of the Bureau of the Financial Police meets the requirements of the <i>Acquis</i>	Full staff number and technical equipment available by 30.11.2005	The project has not dealt with the issue of staff number and equipment is about to be delivered now
2003-004-995.03.24 Fight Against Corruption		
Increase of public involvement in fighting corruption and decreased areas where corruption can occur	Number of problematic areas in state administration decreased	Not sufficiently specified
Component 4 - Public Administration		
2002/000-610.01 Support to the Civil Service Office		
To strengthen the capacity of the State Administration services by improving the professionalism, stability, motivation and ethical behaviour of Civil servants, through full implementation of the Civil Service Law.	Decreased divergence between CS in Slovakia and EC 'Civil Service Baseline' requirements	'Civil Service Baseline' requirements are not known
	Existing of coherent inter-institutional CS strategy	Output indicator
	Existence of CS enforcement and management structures	Could be applied provided that further specification of structures is described
	Number of existing State employees who have become "permanent civil servants" by the end of the project	This figure has no direct link with the project and too many factors can influence such figures to use them as benchmarks
	Code of ethics adopted and disciplinary framework for its enforcement developed.	Output indicator
	New pay system developed and CS remuneration improved.	Output indicator
	New CS and personnel management system (including fully operational CSO) in place	Output indicator
2003-004-995-01-01 Modernisation of the Slovak Civil Service and Public Service		
Civil Service Law fully implemented and effectiveness and efficiency in Public Administration improved Strategy for the Reform of Public Sector Employment Practices fully implemented	Civil Service offices will be operating wholly within the articles of the Civil Service Law	Valid but it should be automatically assumed that the law is enforced when it is valid
	Targets for value for money, manpower and quality being met	More detailed specification of 'targets' would be required
	All public administration employees operating within similar terms and conditions of employment	The formulation of the indicator is imprecise and would need a specification
	Improved recruitment and retention rates in civil service offices and in the whole public administration	Could be considered valid provided the data are made available, it is not clear if baseline data are available
2003-004-995-01-02 Support to the Public Administration Reform		

Immediate Objectives (Project Purpose)	Indicators of Achievement (Objectively Verifiable Indicators)	Remarks
Completion of the process of decentralisation of the public administration with the further development of the administrative structures and mechanisms required for its efficient functioning and the strengthening of the capacity of the decentralised administration (self-governing regions and municipalities) to properly perform their role in a context of EU membership	Reform of PA completed	Invalid , not specific enough
Component 5 – Justice, Prosecution and Law Enforcement		
2003-004-995-03-22 Strengthening the Efficiency of the Judiciary		
Continue to strengthen the efficiency of the judiciary	Substantial improvement of the efficiency of the judiciary reflected in decreased number of pending cases at the courts	More specific quantification of ‘substantial’ expressed via comparison of pending cases before and after the project would be more helpful. After the cancellation of TA project there is no direct relation between the project activities (supply of archiving SW and HW) and the number of pending cases
2002/0000-610.22 Strengthening the effectiveness of investigation and prosecution procedures		
Implementation of the institutional model of investigation procedures based on the new adopted Code of Criminal Procedure in line with EU requirements	Increased number of successfully prosecuted serious crime cases in 2004 in comparison to 2003	There is no direct link to the project activities
Efficient and timely exchange of criminal information and data processing among prosecutors, police and judges	LEAs capable of efficient communication on organised crime-related matters	Provided that ‘efficient communication’ means that system is fully operational., the date should be specified when this should take place
	Rates for successful prosecution of anti-corruption, economic and financial crime, organised crime increased in 2004 in comparison to 2003	It doesn’t provide sufficient indication for the activities as the projects have not dealt with the success rate of the crime prosecution
	Decreased average time of other criminal procedure in comparison to 2003	Valid but not earlier then 2006, provided that data on average time are available
2002/000-610.02 Unallocated Institution Building Facility 2003-004-995-01-04 Unallocated Institution Building Facility		

Immediate Objectives (Project Purpose)	Indicators of Achievement (Objectively Verifiable Indicators)	Remarks
Completion of some specific urgent, unforeseen needs identified in the course of the accession negotiations, the NPAA, the preparation of the Action Plan for Administrative and Judicial capacity and the Peer Review	Acceleration of the progress within ministries/institutions towards meeting the requirements of the acquis to time constraints set out in the FM	Not applicable, too wide scope of different projects

ANNEX 2

List of Interviews

INSTITUTION	INTERVIEWEE	DATE
Migration Office of the SR Pivonkova 6 812 72 Bratislava	Ms. Ludmila Bohusova	12.12.2005
Europol National Unit Headquarter of the Police Force Vajnorska 25 812 72 Bratislava	Mr. Eva Boudova Liaison Officer	16.01.2006
Ministry of Interior Section of Public Administration Drienova 22 826 86 Bratislava	Ms. Eva Chmelova	15.12.2005
Police Presidium Office of Justice and Criminal Police Dept. of strategic analyses and planning Racianska 45 812 72 Bratislava	Mr. Jozef Gasparovic	07.12.2005
Police Presidium Racianska 45 812 72 Bratislava	Mr. Francois Guillot PAA	20.12.2005
General Prosecutor Office SR Department of Informatics Sturova 2 812 85 Bratislava	Mr. Miloslav Hecko* Director	10.01.2006
Police Presidium Office of Justice and Criminal Police Racianska 45 812 72 Bratislava	Mr. Stano Hrda	07.12.2005
Police Presidium Office of Border and Aliens Police Vajnorska 25 831 03 Bratislava	Mr. Ladislav Chabrecek*	20.12.2005
Ministry of Interior Drienova 22 826 86 Bratislava	Ms. Eva Chmelova	15.12.2005
Police Presidium Office of Justice and Criminal Police Racianska 45 812 72 Bratislava	Ms. Tatiana Jadudova	11.01.2006
Police Presidium Office of Justice and Criminal Police Racianska 45 812 72 Bratislava	Mr. Milan Janicek Director	07.12.2005
Migration Office of the SR Pivonkova 6 812 72 Bratislava	Mr. Michal Jasik	05.01.2006
Directorate General of Corps of Prisons and Court Guard Department of Informatics Chorvatska 3 813 04 Bratislava	Mr. Juraj Klepac Director	07.12.2005

Ministry of Justice Head of Phare Implementation Unit Zupne namestie 13 814 90 Bratislava	Mr. Julius Kralik	17.01.2006
Office of the Government of the SR Department of Fight against Corruption Namestie slobody 1 813 70 Bratislava	Ms. Veronika Kulikova	21.12.2005
Office of the Government of the SR Aid Co-ordination Unit Namestie slobody 1 813 70 Bratislava	Ms. Denisa Kutytova Programme Manager	02.12.2005
Office of the Government of the SR General Secretariat of the Board of Ministers for Drug Dependencies and Drug Control Namestie slobody 1 813 70 Bratislava	Ms. Dana Loziava Project Manager	16.12.2005
Police Presidium International Police Co-operation Office Budysinska 2/A 812 72 Bratislava	Mr. Peter Lorincz Head of SIRENE	16.12.2005
The Office for the Protection of the Constitutional Agents and Diplomatic Missions Racianska 45 832 23 Bratislava	Mr. Jan Minarovic Liaison Officer	19.01.2006
Forensic Science Institute of the Police Force EURODAC Department Sklabinska 1 812 72 Bratislava	Ms. Zuzana Nemethova	07.12.2005
Civil Service Office Dr. Vl. Clementisa 10 821 02 Bratislava	Mr. Lubomir Plai Chairman	12.01.2006
Office of the Government of the SR General Secretariat of the Board of Ministers for Drug Dependencies and Drug Control Namestie slobody 1 813 70 Bratislava	Mr. Blazej Slaby Director, SPO	31.01.2006
Migration Office of the SR Department of International Co-operation Pivonkova 6 812 72 Bratislava	Ms. Natasa Slavikova Head of Department	05.01.2006
Bureau for Combating Organised Crime Financial Intelligence Unit Racianska 45 812 72 Bratislava	Mr. Ivan Snirer	13.12.2005
Regional Court Bratislava Zahradnicka 10 813 66 Bratislava	Mr. Lubomir Sramko Judge	05.12.2005
Ministry of Justice Zupne namestie 13 814 90 Bratislava	Ms. Martina Tabacikova*	17.01.2006
Migration Office of the SR Department of International Co-operation Pivonkova 6 812 72 Bratislava	Ms. Ivana Tarcalova	05.01.2006
Civil Service Office Dr. Vl. Clementisa 10 826 53 Bratislava	Mr. Richard Toth SPO	12.01.2006

Ministry of Justice Strategy and Development of IS Zupne namestie 13 813 11 Bratislava	Mr. Rudolf Vadovic Director	06.12.2005
Ministry of Interior Office of Informatics and Telecommunication Pribinova 2 812 72 Bratislava	Ms. Zuzana Vidova	05.01.2006
Ministry of Interior Department of Foreign Affairs and European Integration Pribinova 2 812 72 Bratislava	Ms. Lubica Zajacova SPO	08.12.2005
Forensic Science Institute of the Police Force 9. maja No. 1 974 88 Banska Bystrica	Ms. Livia Zatkalikova*	20.12.2005
Ministry of Interior Drienova 22 826 86 Bratislava	Mr. Peter Zvara Project Manager	15.12.2005

ANNEX 3

List of Documents referred to in the Interim Evaluation

Name of Originator	Date	Title of Document
Government of the Slovak Republic/ European Commission	2002	Financing Memorandum and Project Fiches
Government of the Slovak Republic/ European Commission	2003	Financing Memorandum and Project Fiches
CFCU	November 2005 January 2006	Financial and Contractual data for JHA Sector
MWH	September 2004	R/SK/JHA/0104 Interim Evaluation of JHA sector
Aid Co-ordination Unit of the Office of Government of the SR	October 2005	Monitoring Report No M/SR/JHA/05011
		ToR, Twinning covenants and TS for all projects
IBM	May 2004	Inception report, Final report Development of IS under the conditions of Corps of Prisons and Court Guard
IBM	September 2004 January 2005	Inception report, Final report Increasing the security of info and data processing among LEAs
IBM	February 2005	Final report Development of IS within the fight against corruption
SEMA	August 2004 June 2005	Inception report, Final report Development of Asylum database
Federal Public Service of Belgium	July 2005	Final Report, Reinforcement of Judicial Capacity in the area of penal matters
Ministry of Interior of the French Republic	February 2004 July 2005	Quarterly report 1 – 5, Final report Implement the Schengen Action Plan
Netherlands Immigration and Naturalisation Service	December 2005	Quarterly reports 1-4, Final report Support for the implementation of the Dublin Convention
Ministry of Interior of the French Republic	March 2004 November 2004	Quarterly reports 1-3, Final report Strengthening of criminal procedures
NL	July 2004 January 2005	Inception report, Final report Combating Money Laundering
CNFPT, France	August 2005	Quarterly report 1,2 Support to PAR
ECO	October 2004 December 2004	Inception report, Final report Analysis of further training of professional journalism
	2004	Investigative journalism
ECO	December 2004 June 2005	Inception report, Interim report Social and Economic Costs of Illicit Drugs used in SR
Siemens Business Services	May 2005	Inception report Transparency in functioning of State Administration
Swedish Migration Board	December 2004 May 2005	Inception report, Final report Improving Administrative structures of migration
Astec	July 2004	Inception report Special Documentation SW for Migration Office
Astec	July 2003 to June 2004	Inception report, Progress report 1,2,3 Establishment of a Personnel Information System for the Management of the Civil Service of the SR
Danish School of Public Administration	September 2003 August 2005	Quarterly report 1 – 8, Final report Support to the CSO

Documents requested but not made available (with reasons):

ANNEX 4

Recommendations from previous Interim Evaluation

Interim Evaluation Report No. R/SK/JHA/0104 on JHA, issued 22 September 2004

Recommendation	Applied	Responsibility for Follow-up	Deadline	Remarks
<p>2002/000-610.21 Development of asylum database and 2002/000-610.02 Special SW for MO for analysis of country of origin: In order to ensure close co-ordination of project activities – notably in the context of the necessary compatibility of both databases - the MoJ and the MoI/ Migration Office should organise common Steering Committees for these two projects, one preferably taking place during the project start up and the second one during the finalisation phase.</p>	Yes	MoJ/MoI/MO	According to the Steering Committee schedule	Even though technical experts started to co-operate on the compatibility of two databases at the end of project, the project was not as successful as originally planned. The main problem was that the projects did not start at the same time and implementation was provided by two different companies. It is quite unlikely to expect that the two databases will communicate due to legal problems and expensive technical solution.
<p>The MoI should review status and quality of project proposals to be forwarded under the TF. The MoI should actively promote the TF assistance internally and should invite its client units to participate in the scheme in order to create a pool of qualitative proposals, potentially eligible for TF funding.</p>	Yes	MoI	With immediate effect	MoI organized training for all SPOs concerning programming of Transition Facility and eligibility of projects under this facility. MoI has informed all organisational bodies about the facility and invited them to submit eligible proposals for funding. Despite that, some of the end beneficiaries having experienced cumbersome and lengthy preparatory and tender procedures, are not interested in TF funding. Quite often support is requested for other than IB activities, which is not eligible; and beneficiaries require contracting of the same contractor, without tendering.
<p>2002/000-610.19 Implement the Schengen Action Plan and Continue to Upgrade the Infrastructure at the EU Future External Borders: The MoI together with the PAA should submit an official statement to the ACU/ECR explaining the precise starting date and timing of the Austrian part of the twinning, including milestones to be achieved until its completion. If such a binding statement cannot be provided in due time feasible reallocation of the concerned part of the</p>	Yes	MoI	With immediate effect	Even though the Austrian part of the twinning was heavily delayed, all planned activities were finally fulfilled.

twinning budget should be envisaged, otherwise the twinning part at risk should be cancelled.				
2002/000-610.19 Implement the Schengen Action Plan and Continue to Upgrade the Infrastructure at the EU Future External Borders: In the event of loss of PHARE funds, the MoI should provide the ACU/ECR with a written explanation, showing how and when the non-contracted parts of the Schengen project will be financed and realised. In case of loss of funds the MoI should critically review its performance and draw adequate lessons for its future programming and implementation.	Yes	MoI	With immediate effect	The request for project fiche modification was not approved by the ECR due to the lengthy approval procedures and little time available till the end of contracting period. Non-contracted allocation of the projects represents 0.5 MEUR. The Schengen Facility will cover the originally planned activities, which did not materialize.
2003-004-995-01-04 UIBF EUROPOL: The MoI/ Europol National Unit should identify measures for increased effectiveness and sustainability, such as systematic follow-up of the benefits expected from study visits, increased dissemination of the know-how gained from the training and/or identification of logical follow-up activities, to be reported by the end of the project.	Yes	MoI/Europol National Unit	With immediate effect	A meeting the Slovak Europol Unit with the Austrian counterparts took place in Vienna. Based on the Austrian experience the Slovak team prepared a manual to serve training purposes and to ensure awareness raising, dissemination of knowledge and information gained through the project.
2003-004-995-01-01 Modernisation of the Slovak Civil Service and Public Service: The CSO should carefully reassess the available resources for the 2003 programme and if possible should commence implementation of the 2003 Programme only after completion of the current 2002 twinning activities, to make sure that the project remains manageable and absorbable for the CSO.	Yes	CSO	As soon as the new contract is launched	CSO avoided any overlap as the contracting took much longer than expected.
2003-004-995-01-02 Support to the Public Administration Reform: In order to ensure the smooth implementation of the 2003 PAR programme the co-operation with the Association of Towns and Municipalities and other similar bodies should be actively initiated by the MoI. Details of the project design should be mutually agreed, in order to ensure ownership. Representatives of local government bodies should participate at Steering Committee or monthly meetings. Since the available training possibilities can not cover all numerous local government structures, a pilot operation of training schemes could be considered for those local governments that show obvious interest to participate.	Yes	MoI	With immediate effect	The representatives of local and regional self-government are involved in activities implemented within the project. Pilot training activities are envisaged. The representatives of self-government will be invited to the Steering Committee meetings.
The MoI should establish clear communication flows within the Ministry's Phare structure as well as in relation to other	Yes	MoI	With immediate effect	MoI accepts recommendation. Communication flows have been improved. Personal and

relevant institutions (ACU, ECR etc.). Communication rules should be respected and reinforced to make sure that information is provided to the bodies concerned and on time.				organisational changes took place.
In the absence of the overall PAR co-ordination, CSO and MoI project managers could be invited to attend each other's Steering Committee/monthly meetings in order to be regularly informed about project progress. The presence of the Co-ordinator for Central Government Reform from the Office of Government should be also considered. Despite this action has been already agreed it has not been taking place so far; therefore, agreed arrangements should be reinforced.	Yes	CSO, MoI	With immediate effect	The representatives of main beneficiary of the project (MoI) participate in the Steering Committee organized by CSO (and vice versa) to exchange information and extended co-operation.
2002/000-610.22 Strengthening the Effectiveness of Investigation and Prosecution Procedures: The SAC at the MoI should investigate and clarify encountered difficulties with co-operation at the Unit for Fight against Organised Crime within Police Presidium and formally inform ACU and ECR about measures introduced, to ensure that the project is implemented in the most effective manner.	Yes	MoI	With immediate effect	Although the MoI has not confirmed encountered difficulties, the activities clearly spelled out in the Twinning covenant have not been delivered.
2002/000-610.22 Strengthening the Effectiveness of Investigation and Prosecution Procedures, 2002/000-610.02 UIBF, 2003-0004-995-01-04 UIBF: To ensure the effective operation of the data exchange among LEAs the MoI should seek all the possible opportunities to ensure that sufficient funding (preferably from state budget but also - if sufficiently justified and agreed - from the Transition Facility) is available for the equipment of police offices all over the country as well as for the information system development in line with the proposal of the twinning activities.	Yes	MoI	As soon as twinning activities are completed (expected in October/ November 2004)	MoI started to participate on the project only in its final phase. The exchange of information between all involved parties was secured only in the testing process. The real exchange is running only among Courts and Prosecution. Ministry of Interior officially declared their willingness to participate on the exchange of information in the future. The financial sources for the purchase of IT are secured and the IS development has commenced
For project proposals referring to governmental strategies or any other national concept or strategy paper, the ACU should require copies of the document (if possible with an appended action plan setting out activities and their deadlines) in order to judge whether the institutional commitment is sufficient enough to guarantee that activities undertaken by Phare/Transition Facility are complementary and sufficiently co-financed, thus allowing secure completion of the project.	Yes	ACU	At the time of submission of project proposals	In spite the fact that recommendation was accepted for the programming of TF as well for UIBF projects, it is hardly executed in practice. However, all the governmental strategies or national concepts are publicly available. Concerning the project 2003-004-995-03-22 Strengthening of the efficiency of the Judiciary, MoJ provided ECR with the clarification letter and confirmation that the IS for the rest of courts will be financed from the state budget.

ANNEX 5 Dissenting Views and Comments not incorporated

A) Dissenting Views

Party/ Comment	Reference	Evaluators Response
<p>Ministry of Interior/Bureau of European Affairs and Foreign Relations</p> <p>Performance rating (2003-004-995-03-24): The project benefits for the police investigation will be positive. The judiciary context is out of scope of the MoI.</p> <p>The TWL under 2003 Money Laundering was completed successfully. The supply of equipment and upgraded SW was partially delivered at the time of assessment. Although the project is running successfully, its benefits to the overall agenda of combating organized crime might be limited by the lack of relevant legislative framework. The project has not been finished yet; its final benefits or failure cannot be currently assessed.</p>	<p>D) Performance rating Page IV</p> <p style="text-align: center;">para 8</p>	<p>The information gained from the end beneficiary completely contradicts this statement</p> <p>The TWL project was completed and supply of HW and SW cannot influence its outputs and results.</p>

B) Comments not incorporated

Party/ Comment	Reference	Evaluators Response
<p>Ministry of Interior/Bureau of European Affairs and Foreign Relations</p> <p>As a result of recent negotiations of the Bureau of Border and Alien Police with the airport management, a promise has been given to assign proper space for camera monitoring system</p> <p>One single table should be sufficient</p>	<p>B) Main evaluation findings Page II</p> <p>D) Performance rating – page IV</p>	<p>Incorporated as footnote</p> <p>Respecting the structure of the report as outlined in the guidelines, the executive summary can be considered as a separate stand alone document and therefore repeats the table</p>

<p>The rating should be reconsidered (2002-610-21), since:</p> <ol style="list-style-type: none"> 1. It supported the directly applicable Council regulation (EC) 343/2003 Dublin II and Council regulation (EC) 2725/2000 EURODAC, whose implementation was mandatory for the SR to accession to EU (Relevance). Further, the legislative changes relating to establishing of an independent second instance administration body in asylum procedure has, as such, a long-term effect (Sustainability) and Europe-wide impact (Impact). 2. The sources were fully utilised (TW, supplies for MO and courts). Merely the utilisation of MoJ SR database remains problematic. (Efficiency). The objectives of the projects have been achieved. 	<p>D) Performance rating Page IV</p>	<p>In general, the lower rating of the programme is attributed to the asylum database project for the courts. Moreover, persisting problems of insufficient staffing, in particular lack of IT specialist, at the MO had also contributed to such rating. The evaluators are not neglecting excellent benefits of the TW project but trying to highlight the topics that were found problematic already at the time of the TW, and still remain unsolved.</p>
<p>The technical assistance (TA) project dealing with the development of Asylum Database for the asylum courts (appellate process in second instance) was designed similarly to the 2002 UIBF project on Documentation Software for the MO (decision-making process in the first instance of asylum procedure) due to the fact that both decision-making processes depend on time limits set in the law and the effectiveness of the first and second instance of asylum procedure requires exact and timely information on countries of origin. Therefore, the Migration Office and the Ministry of Justice were supposed to cooperate closely to build compatible and harmonized systems of documentation. Comments: More explanatory wording</p>	<p>para 6</p>	<p>See Annex 6</p>
<p>In terms of relevance, ... at the initial stage</p>	<p>para 21</p>	<p>The evaluators consider the decision on having two parallel projects on the same subject and run by the two different contractors to be a problem that was not recovered.</p>
<p>There is need to find mutually acceptable solution for agreement on exchange of information and division of work and building of both databases. Comments: The initial idea comprised two separate but compatible databases, to be developed by one company.</p>	<p>para 52</p>	<p>See Annex 6</p>

ANNEX 6

Annex to Chapter 1 Sectoral Scope and Background of the Evaluation

Component 1 – Schengen Border Management

2002/000-610.19 Implement the Schengen Action Plan and Continue to Upgrade the Infrastructure at the EU Future External Borders

The follow-up Phare intervention for the MoI/ Police Presidium focusing on Slovakia's preparation for Schengen was split into twinning (TW) and supply. The originally planned two works projects were cancelled due to missing building permits and unresolved land ownership, subsequently were submitted for funding under the Schengen facility and are currently under the construction.

Twinning

The TW part was focused on physical and technical protection of future Schengen borders, further preparation for Schengen Information System (SIS) II and operation of the SIRENE office, division of airports on EU and non-EU zones, and visa matters. Main emphasis was put on the alignment of the prepared Action Plan with the Schengen requirements, and on BAP where the Slovak authorities have started to implement reforms of the BAP Office, including its new territorial split and the establishment of the Department for the Protection of Eastern Border in Sobrance. The full reorganisation is not completed, yet because of various financial and political reasons. Moreover, the establishment of fully operational system will require new style of work, change of thinking and so far missing education/training system. The progress and enthusiasm was observed at the level of executive bodies.

The follow up activities are funded from Transition Facility. The project deals with the compensation measures replacing border control in the Schengen regime.

The preparation of SIS II and the SIRENE Office are ongoing. The facilities supplied for the system operation were delivered and are still waiting until refurbishment of the building is completed. The pilot testing can start only after the national interface, currently tendered from Schengen facility, is purchased and installed. The estimated time scale for the completion of pilot testing is end 2006.

The Austrian part of the TW activities focusing on modernisation of airports and visa policy underlined the deficiencies identified at the Bratislava airport where the relationships between the Ministry of Transport and the current operator are rather complicated. Moreover the situation is getting less clear also due to the currently ongoing privatisation process. The training activities addressing visa policy issues were attended by the only employee of the Ministry of Foreign Affairs.

Equipment and works

The PF drafted in 2001 contained the equipment specification which was a sort of estimate, not knowing in detail what is needed, and reflecting the actual situation. This caused problems during the implementation of the supply part. The MoI requested some changes in the technical specifications (replaced items, changed quantities), and approval was received. Further delay in the procurement was caused by the gap, until the EDIS accreditation was granted. The procurement procedure had to be changed from PHARE rules to follow the Slovak national legislation. The supply was tendered in 6 lots. The IT equipment, cars and number of other technical equipment and border protection facilities were delivered. Part of the equipment is being utilised and part of it is stored awaiting completion of the facilities under the construction. It is likely to expect that part of the equipment will be damaged or worn out at the time when Schengen comes to force.

The original PF originally included two projects, one aimed at rehabilitation works and the other was planned as TA for green border temporary detection posts and facilities. The rehabilitation works for border police posts in Ubla and Ulic were approved despite the fact that the building permits were missing and land ownership problems appeared. The negotiation process between EC Delegation and the MoI was cumbersome and lengthy. The MoI prepared PF modification was prepared but it was rejected and subsequent request for the extension came too late to reallocate the funds. The allocation 0.5 M€ was lost. During the negotiations the Commission Services presented the opinion that Schengen related activities should be funded solely from the Schengen Facility and the rehabilitation works are funded from this instrument.

2003-004-995-03-21 Modernisation of Technical Equipment at the Slovak International Airports

Activities of the project include, *inter alia*, setting up of monitoring central rooms at each of the three selected international airports, supply and installation of camera monitoring systems and training of the relevant staff. The installation has already commenced at the airports in Poprad and Kosice and it was agreed with the operators that apart from police and customs officers they will also make use of the camera system for the security reasons. The problems appeared at the Bratislava airport where the operator announced that the facilities can not be provided for this purpose and only part of the purchased equipment can be installed. New facilities where the equipment should be installed are to be built and completion of the construction is expected in July/August 2006. To resolve the situation a working group has been established comprising Ministry of Transport, MoI, MO, and Airport Authority however no further progress has been reported.

Component 2 – Asylum and Migration

2002/000-610.21 Support for the Implementation of the Dublin Convention

The key assistance comprised TW, delivery of equipment (both IT and office equipment) for the Migration Office (MO), two appeal courts, the Dublin Station and EURODAC,

which was jointly purchased in April 2004 together with the 2003 EURODAC equipment. The last component of the programme was asylum database development for the MoJ/asylum courts, which was identical activity with 2002 UIBF - Special Documentation Software (SW) intervention for the MO.

The TW activities focused on implementation of the Dublin and EURODAC Regulations, on the establishment of the second instance for asylum seekers and on further approximation to the Asylum Act. As the legislation has been already in place and valid as well as asylum courts and Documentation centre were established majority of the activities delivered dealt with the adjustment and improvement of the existing facilities in co-operation with MO representatives, judges, the Forensic Scientific Institute (FSI) and BAP staff. The Slovak Dublin Station was opened with the accession date and is fully operational. Regarding supplies, the biometric equipment was purchased for the asylum centres, office equipment was delivered for the MO, courts and the Dublin Station and is used for the daily operation.

The original idea to tender both database development projects in one lot to ensure their compatibility, was rejected by the Commission Services and subsequently two separate projects were implemented in parallel by the MO and MoJ. The database was developed and provided to the Regional Courts in Bratislava and Kosice. The originally envisaged number of administrators and judges was reduced and since the project completion there is practically no loading of data into the database as no pressure is made from the side of the MoJ, or internally to continue with the activities. As regards the database at the MO, technically it could serve as the source for data loading but the co-operation between the two bodies has been so far absent and exchange of data is limited by the intellectual property rights as well as very high cost of technical solution to enable connection between courts and MO. The courts staff expressed their wish to have an access to the materials prepared by the Embassies for the Ministry of Foreign Affairs but their existence has not been confirmed.

2002/000-610.02 Special Documentation Software for Migration Office for Analysis of the Countries of Origin

This project represents the activity identical with the MoJ effort. The database was developed and is used and further updated by the Documentation and International Co-operation Department of the MO providing information on the countries of origin of asylum seekers (original and translated version) and other internal utilities of the MO (media monitoring, business trip reports etc). The content of the old database was completely converted and huge library of materials from various sources, provided also by the foreign offices based on the agreements, is available and used by the MO staff. Technical support, maintenance and/or further development of the SW package are however missing due to the shortage of staff and financial sources.

After the conversion, the selection of materials for the courts was completed, and the transfer can be technically pilot tested through the only open channel of the MoI. To make this connection for the MoJ/courts available in the future it would require additional financial sources. Taking into account that it is hardly more than 10 courts

employees who would use the MO's database, it is quite unlikely to expect that such investment will be made available.

2003-004-995-03-19 Strengthening the Reception Capacities for Asylum Seekers in the SR

A new refugee camp with the capacity of some 500 people is being built in the east part close to Ukrainian border. The supply part will provide IT and office equipment for the refugee camps as well as their networking. This equipment will improve communication between headquarters and the six refugee camps. The works are ongoing.

2003-004-995-03-20 Establishment of EURODAC in the SR

Assistance to EURODAC as a tool of the Dublin Convention was split into a TWL part, HW supply and SW development. The project was implemented at the FSI. The original aim of the TWL - scheduled for three to four months - included training, preparation of guidelines for the use of EURODAC and study trip. As the EURODAC had to be fully operational, as of 1 May 2004, the HW and SW parts were delivered in April 2004 and put into operation four months after the FM signature. HW part comprised namely working and client stations, servers, scanners delivered to 36 places all over the country. The supplier was able to provide sufficient training and guidance to operate the system. The original TWL had to be re-drafted into a TA activity since no response was obtained after the circulation. Later on, the TA proposal had been again re-defined to a TWL but no proposal met the criteria. As the system has been in full operation without any substantial problems, the proposed TWL activities became redundant, it was cancelled and the re-allocation of funds was approved.

2003-004-995-01-04 Improving the Administrative Structure in the Field of Migration in the Light of the Slovak Republic's EU Membership

This project was being implemented jointly by MO and BAP, key stakeholders in the area of asylum and migration. A detailed Action Plan 2005-2006 was elaborated comprising activities, aims, indicators, time schedule, budget, legislation etc. following the Concept of the migration policy adopted by the government. Future strategy documents will take into account the Action Plan. A new Naturalisation and Migration Office merging MO and BAP, should be established in 2010. A draft of a new reception strategy based upon common standards agreed within the EU was prepared, assessment, conclusions and recommendations concerning the existing administrative structures and the reception system in the area of asylum in the Slovak Republic were also delivered.

Component 3 - Fight against Crime and Corruption

2003-004-995-03-23 Compliance with EU Criteria on Police Co-operation and Fight Against Crime

Phare assistance is being delivered to the FSI, a beneficiary institution using DNA analysis for identifying criminals. The project contains TA, supply and works parts. TA is focusing on training in quality assurance, internal and external audit of the FSI DNA facilities, on-site training in a Member State DNA laboratory and specialised workshops for the targeted audience dealing with the DNA analysis (including technicians, investigators, prosecutors and judges). The TA contract was signed but the contractor has not proved sufficient expertise, which led to the cancellation of the contract and subsequent re-tendering. The national DNA database has been already established but to make it fully operational working stations in Banska Bystrica and Kosice were missing as well as networking. The beneficiary had to prepare technical specifications without external assistance. The supply part aims at equipping these laboratories and works part deals with the necessary adaptation. Due to the request for a swap of allocations between works and supply parts both activities have been delayed and contracted in the commitment deadline. All of the projects are thus started recently and are running simultaneously.

2003-004-005-03-24 Combating Money Laundering

This project with the main beneficiary - Bureau for Organised Crime, Financial Investigation Police was delivered in the form of a TWL, and supplies providing standard and special SW and/or HW. The Dutch partner organised several training sessions and organised study trip for the BOC. Most of the delivered expertise could not be applied due to the non-compatibility of legal frameworks and status of financial police. A book of one of the experts was translated and submitted to the beneficiary with the same effect. The special analytical Bespoke SW as well as standard HW and SW were contracted in the deadline and supplies should start soon. The supplies should provide the updated version of the currently used SW and provide PC stations for the staff as well as for the team work or training.

2003-004-995-01-04 Improvement of the Readiness of the Police of the SR for Accession to EUROPOL

The national EUROPOL office was established in January 2001 and based on the bi-lateral agreement the official co-operation commenced in December 2003. From September 2004, Slovak EUROPOL became official member of the structure and has the liaison officer representing the country in the central office. In relation to EU EUROPOL provided requested data and information, which were often required from other units that did not know what purpose it should serve and were not always willing to provide it. The need was therefore identified to raise awareness in this area. The project activities comprised mainly training dealing with general awareness rising on EU matters and more specific training on EUROPOL, its role and functions, for the police staff. This was

followed by number of study visits to Belgium and the Netherlands to see the real operation of EU bodies. The activity of the Slovak EUROPOL Unit will be subject of the assessment, in a short time. The Austrian partner provided the know-how of the project preparation for the Slovak partners and based on that the training manual was elaborated. The project prepared EUROPOL staff (six) for further training/dissemination of knowledge gained and training should take place in the regions all over the country.

2003-004-995-01-03 Fight Against Corruption

The programme activities are implemented via three TA projects: 'Transparency in functioning of state administration and public self-administration' is to enhance the transparency of state administration and local self-administration by defining and implementing new tool – interactive web portal for disclosing information and submission and/or provision of documents by and to the public; the second project 'Fine-tuning of the legislative framework and sharing EU MS experience with new anticorruption institutions in Slovakia' should fill in legislative gaps identified through the previous PHARE assistance by appropriate legislation proposals or amendments; the third project 'Analysis of training of professional journalism in Slovakia' was a follow-up of the previous PHARE assistance.

The first TA project is based on the assumption that electronic communication minimising direct contact between citizens and staff of various offices should minimise corrupt behaviour. The existing web portal (Obcan – Citizen) was only providing some basic information and even these have not been updated and administered. Within the framework of the project preliminary agreements have been reached entrusting the MoI administration function of the portal and technical connections have been also agreed. The design of the web page has been prepared. Completing the pilot testing the interactivity should be ensured via provision of at least two services (e.g. record from Commercial Registry). The second project is about to start.

The third project, which was a follow-up of previous PHARE project, was completed. The activities comprised a survey of all public-funded academic journalism studies with regard to their curricula, teaching methods, teachers' professional background etc. which identified the main deficiencies and several training activities for trainees delegated by various institutions (mostly press, media and universities). The co-operation between journalists and Universities was initiated but it is not known if it continues. The project was expected to deliver curricula for a pilot course at universities and to train trainers. A booklet – Investigative journalism, comprising number of articles dealing with different topics referring to corruption and journalism was produced by local and international professional journalists, academics, legal experts etc. and distributed to numerous concerned institutions. However, the feedback from end-users has not been gathered/monitored by the Government Office and thus it is rather difficult to identify if the expected results, in terms of running university courses and practical use of the booklet, have materialised.

2003-004-995-01-04 UIBF Social and Economic Costs of Illicit Drugs Used in SR

The project analysed financial flows related to social and economic costs of illicit drugs and its role was to recommend the way how calculating these costs. Two alternatives were considered either to appoint individuals in the key sectors to collect the necessary data or to expand the scope of tables provided by the Ministry of Finance to cover additional data. The originally planned training session was split into several training events and 3x25 people from the concerned institutions were trained. The final report of the project contains description of the recommended calculation methodology. Although the EU membership does not require calculation of such costs it is considered to be useful tool for the budgeting purposes. The unified methodology for the calculation has not been agreed yet. However, at the end of the project it became apparent that the EUROSTAT requires provision of data for such calculations based on unified methodology, from the Statistics Offices.

Further support in this area is expected from TF sources via TW, TA and Grant scheme provisions.

Component 4 - Public Administration

2002/000-610.01 Support to the Civil Service Office

Twinning

The EU requirement to establish a body/institution dealing with civil service was in the Slovak context implemented as the establishment of Civil Service Office (CSO) - independent central state administration body. PHARE has provided initial assistance to that body with an aim to strengthen the capacity of the CSO. The activities were performed as planned in the twinning covenant and were divided into several areas. A thorough analysis of the legal and operational structures was carried out and numerous functions and responsibilities as regards the civil service management were introduced, guidelines, plans and strategies prepared. Important self-assessment tool (Common Assessment Framework) was successfully tested and subsequently applied. Although substantial support has also been provided for training activities and several options were proposed to secure that the CSO has a co-ordination role, none of the possibilities have materialised. Training activities are run by individual Ministries and other bodies. The TW has also assisted with IT system development.

Establishment of a Personnel Information System for the Management of the Civil Service

The global objective of the project was to establish and implement a Personnel Information System leading to better quality of data and information flow in the field of personnel registration; more effective operation of the personnel departments in the service offices and interaction between the CSO and service offices. The TW experts were closely involved into preparation of the specifications. A database has been

developed and is being filled with data. The PIS provides user-friendly tool with substantial number of various possibilities how to process the data.

Supply of HW and SW for the Personnel Management Information System of CSO

This small allocation was used for the purchase of a server to ensure operations of the developed SW system. The equipment was delivered and is in use.

2003-004-995-01-01 Modernisation of the Slovak Civil Service and Public Service

The original project was submitted by the two institutions – CSO and Ministry of Labour, Social Affairs and Family (MoLSAF). MoLSAF later decided to give up its involvement in project activities and to implement the planned activities from the World Bank sources. This decision was eventually reconsidered and the project was tendered as originally planned. The lengthy tendering procedure was completed and the contract was signed in the commitment deadline. The project activities are just starting. The delivery of the project activities is likely to be influenced by the new amendment of the Civil Service Law (17th amendment), which may mean substantial change in the CSO competencies. The law has past the first parliamentary reading. Moreover, the Minister of Finance officially presented his view that CSO should be abolished. CSO was established three years ago based on the EC pressure. During the preparation of the Civil Service Law, several options were proposed and the current government decided to set up CSO. Substantial assistance was therefore provided from PHARE sources to support the establishment of fully functioning office. However, political support for such a body has been absent. The respective law has lost important features providing incentives, motivation a security for civil servants while sanctions and obligations remained.

2003-004-995-01-02 Support to the Public Administration Reform

The 2003 Support to PAR programme is implemented through two TA and one TW project. Preparation of ToR for TA projects was assisted by the twinnings and therefore these were postponed and contracted in the commitment deadline and are about to start. The projects are focused on information and communication system of decentralised public administration, and strengthening of the administrative capacity of decentralised public administration after the transfer of competencies. TW consists of five components dealing with the co-ordination and co-operation mechanisms between the local state administration and territorial self-government; preparation of the new information and communication system of local public administration; analysis of the new system for the financing of territorial self governments and administrations; fiscal decentralisation; review of the legislation and structures in place as regards to financial management and control in regional and local self governments; and professional qualifications of elected representatives and civil servants of the new regional administrations and municipalities.

TW activities mostly focused on the fact that after decentralisation number of tasks of the state administration has been transferred to the regional and local government bodies. These bodies are not always in the position to perform the tasks at the adequate level and the control role of the state has not been sufficiently secured. The fiscal decentralisation

was introduced on legal basis only recently and therefore the observation of encountered problems requires the completion of the fiscal year when some provisional figures can be provided to determine its effects. The absent co-ordination at the regional level is in the pilot county temporarily resolved via Collegium. Training activities are starting with the needs analyses. In case when the curricula elaborated for the CSO can be used, they will be utilised but final content and delivery of the training for local/regional administration has not been finalised yet.

Component 5 – Justice, Prosecution and Law Enforcement

2003-004-995-030-22 Strengthening of the Efficiency of the Judiciary

The original composition of this intervention comprised TA project on legal issues, TA on SW development for archiving and supply of equipment. The TA project was tendered but due to the conflict of interest the tender had to be cancelled and no time was left for the re-tendering. The project was therefore cancelled and funds reallocated. Supply of HW for 8 regional courts has been completed. The additional rollout over 55 district courts will be financed by the Slovak government. This assistance should complement and complete the programme of computerisation of the judiciary supported from Phare 1998, 1999 and 2000. The SW development project is just starting.

2003-004-995-01-04 Reinforcement of Judicial Capacity in the Area of Penal Matters

The project activities consisted of several training sessions for the PMOs, judges and prosecutors; conference; assistance with the preparation of a manual for LEAs and four study trips. The project activities resulted in the list of recommendations that have been already partly taken into account and applied in practice. The legal framework for the probation and mediation services has been created. PMO are the employees of courts, have to pass tender procedure as any other civil servant when applying for the job and training for them is provided via the Justice Academy. Current number 127 PMOs, should be increased by 50 in next two years. Further development in this area will depend on the real use of these services but expectations are positive.

2002/0000-610.22 Strengthening the Effectiveness of Investigation and Prosecution Procedures

Twinning

The original design of the required TW assistance prepared by the Slovak side was firstly prepared for a different structure and secondly it was amended without knowledge of the Slovak side, which resulted in more complicated start up and eventually the activities did not strictly followed those mentioned in the covenant. In general three areas were covered: (i) introduction of the new organisation of the Police Corps, (ii) strengthening of methods and capacities inevitable for effective investigation procedures and operational co-ordination and (iii) evaluation of technical instruments and conditions:

(i) The new structure was introduced at the time when the project started. The project conducted an analysis of the legislation and newly adopted structure, identified weaknesses and provided number of recommendations. However, apart from the adoption of the Training plan, some initiative introduced to use IT in penal procedure and introduction of the abbreviated investigation and fast bringing to court into newly adopted Penal Procedures Code (in force from 1 January 2006) no other proposal have been taken into account. The French example of 48 hours from commitment of the crime to being sentenced is however hardly feasible as the other procedures do not enable such a quick reaction of the involved bodies. While four pages record is sufficient for the judge in France, the local situation insists on the production of the same file, which was originally produced in two months.

(ii) The management of judicial and criminal police together with the prosecutors had an opportunity to get familiarised with the work of their foreign colleagues and to experience how their procedures work, during the study trips in France and Germany. Basic obstacle in adoption of such procedures, which are quicker and more effective, is the cultural difference in behaviour and thinking such as introducing team work of prosecutor and investigator, provision of proofs etc. Some of the small logistics procedures could be easily applied and some experiences are being used. The expectation to gain knowledge on new economic and e-forms of criminal acts, has not been met. The Operational Manual comprising standard forms has been re-issued by the Police Academy because of the law re-codification. A few seminars were conducted.

(iii) The analysis of the IT system was also carried out and supplemented by a study trip for IT specialists to France. Currently developed communication system for LEAs is based on communication among independent internal systems of the MoI, MoJ and GPO. MoI is still lagging behind in the development compared to other involved institutions that are well equipped with up-to-date SW and HW technologies. There is still number of details outstanding that should be discussed and clarified first of all internally within the MoI and subsequently among all the involved parties.

Equipment for the Prosecutor Offices

The supplied computers were delivered and distributed to all Prosecutor Offices in the country. Servers have been purchased and installed to enable central collection of data from district and regional offices and communication in the internal network and for the exchange of information among LEAs. The whole system is in place and being used.

Development of information system for exchange of criminal information and data processing among all prosecutor offices

GPO developed its internal system and created new application modules for document exchange among prosecution offices internally and among LEAs. At the end of the project the training was provided to the prosecutors and internal instruction was issued to make the obligatory use of the IS. However, the new re-codification of the Criminal Law entered into force from 1 January 2006, which meant that the SW had to be adopted to reflect both old and new legislation. The adjustment of SW should be completed in February 2006. Currently the system is not fully operational all over the country, yet.

2002/000-610.02 Increasing the Security of Information and Data Processing among LEAs

The electronic exchange of information on penal agenda among LEAs was approved by the Government in 2002. The initial stage of this project was developed under Phare 2000. The 2000 project resulted in a successful pilot exchange of electronic criminal files among LEA. The aim of the 2002 follow-up project was to ensure the security of data transmission among information systems of LEA and encryption of selected documents. At this stage the system enables exchange of limited number of documents. Full connection is provided for the courts and majority of prosecutors' offices however, police offices, where the primary source data should come from, are still lagging behind. The connection between courts and Criminal Register or Register of Accused and Convicted is made operational and enables immediate response (hundreds of requests are processed daily). The original exchange of information via telephone or ordinary mail is thus much more cost effective, incomparably quicker and comfortable. The request to widen the access currently provided for the courts' Penal Agenda was already submitted by the part of courts dealing with Civil Agenda.

After the completion of 2002 PHARE project an inter-sectoral working group was established (MoJ, GPO, MoI) to follow the further progress of LEA and provide the information for the Ministers (Justice and Interior) and General Prosecutor.

The development of the internal system at the police is lagging behind and currently the offices are not equipped with the inevitable IT equipment. The pilot testing involving the office in Bratislava is still running and exchange of information (3 documents) is taking place, but apart from that no further police workplace participates in the electronic exchange of information. As police provides the basic data it is inevitable to secure their participation in the system. The official statement provided by the speaker of the MoI and the Head of the Office of Informatics and Telecommunication expressed the willingness of the MoI to continue in the project and assured that the financial sources for the purchase of equipment and further development of SW are secured. As stated by the MoI the electronic data exchange among LEAs still remains a priority task for the MoI. An internal project „Management of investigation files“ aims at both, creating a central database system and the proper distribution of data among LEAs. Presently, the Steering Committee and working groups are already dealing with the task, which shall be financed from the State budget.

2002/000-610.02 Development of Information System under the Condition of the Corps of Prison and Court Guard

During the implementation of electronic exchange information for LEA an access to the data managed by the Corps of Prisons was identified as being missing for both, prosecutors and judges. The requests from prosecution or court addressed to the Corps of Prison were dealt with via mail or phone which was lengthy and non-secure. The aim of the project was to develop the system containing different modules/databases enabling access to information for the staff and management; and exchange of the information

among the Corps' working places and LEA. The system was created and successfully pilot tested. The exchange of information is fully operational.

2003-004-995-01-04 Development of Information System within the Fight Against Corruption Programme under the Conditions of the Sector of Prisons

This 2003 follow-up was designed with an aim to finalise the development of specialised SW for the Register of accused and convicted persons and to implement its roll-out at all prisons. The computer system enabling access to information for the staff and management; and exchange of the information among the Corps' working places and LEA was established. A central database has been created comprising registers of convicted and sentenced persons, and internal data of the Corps of prisons. This allows the central office immediate access to data, much quicker data transfer, improved reliability and provision of statistical data.

The Corps of Prisons elaborated an integrated and uniform conception (2003 – 2007) of the information system. Its first phase is now completed. Further development of the modules enabling detailed analysis of chosen economic agenda related to accused and convicted persons and personnel agenda will follow.

2003-0004-995-01-04 - UIBF Reinforcement of the Protection of the Special Court and the Special Prosecutor's Office

To fight corruption, terrorism, large scale economic crime etc. the Special Court and the Office of Special Prosecutor was established and protection of the judges and prosecutors was entrusted to the Department of Special Protection within the Office for Protection of Constitutional Officials and Diplomatic Missions of the MoI. This was a special task the current experience was not sufficient to determine exact number staff, budget, organisation of work, training of people etc. The project activities have commenced and the experts carried out several mission and prepared the audit indicating resources needed to secure the provision of required services. Some adjustments were proposed for the selection procedures of the new staff, budgetary allocation, training and preparation of a general agreement between the MoI and MoJ was recommended. This agreement should specify the details of the protection, the way how it will be conducted and set some general rules to be respected by the protected persons. Training needs analysis will be conducted and training delivered as planned. Presence of the special prosecutor and judges is considered for the final seminar for senior officers.