



FROM PRE-ACCESSION TO ACCESSION

Thematic Evaluation

Second Generation
Twinning - Preliminary
Findings

of Phare support
allocated in 1999-2002
and implemented until
November 2003

European Commission
Directorate-General Enlargement

Second Generation Twinning – Preliminary Findings

*Interim Evaluation of Phare Support
Allocated in 1999-2002 and Implemented
until November 2003*

Thematic Evaluation Report

March 2004

This report has been prepared as a result of an independent review by the EMS consortium being contracted under the Phare programme. The views expressed are those of the EMS consortium and do not necessarily reflect those of the European Commission.

European Commission Directorate-General Enlargement
Directorate E – Evaluation Unit

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GLOSSARY OF ACRONYMS

AP	Accession Partnership
CAP	Common Agriculture Policy
CC	Candidate Country
CEECs	Central and Eastern European Countries
CFCU	Central Financing and Contracting Unit
DG	Directorate-General
DIS	Decentralised Implementation System
EC	European Commission
ECD	European Commission Delegation
EDIS	Extended Decentralised Implementation System
EU	European Union
€	Euro
EURODAC	Unified European fingerprint identification system and database
ERA	Energy Regulatory Authority
GMO	Genetically Modified Organism
JHA	Justice and Home Affairs
IA	Implementing Agency
IB	Institution Building
IPPC	Integrated Pollution and Protection Control
IE	Interim Evaluation
MEP	Member of European Parliament
MoF	Ministry of Finance
NAC	National Aid Co-ordinator
NHIF	National Health Insurance Fund
NPAA	National Programme for Adoption of the <i>Acquis</i>
PAA	Pre-Accession Advisor
PF	Project Fiche
PIU	Project Implementation Unit
SAO	Supreme Audit Office
SIGMA	Support for Improvement in Governance and Management in Central and Eastern European Countries
SPP	Special Preparatory Programme
TA	Technical Assistance
TC	Twinning Covenant
TL	Twinning Light
ToR	Terms of Reference
UK	United Kingdom

PREFACE

This Thematic Report¹ was prepared at the request of Commission Services (DG Enlargement).

In compiling it, the EMS Team has drawn on Interim Evaluation Reports, relevant Ad Hoc Reports compiled by the EMS Consortium and its predecessor, the OMAS Consortium, relevant documentation of the Commission Services and other background documentation. In addition, interviews were conducted with some 30 EMS local evaluators in 8 of the 10 Phare countries. Draft conclusions and recommendations have been systematically reassessed by the EMS evaluators in the light of the most recent experience and of summary documents prepared during autumn 2003 by the Consortium for each of the candidate countries. The draft consequently accurately reflects the Consortium's collective and up-to-date analysis of Twinning in November 2003.

¹ The author of this Thematic Report is Colm McClements. This report has been reviewed by Richard Haines and Richard Thomas at EMS Central Office.

EXECUTIVE SUMMARY

Background – the scale of Twinning

Since 1998, Twinning has been the main instrument of Phare support for Institution Building in the Candidate Countries. The Commission's Regular Reports in Autumn 2002, which constitute a baseline for the present report, recorded that 503 Twinning projects had been funded between 1998 and 2001. Phare 1998 projects had ended, while 123 Phare 1999 projects remained underway. Phare 2000 programmed a further 146 projects; Phare 2001 some 131 projects and 119 Phare 2002 projects had been approved. Twinning Light projects were introduced from 2001. At any one time some 300 Twinning projects are operational in the Candidate Countries.

Objective of the Report

The objective of this Report is to review the relevance and effectiveness of the Twinning Instrument relative to its fundamental objectives, with regard to different Accession Partnership areas, types of Institution Building activities and countries, with a view to highlighting best practice solutions and examples that can inform any further development of the Instrument.

The Report seeks to assess the circumstances in which Twinning is most likely to succeed and, at the Commission's request, focuses particularly on 'lessons learned' and 'good practice' and makes recommendations for factoring these lessons into future Twinning.

Methodology

A database was made of 86 Twinning projects which had been covered by EMS Interim Evaluations, with particular reference to the ratings given for relevance, efficiency, effectiveness, impact and sustainability. In addition, interviews were conducted with EMS Team Leaders in eight Candidate Countries to explore strengths and weaknesses of the Twinning instrument, and 6 'case study' Twinning projects were investigated in depth.

The projects in the database covered all the key sectors which generate Accession Partnership priorities: the Public Sector (including JHA, Financial control and public administration); Food Production, Health & Consumer Protection; the Internal Market; Environment, Regional Policy & Structural Funds Coordination, Economic & Social Development, and Transport.

Key Findings

Twining is an essential instrument. Twinning has proved itself as an essential instrument for the pre-accession process. Although the results of twinning have been mixed, the tendency is for increasingly satisfactory performance of the instrument as experience of its use grows. However, sustainability depends on the wider public administrative environment being supportive. There is evidence that, unless accompanied by widespread reform in public administration, twinning risks raising elaborate candidate country structures on very shaky foundations.

Improvement in ‘Second generation’ twinning. Following the start-up problems of the “first generation” of twinings in 1998, there is a clear tendency to improved performance of the “Second generation” of twinings since 1999. However, although there are improvements in performance, the results remain rather mixed for the key performance criteria of effectiveness and efficiency (the negative ratings remain at a high level of about 40%).

Nevertheless, in a more qualitative sense, overall performance must be rated as satisfactory. It is quite clear that relevant expertise in the *acquis* would not have been found in the private sector. Thus, without the twinning instrument, the candidate countries could not have progressed as they have done towards meeting the membership objectives. Moreover, it is also clear that twinning has fostered durable bilateral links with Member States that will continue after the completion of the twinning assignments.

Sustainability is at risk. It has become clear that all twinning stakeholders need to see sustainable installation of the *acquis* as a process which involves civil service reform and a change of approach within public administrations. Failure to do so is limiting the beneficial effects of twinning, particularly for more complex *acquis* components requiring inter-ministerial collaboration, such as the Integrated Administration and Control System (for the CAP). As the unique aspect of twinning is contact between member states and candidate country administrators, twinning can have a positive added value in explaining the need for and promoting the development of longer-term planning and strategic expertise and improved horizontal public administration to ensure sustainability.

Efficiency of Twinning Light is limited by complex procedures. Since the instrument is to be used *ad hoc* and flexibly, it is essential to reduce the lead-in time so it can respond rapidly to needs. The programming of an “Unallocated Reserve” for Twinning Light in many countries should allow for this flexibility, but countries still need to be able to define their needs tightly and define the outputs they expect. In this sense, Twinning Light still requires an overall planning and programming framework that is strategically coherent, even if the use of the instrument is more *ad hoc*.

Technical Assistance can be an instrument of choice. There is growing tendency for stakeholders to make a discrimination, based on their experience, between the best roles for Twinning and Technical Assistance. Technical Assistance can be entirely satisfactory, and could be the instrument of choice, particularly where the *acquis* element is limited in scope and very precise as to the competencies required. The more complex the *acquis* element, and the more it involves other parts of the candidate country’s administration, or involves a strategic or ‘horizontal’ dimension, the more important it is to adopt a Twinning approach.

Recommendations

This report recommends three sets of actions to enable Twinning to realise its potential more fully.

Action 1: Twinings should take more steps to ensure the Candidate’s public administration can sustain the project’s results.

To heighten the effect which *acquis*-related Twinning can have on the horizontal public administration systems in the Candidate Country, every Twinning should include an obligation to examine the extent to which the prospects for impact and sustainability of the institution building undertaken by the Twinning are threatened by weaknesses in the public administration

systems in place in the Candidate Country, and to propose the steps necessary to improve those prospects.

Action 2: Twinning should promote the candidate's strategy development and Public Administration Reforms.

To promote the development of more strategic thinking in the Candidate Countries, the Commission should encourage the partners to include in the Covenant a requirement to analyse the strategic context in which the Twinning is to take place; to conduct a gap analysis in terms of sectoral strategy and institution building needs for resources and competencies, and to work with the Candidate Country to embed the Twinning within such a framework. Such an approach would reinforce the Candidate Country's own progress towards planned economic and sectoral management as well as towards public administration and civil service reform.

Action 3: The Twinning Teams should be strengthened

PAA training should be strengthened. The Commission is recommended to encourage Member States to provide PAAs with more adequate and systematic training. This training should be based on gap analysis, comparing the profile and competencies of the proposed PAA with that of an 'ideal PAA'.

More specialist expertise should be deployed in Twinning. Each Twinning team should include a short-term expert in human resource/organisational development, who would have responsibility for design, delivery and quality assurance of all know-how transfer and training activities, and for assisting the PAA to influence the wider strategic and public administrative context in which the *acquis* component functions. The deployment of short term specialists from Member States in other fields (e.g. IT) should also be more widely considered.

The Commission should also encourage Member States to use their Public Administration Schools, or other professional resources available to them, to devise and provide such training, and to contribute such experts to Twinning. The Commission should consider including a budget line in each Twinning to cover these activities.

Twinning should, when necessary, include high level expertise to change decision-makers attitudes. Where the conditions for successful Twinning, in terms of levels of understanding and ownership are lacking in an institution which, nevertheless, needs Phare support for institution building, consideration should be given to offering more senior key actors, particularly as Project Leaders, to work with the top political and administrative echelons.

MAIN REPORT

1. INTRODUCTION

1.1. Objective of the Report

1. The objective of this Report, as defined in the ToR, is “to review the relevance and effectiveness of the Twinning Instrument relative to its fundamental objectives, with regard to different Accession Partnership areas, types of Institution Building activities and countries, with a view to high-lighting best practice solutions and examples that can inform any further development of the Instrument.”

2. The Commission was particularly interested to focus on ‘lessons learned and ‘good practice’ and the Report is geared to that end. The Report therefore concentrates on ‘Second Generation’ Twinning, implemented from 1999 onwards, by which time many of the ‘teething troubles’ of the new instrument, identified in a previous report², had been sorted out. The Commission also asked for a first comparison to be made of 1999, 2000, 2001 Twinning and this is to be found in Chapter 2.

1.2. Key Evaluation Questions

3. The Report seeks to answer the following questions:

The choice of Twinning

- Has Twinning been used in the circumstances foreseen in the Commission’s Twinning Manual?
- In what circumstances is Twinning (as opposed to any other instrument) the best choice?
- In what circumstances is Twinning an inappropriate instrument to choose?
- Are there certain Sectors or Accession Partnership fields where Twinning works better than in others? If so, why?
- Are there certain types of task that are more suitable to Twinning than others? If so, why?

Implementation issues

- What is needed from the stakeholders (Member States, Pre-Accession Advisers (PAAs), Candidate Countries (CCs) and the Commission, especially at Delegations) to maximise the prospects for successful Twinning?
- What constitutes best practice in Twinning?
- Do Twinning act as a catalyst for wider organisational change?
- Can the Twinning instrument be improved?

1.3. Methodology

4. There are two main sources of information for this Report:
- i. Detailed analysis of EMS Reports.
 - ii. Discussion and analysis to identify ‘factors and actors for success’ based additionally on interviews with EMS staff in the CCs.

² Ad Hoc Report on The Twinning Instrument, S/ZZ/EUR/01006, OMAS, October 2001

(i) Detailed analysis of EMS Reports.

5. The Commission's 2002 Regular Report recorded that 503 Twinning projects had been funded between 1998 and 2001. Phare 1998 projects had ended, while 123 Phare 1999 projects remained underway. Phare 2000 programmed a further 146 projects; Phare 2001 some 131 projects and 119 Phare 2002 projects had been approved. Twinning Light projects were introduced from 2001. At any one time 300 Twinning projects are running across the CEECs.

6. It is only since introduction of the new Interim Evaluation reporting template in summer 2002 that ratings are required to be given for each programme component separately. This means that, from that date, IE reports provide a rating for each Twinning assistance. The findings presented in Chapter 2 are based on a sample of 86 such Twinning for which local evaluators have given individual ratings, details of which were entered on a database. Over the period September 2002 - February 2003 ratings³ were provided for nearly 100 Twinning. Two-thirds of these Twinning were either concluded, or nearly concluded 1999 Twinning, or 2000 Twinning that were well underway at moment of evaluation. A list of the Twinning analysed is at Annex 1.

7. To provide a complete perspective, it would have been necessary to go outside the EMS network, and this was precluded by the ToR. The Twinning sampled consequently provide the best available guide to the performance of Twinning projects, but the following limitations concerning the database should be noted:

- The effectiveness of Twinning projects should be measured by the extent to which project objective(s) were achieved. Interim Evaluation, unless made at the very end of the project, cannot make a definitive judgement on effectiveness. Nevertheless, Interim Evaluation can come to a judgement as to the likelihood of achieving the project's immediate objectives. Similar considerations apply to the prospects for impact and sustainability.
- Interim Evaluation does not evaluate Twinning (or Technical Assistance) as instruments *per se* but assesses the performance of projects in which these instruments are used.

8. The 86 Twinning sampled for this Report represent all the Twinning reported on in the reference period (paragraph 5 above) which were sufficiently advanced to provide meaningful data. These Twinning have been categorised according to Accession Partnership (AP) Fields because there is not adequate uniformity about the way in which the various CCs attribute activities to 'three letter' sectors, nor is there sufficient identification of *acquis* chapters. A table mapping the various targets for Phare support to the AP fields is at Annex 8.

9. The sample covers the AP fields as follows:

Table 1: Number of Twinnings sampled by AP field.

Accession Partnership Field	No. of Twinnings in Sample
Public Sector ³	27
Food Production, Health and Consumer Protection (FHC)	25
Internal Market	14
Environment	10
Energy	4
Regional Policy and Co-ordination of Structural Instruments	3
Economic and Social Development	1
Transport	2
Total	86

10. The sample is distributed across the years as follows:

Table 2: Number of Twinnings sampled by programme year⁴.

	2002	2001	2000	1999	Total
Number of Projects	4	23	31	28	86

11. All 1999 Twinnings in the sample were at, or very close to, completion at the reference date for the study.

1.4. Previous Studies

12. Previous studies on Twinning, made before any completed Twinning could be taken into account, are:

- An Assessment of the Twinning Instrument under Phare, Independent Expert Team, Commission Services, July 2000⁵
- Ad Hoc Report on The Twinning Instrument, S/ZZ/EUR/01006, OMAS, October 2001

13. The 'Assessment of the Twinning Instrument under Phare' was made in July 2000 by a 4-man high-level team of senior civil servants from Member States. Their study, which was based on a sample of 18 Phare 1998 covenants, few of which were advanced at the time of the study, made recommendations for improving the instrument, which were addressed variously to the CEECs, the Commission and the Member States themselves.

³ Because the Public Sector AP Field includes Twinning projects as diverse as those in Justice and Home Affairs, Financial Control and Public Administration, this field has been broken down into sub-fields.

⁴ Rating of Twinning by year.

	2002	2001	2000	1999
Number of Projects	4*	23	31	28
<i>Percentage of Rating ** scoring:</i>				
Highly Unsatisfactory (-2)	0	0	0	4
Unsatisfactory (-1)	50	17	19	18
No rating - N/A (0):	0	13	35	7
Satisfactory (1)	50	70	42	57
Highly Satisfactory (2)	0	0	3	18

*Not a sufficiently large sample to be statistically representative of 2002 projects

** Throughout this report, 'Satisfactory' and 'Highly Satisfactory' ratings are aggregated, and 'Unsatisfactory' and 'Highly Unsatisfactory' ratings are similarly aggregated, the two groups together totalling 100%, the 'No rating' band being excluded.

⁵ Members of the same Team, from Member States Public Administration Institutions made an 'Evaluation of Completed Twinning projects' in early 2003, the results of which have been made available to this evaluation.

14. The OMAS Ad Hoc Report was a desk research reviewing OMAS reports which covered Twinning projects. It was based on three key sectors (agriculture, JHA, environment) involving 97 Twinning, mostly dating from 1999 or 2000, assessed in 35 OMAS reports.

15. In addition to these two independent expert studies, the European Court of Auditors has issued 'Special Report N^o 6/2003 concerning Twinning as the main instrument to support institution-building in Candidate Countries'⁶. The Court's description of the steps involved in Twinning and the various responsibilities involved, on the basis of information provided to the Court by the Commission, is at Annex 9.

16. Summaries of the recommendations made in all the above Reports are at Annex 7.

(ii) Discussion and analysis to identify 'factors and actors for success' based additionally on interviews with EMS staff in the CCs.

17. The Report next considers the factors and actors which determine the success or otherwise of Twinning, as identified on the basis of mainly empirical research within the EMS network. In collaboration with EMS Team Leaders in local offices, Twinning from 1999, 2000 and 2001 were examined in detail, because Twinning for those years were either well advanced or had been completed. Annex 2 lists the 50 Twinning concerned⁷. Interviews were conducted against a checklist which is at Annex 3. Annex 4 identifies factors which promoted or hindered success. Annex 5 summarises relevant positive and negative remarks about Twinning found in EMS Country Summaries. In addition, eight short case studies focusing on the main features of good practice are described at Annex 6.

⁶ OJ C 167 of 17 July 2003, page 21 *et seq.* or http://www.eca.eu.int/en/reports_opinions.htm

⁷ The selection was not made on the basis of the 86 Twinning in the database, but some of the Twinning on that database were among those selected for detailed examination.

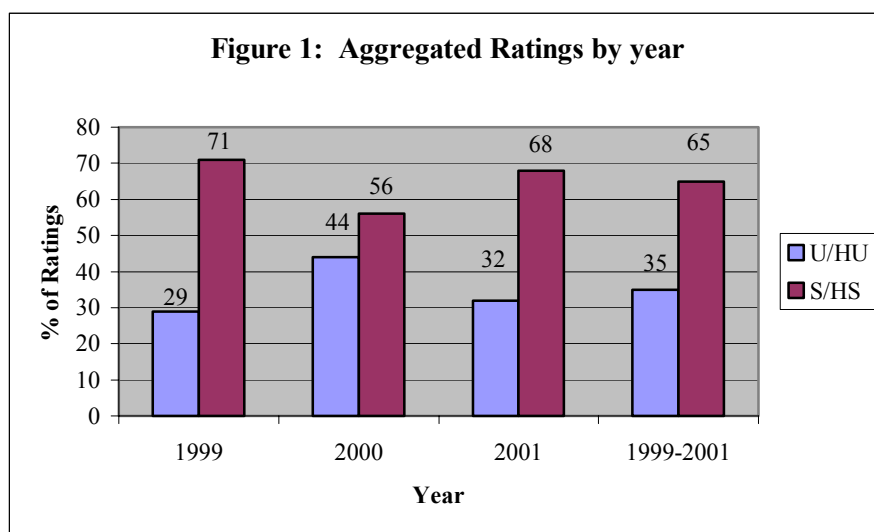
2. PERFORMANCE OF TWINNING

18. This Chapter describes the range of Twinning examined; details their performance by the five evaluation criteria of relevance, efficiency, effectiveness, impact and sustainability; reports on early experience with Twinning Light, and identifies factors and actors necessary for successful Twinning.

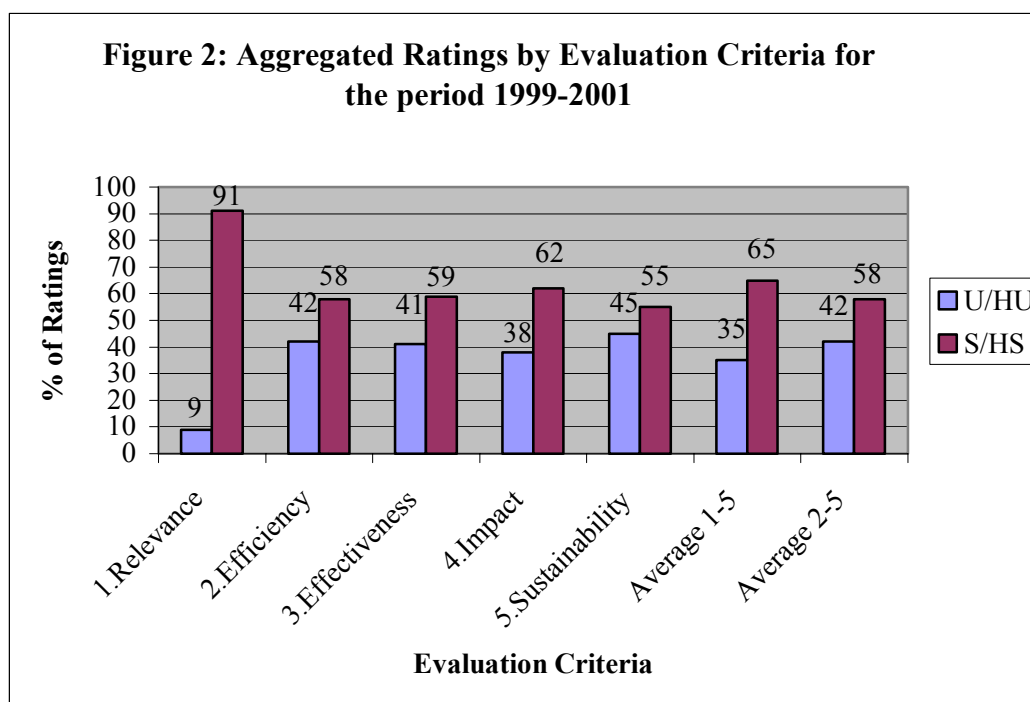
19. Performance of the Twinning instrument is predominantly satisfactory, and the tendency is for increasingly satisfactory performance as experience grows of how to make best use of it. Twinning Light is useful to fill outstanding gaps once the majority of an acquis component has been mastered, but to be a useful instrument it must be mobilised promptly, and launching Twinning Lights remains too slow. The relevance of projects is high, and optimal where the objective is clear in operational terms. However, efficiency and effectiveness suffered from mixed performance. Potential impact and sustainability have been improving, but the later remains at risk in the context of unreformed systems of public administration.

2.1. Overall Performance

20. Figure 1 below shows the ratio of Satisfactory/Highly Satisfactory to Unsatisfactory/Highly Unsatisfactory ratings for the years 1999 – 2001. The aggregates are the averages for all five evaluation criteria. The overall performance can be described as satisfactory, in that two thirds of the ratings are positive. Later in this report, qualitative factors will be identified which point to a tendency for increasingly satisfactory performance of the Twinning instrument.



21. However, the results are more mixed at the level of the individual evaluation criteria (See Figure 2 below).



22. Figure 2 shows aggregated figures for the three years 1999-2001. In addition to the ratings for the 5 criteria separately, the figure shows the average across the five criteria. However, this average is inflated by the very high score for relevance. Because Twinning projects respond to specific accession priorities identified in the Accession Partnerships and National Programmes for the Adoption of the *Acquis*, a high rating for relevance is only to be expected. The final column of Figure 2 therefore sets the relevance rating aside, and averages the ratings for the other four criteria. The result is not very favourable, with an average of over 40% of ratings being negative.

23. The figures need to be judged together with the comments in reports, country summaries and the feedback in interviews with local evaluators. What emerges from that is that, over time:

- efficiency problems have eased,
- relevance of projects has remained high and
- potential effectiveness, impact and sustainability have been increasing.

24. With regard to the many efficiency problems recorded in the past, it is clear that Twinning can, and often do, overcome these difficulties in the course of implementation, so that in the end, the project may still be effective. 1999 is an example of this for, even though these Twinning projects were of an early generation and both project fiche and Covenant design tended to be poor; viewed with some hindsight the picture is relatively favourable. While 2000 is somewhat inconclusive, interviews and country summaries related to 2001 Twinning projects suggest the possibility of a significant improvement.

25. More generally, in interviews conducted during the preparation of this Report, evaluators remarked that Twinning appear fully to bear fruit only after some time has elapsed when the ideas raised, and the proposals made by the team, have been fully absorbed. The more time that had elapsed after a Twinning had ended, the more possible it was to detect its achievements. This tendency is confirmed by the fact that evaluators consulted in the updating exercise referred to in the Preface were able to report generally improved assessments of effectiveness, impact and sustainability compared with the predictions earlier contained in evaluation reports.⁸

2.2. High Relevance

Twinning has been highly relevant to pre-accession priorities

26. Evaluators consider a Twinning project relevant where the Programme objectives are in full compliance with the short and medium term priorities stated in the AP and the NPAA.

27. By contrast, Twinning projects are not considered relevant in situations where the need for them is unclear or where the design is not sufficiently precise. Thus, in Interim Evaluation Report R/RO/ENV/0211, it is stated for Twinning Project RO-0006.14 “Implementation of the environmental acquis” that “Not enough account has been taken of the limited experience of the personnel, the complex co-ordination with several Directorates with variable institutional capacity and skills as well as co-operation with subordinated institutions and the industrial sector. The inputs as well as the Indicators of Achievement (IA) in the Logframe are poorly defined. There is inadequate provision for coordination with related activities under other programmes”.

28. For Twinning of every year, the vast majority of projects in the sample are rated positively for relevance showing that Twinning is being used as an instrument to support Accession Partnership priorities and therefore the Copenhagen criteria.

29. In all AP Fields, a majority of projects are judged relevant to a satisfactory or highly satisfactory level. Among the fields with a relatively large sample, Justice and Home Affairs and Environment stand out strongly, while evaluators in the sub-field of Public Administration (though with only 3 Twinning) could assess relevance positively only in one case.

30. This tends to bear out the indications from EMS evaluators to the effect that Twinning is especially appropriate to areas where the objective is by definition clear in operational terms. By all accounts, Justice and Home Affairs (and in particular the Schengen *acquis*) is the exemplar of this.

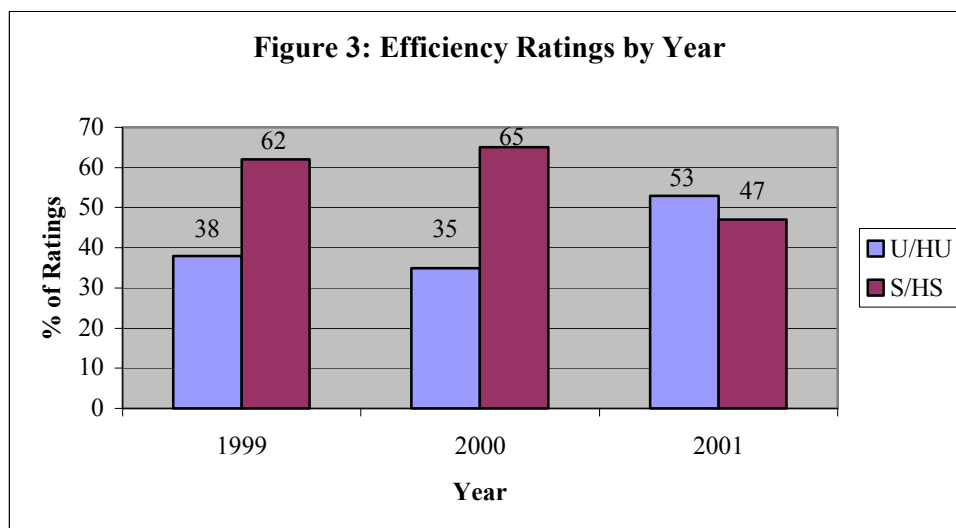
⁸ A similar point is made in the ‘Evaluation of completed Twinning’ made for the Commission by experts from Public Administration Institutions (footnote 3 above): “Twinning delivers ancillary benefits which are not predicted, nor accounted for, within the evaluation framework. These benefits are often less tangible than those measured by the ‘guaranteed results’ framework but are nonetheless immensely valuable. Twinning is spoken of very often and very affectionately in terms of the behavioural change that it has engendered. Changes in organisational practices and culture, improvements in managerial styles, better communication and co-ordination between and within [CC] ministries - all of these are put forward as valuable by-products of the process of MS civil servants working closely alongside [CC] counterparts.”

2.3. Low Efficiency

Twinning suffers low efficiency, in common with other projects

31. Efficiency measures the quality of implementation – how well and cost-effectively activities have converted inputs of resources into results. Inefficiencies are particularly serious when they ‘knock on’ to problems of effectiveness; limiting the achievement of objectives.

32. Overall, the efficiency of Twinning projects is low although performance is mixed. Only 58% are rated ‘S/HS’ as against 42% ‘U/HU’. The annual results are shown in Figure 3 below.



33. Problems arising from poor efficiency have often been highlighted in individual Interim Evaluation reports (See Box 1). These are typical of the main issues still inhibiting greater efficiency. But none of them is exclusive to Twinning as an instrument. They simply testify to on-going problems in the synchronisation of Phare contracting and in the inherent weakness of many of the organisations which are the subject of Twinning. Both are part of the landscape in which Twinning is deployed and, unsurprisingly, they do influence it. Efficiency problems occur in many Twinning projects that are

Box 1: Examples of poor efficiency

HU-0103.02 (Report R/HU/JHA/02061) “Training of Judges and Prosecutors in EU Law” was marked by delays in the tendering and contracting process because of inefficient coordination between CFCU and Beneficiaries and generally poor time management.

RO-0006.14 (Report R/RO/ENV/02113) “Implementation of the environmental *aquis*” notes “The [Environmental Protection Unit], which should play a key role in this process, is still weak and cannot absorb the economic-related knowledge. Horizontal communication between different Directorates is poor, one of the causes being the limited number of personnel and the large work-load. As a result, the tasks related to creation of horizontal teams and organisation of training seminars were cancelled. In order to speed up the cost calculation, which was considered to be at risk, smaller but technical oriented Working Groups have recently been created. There appears to be too much reliance on the PAA to undertake the costing exercise, and he is under pressure to complete it in order for the ministry to submit implementation costs to the EC by October 2003. This over-reliance could result in the Romanian counterpart not absorbing experience and know-how for future activities of this nature”.

SI-0004.01 (Report R/SI/REG/02.136) “Business Incubator Network in Pomurje, “... The implementation of the three projects under SI-0004 was conditional on the completion and findings of three feasibility studies under SL-9914. All the project fiches had to be revised to take account of the recommendations in the feasibility studies. This caused a delay, and the late contracting of SI-0004 funds.”

rated satisfactory since, however difficult it is, they do in the end meet most of their benchmarks.

34. These issues are reflected in the comments in the EMS Country Summaries. However, several country teams report distinct improvements in recent years. The Czech Country Report notes: "The knowledge of Beneficiary institutions charged with the co-ordination of Twinning Covenant preparation has significantly increased over this period [01-02]. This has resulted in improved quality of initial project documentation and a reduction in the number of draft covenants submitted to the EC Delegation. As a consequence most Twinning projects from Phare 2001 have begun implementation within 6 months of the approval of project fiches. The introduction of a set of deadlines by the EC Delegation for the submission of Twinning Covenants⁹ and their approval has stimulated a much faster turnaround in their processing". Elsewhere, the same Report notes: "Phare Programmes 2000 and 2001 for the most part are performing better than their predecessors. This is principally due to increased awareness of Phare procedures by Beneficiaries, better project preparation (especially for Twinning) by all parties, and quicker processing of project documentation by the EC Delegation".

35. Across the various AP fields, projects in the area of Justice and Home Affairs are rated significantly more efficient than many others, with 41% rated satisfactory and 18% highly satisfactory. This is by far the highest score for the major AP fields.

2.4. Mixed Achievement of Objectives

Procedural problems and lack of commitment restrict effectiveness

36. Effectiveness is the measure of whether and to what extent a Twinning meets its purpose/objective. The tendency not to score is evident with regard to projects that do not yet show any particular effects simply because they are at an early stage. However, although performance is mixed, there is evidence of some improvement.

37. Guaranteed Results are expressed in nearly all cases as clear operational results: generally in terms of a structure defined and/or developed, a system designed and/or installed, human resources developed. Thus, when evaluators rate effectiveness, they are

Box 2: Effectiveness rates attainment of 'guaranteed results'

HU 0103.01.02; 'Strengthening of Border Management' (Report R/HU/JHA/02061) "It is expected, that the Schengen conforming border management will be further refined and meet the EU requirement by accession. There should be some improvement in the further development of the human resource strategy and its application... provided the Ministry of Interior ... and the Beneficiary institutions display commitment for change and accept the terms identified by the Twinning experts (for instance the preparation of the missing detailed job analysis)".

LE 01.02.02; 'Development of the management mechanism of the Latvian agriculture in line with European Union's Common Agriculture Policy' (Report LV/AGR/02074), "Completion of LE 01.02.02 should result in the implementation of the IACS and the upgrading of the RSS so that it has the capability of acting as paying agency for SAPARD and CAP".

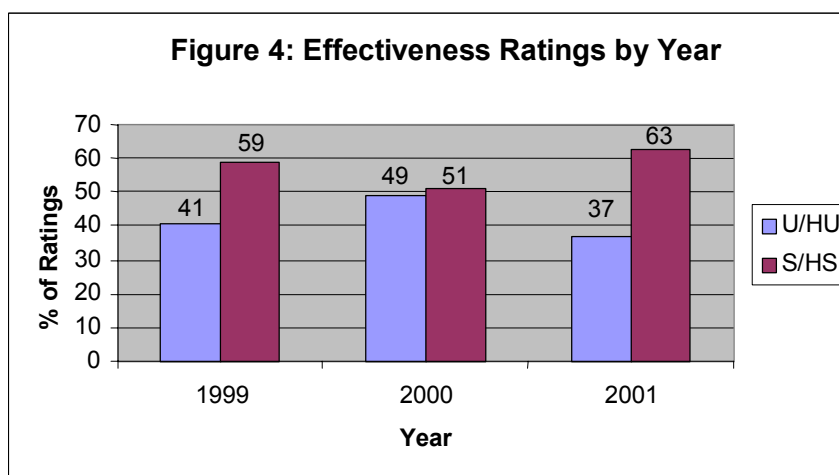
CZ-0006.03; 'Institutions for Permitting and Monitoring Air Quality Sector'

R/CZ/ENV/02.033 "Project shall be effective in helping to make the current system of air quality control more rational and focused. For example, a more systematic information exchange between the bodies concerned with air quality management will be implemented. Hence, monitoring data will be more readily available to support permitting and enforcement functions and Ministry of Environment instructions for measures to improve air quality will be more quickly adopted. Also, monitoring will be focussed on areas where local air quality standards are in danger of being exceeded, allowing effective remedial measures to be planned and implemented".

⁹ In line with the requirements as to the timetabling of various steps in the covenanting process, set out in paragraph 3.6 of the revised Twinning Manual of February 2002.

verifying that such a result is likely to be put in place by project end. (See Box 2.)

38. The score for effectiveness shows a sharp improvement for 2001 Twinning (Figure 4).



39. At the time of assessment, it was too early to tell whether this apparent improvement (See Box 3) would be sustainable and 30% of 2001 Twinning received no rating because they were not sufficiently advanced. (However, evaluators, reviewing the situation in November 2003 reported positively on prospects for effectiveness, as noted in paragraph 24 above.)

40. While effectiveness is improving, in certain cases

Twinning still remains sub-optimal in terms of effectiveness, because of:

- problems deriving from a lack of efficiency in the project e.g. delays in contracting related activities (and especially in procuring equipment) on which Twinning depends (e.g. to install a system)
- problems with Candidate Countries' commitment. This latter factor may be considered "intrinsic" (though not exclusive) to Twinning. This is manifested in over-reliance on the PAA to the extent that the evaluator considers it likely that the Beneficiary will not "buy into" the results of the Twinning project (e.g. RO□0006.14 - Implementation of the environmental *acquis* and ES-9903.01- Metrology and Accreditation Centre).

41. Interviews with local evaluators identified many reasons for this apparent lack of commitment: change of minister and therefore of ministerial priorities; change of circumstances, or even the generally poor performance of the Beneficiary administration in executing priority actions. But the most frequently cited factor by far is that the Candidate Country simply fails to invest the human resources to make the Twinning work. This is cited

Box 3: Effectiveness is improving.

Poland: "Activities implemented under Twinning are contributing towards the achievement of the immediate objectives, including the adoption/implementation of *acquis communautaire* and law enforcement."

In Slovenia at least 60% of Twinning projects are effective and "Long-term relationships have been built between Slovenia and EU Member States".

Czech Republic: "Beneficiaries' involvement in project design and implementation has been higher for Twinning projects than for technical assistance projects. As a result, the effective use of project outputs, and hence sustainability, is much greater in the framework of Twinning projects".

in Country Summary Reports and confirmed in Country Phare Evaluation Reviews¹⁰ from Bulgaria, Romania and the Czech Republic. Even in Slovenia, where Twinning is generally considered extremely effective, there have been examples of insufficient commitment. It is not clear whether this is cause or symptom, but at least one local evaluator argued that failure to make available the appropriate resources may in fact simply indicate lack of commitment to the Twinning. In some cases there appears to be a complex of factors that indicate a general lack of focus leading to non-achievement of objectives.

42. Thus, Interim Evaluation Report R/BG/PAD/02.016 covering BG-0006.03.01, Reform and Modernisation of the Tax Administration, the evaluator notes: “Regardless of the numerous activities carried out under of BG/0006.03 (Reform and Modernisation of the Tax Administration) there have so far been no concrete effects. It is now unlikely that there will be significant effects due to time constraints and lack of Government commitment”. (Page 9)

Effectiveness Across Accession Partnership Fields

43. Interviews with local evaluators and EMS’s internal workshop on Twinning of January 2003 reinforce the statistical data with regard to those sectors where Twinning (and Institution Building) is most likely to succeed. They show that Justice and Home Affairs and Financial Control are consistently the more successful sectors in which Twinning is used. Justice and Home Affairs scores highest with 59% of projects rated satisfactory and 24% highly satisfactory. These sectors embody an exceptionally high level of operational systematisation and specialisation. Project definition is usually easier as a result. Policy or political discussions of options are often inappropriate since the *acquis* defines the operational as well as strategic options (e.g. Schengen). Despite its complexity, the environment sector – at least at the level of legal transposition - is also seen as highly specialised and by definition suitable for close professional exchange.

44. Certain other types of Twinning found across all Candidate Countries and designed, perhaps under the influence of the Commission Services in Brussels, have tended to become quite common and relatively well defined in terms of design. Pertinent examples are Twinning in the areas of “Fight against Drugs”, “Fight Against Corruption” or even “Training of Judges”. The success of these Twinning has been variable, depending in large part on local ownership and commitment.

45. Twinning from AP Fields such as Public Administration Reform and Economic and Social Cohesion where the “*acquis*” as such (if it formally exists), is policy-heavy, non-specific and imposes much less in terms of organisational or operational behaviour. Twinning in these areas are considered more problematic by EMS evaluators and this tends to be borne out by the evidence.

Effectiveness of Twinning for types of activity

46. It has not been possible on the basis of the statistical evidence to identify whether or not Twinning projects that focus on one kind of activity tend to be more effective than those focusing on another. In practice, most Twinning projects, even those going back as far as 1999, tend to involve more than one activity (e.g. they define a structure, develop resources and install a system rather than doing only one of these). The interviews however do indicate that legal transposition was in many cases easier to do than the development of structures and systems: indeed it was suggested by the Bulgarian team that as the “paper exercise” draws to

¹⁰ Prepared in late summer 2003 for each Phare country.

an end, the real test in terms of setting up implementation and enforcement structures is yet to come in key areas such as agriculture and environment.

2.5. Impact is Uneven

47. 62% of Projects received an S/HS rating as opposed to 38% with a U/HU rating. Evaluators, reviewing the situation in November 2003 reported that, although performance continued to be mixed, the tendency was for increasingly satisfactory performance in impact, as noted in paragraph 24 above.

48. Across the AP Fields, 80% of Financial Control Twinnings (though with only 5 in the sample) are rated satisfactory, while 53% of Justice and Home Affairs are rated satisfactory and 6% highly satisfactory.

49. Interviews with local evaluators also indicate that interim evaluation can only forecast impact and sustainability based on current conditions. An ex-post evaluation would be needed to prove how the effects of projects have filtered through Beneficiary organisations (or the various publics they serve) and what the post-project capability is in terms of implementing the *acquis*. (See Box 4.)

Box 4: Only likely impact can be assessed

HU-0102.06 - Twinning Hungarian Energy Office (Report R/HU/INT/02058) "Generally, as the programme is active and at an early stage, it is not possible to evaluate impact. The potential impacts of this programme will offer providers opportunit[ies], and consumers safer, more environmentally friendly and cheaper energy."

For a more advanced (1999) project HU-9905.01.02.01- Harmonisation of the Hungarian Tax System (Report R/HU/FIN/02059) "The Programme has made a positive impact by facilitating closer alignment with the *acquis*; and through absorption and application of EU Member State best practices by those working in the finance sector. The Programme has contributed to the achievement of the overall objective of transposition and effective application of the Internal Market Financial *acquis* concerning finance and taxation. Although the project purposes have not yet been fully achieved they are likely to be realised in the near future and will have positive wider impacts, such as more transparently managed finances, resulting in a wealthier and healthier Hungarian economy".

2.6. Sustainability is at Risk

50. In total, 55% of Twinnings in the sample are rated S/HS in terms of sustainability, while 45% are rated U/HU. Evaluators, reviewing the situation in November 2003 reported that, although performance continued to be mixed, the tendency was for increasingly satisfactory performance in sustainability, as noted in paragraph 26 above.

51. Sustainability is rated most favourably in the area of Financial Control (80% satisfactory), then in the Internal Market field with 60% satisfactory as against 33% unsatisfactory. For this criterion, only 53% of projects in the Justice and Home Affairs are rated satisfactory or highly satisfactory.

52. As with impact, sustainability is rated significantly more favourably for 1999 Twinnings than for others, the principle reason being that there are fewer 'no ratings'. This again tends to suggest that the picture is more positive, especially regarding effectiveness, impact and sustainability if viewed at project end or even later. Evaluators find it extremely difficult to assess the degree of likely sustainability for projects that have just started and, when they do rate, they tend to extrapolate from efficiency data towards a forecast.

53. On the key question as to whether provision is made for the on-going financial and human resources essential for sustainability, Interim Evaluation has no means of knowing this if the decision is made after project end. Clearly however there are instances where as part of an Institution Building process, administrative units are being built up.

54. One clear factor relevant to assessing sustainability is the degree of project ownership by the Beneficiary. Thus Interim Evaluation Report LT/ENV/02085 for LT-0106.02 - Radiation Protection Project suggests: "Although activities are just starting, there is a good prospect for sustainability because there is strong commitment by government to fulfilling EU requirements in this key area." (Page 11)

55. The sole major negative remark on the question of sustainability appearing in the Bulgarian Country Summary Reports: "Institution building and know-how transfer assistance is frequently unsustainable. Projects are designed and conducted in such a way that contractors and Twinning partners perform many of the activities with limited input from Beneficiaries - except in cases where project aims specifically include the training of trainers".

3. CROSS-CUTTING FINDINGS

3.1. Factors and Actors for Success

56. The following paragraphs present the ‘factors and actors’ of success as these have been identified on the basis of research within the EMS network, focused especially on Twinning that had been considered broadly successful by EMS Team Leaders. The study covered 50 Twinning from 1999, 2000 and 2001 through interviews with nearly 30 evaluators.

57. ‘Successful’ Twinning are taken as those rated either ‘satisfactory’ or ‘highly satisfactory’ and judged capable of making a significant contribution towards increasing the capability of the CC to adopt and/or implement the *acquis*. That is not to be taken as implying that the Twinning studied were necessarily fully effective in terms of the objectives of the fiche or Covenant.

58. Without doubt the effectiveness of Twinning improves with experience (See Box 5). Candidate Countries that have used Twinning once tend to learn basic lessons such as the need to provide appropriate staff or to establish a co-ordinating body to act as project leader for all Twinning in a particular ministry. They will have a better idea of procedures, and know what is required. More widely, prior experience of Twinning leads to the development of technical knowledge and facilitates sharper needs’ analysis and a clearer vision on what remains to be done. Most of all, the skills acquired add to capability. Many earlier (mainly 1998) Twinning, considered at the time to be less successful, did nevertheless build up a level of awareness and knowledge.

Box 5: Progressive improvement in Twinning – Slovenia

In Slovenia, the first Structural Funds Twinning, undertaken under SL-9804, started in December 1999 and ended in April 2001, and was considered only partially successful. The time was not ripe; the institutional requirements were not clear - even to the Commission. Difficult political choices could not yet be made, and had they been made, might have subsequently needed amendment. But the training and policy advice built a capacity, which local evaluators considered had a positive influence on later policy and planning, and on subsequent Twinning.

A striking example of one Twinning building on a previous one is given by SL-9908.02 Justice Administration, which involved a Twinning ‘Organisation and Functioning of Judiciary – Training of Judges’ during which two conferences established the needs and developed a consensus for what should be undertaken in the later Twinning. This led to an Action Plan approved by Parliament, on the basis of which another Twinning (SI 02/IB/JH/02 – Modernisation of the Judicial System) was designed and implemented.

Furthermore, in Slovenia, the recent drive towards Twinning Light is evidence that there no longer exist so many substantial tasks to be completed and fine tuning of achievements is what is required.

59. It is evident, from these and many other examples, that the operation of the Twinning instrument has made steady progress. This report therefore concentrates, not on the basic procedures of twinning¹¹ but on the less mechanistic, ‘higher level’ issues which appear from the wide range of interviews undertaken to have the potential to add significant further value to Twinning. These issues are also ones which have perhaps been less widely exposed to date. The more that the factors identified below are in place and the greater the extent to which they

¹¹ This report does not reiterate criticism about procedural aspects of twinning, for example their complexity and frequently protracted timescales for launching and the implications for ‘better practice’. That is not because these problems are solved: on the contrary, they persist. But they are well understood and continue to be highlighted, most recently by the Court of Auditors Report 6/2003 which, nevertheless, noted that the Commission has made a number of improvements in the arrangements.

are in place, the greater the effectiveness, impact and sustainability that can be expected from the Twinning.

Twinning achieves most within a strategically managed environment

60. **The Candidate Country, or at the very least the institution to benefit from Twinning, should have in place an effective strategic planning and management approach to the whole of the Accession process**, preferably within a multi-annual framework and with oversight of all areas of action, whether to be supported by Phare or other donors or from the national budget. That enables the Twinning to define precisely the competencies to be installed in operational terms. This could involve:

- an outline definition of the “end game” in terms of functional capability required to meet the *acquis* for the sector: “who will be able to do what?”.
- definition of the main components that need to be in place to build up required capability;
- time-table according to which components need to be in place (this defines the “results”) that Institution Building should produce;
- definition or break-down of the components according to structure, resources, systems (i.e. Map of Institutional Requirements);
- agreement with the relevant European Commission line Directorates-General on the IB process, according to a clear schedule focused on when results come on stream and how they are integrated.

61. This is more likely to be the situation when the Candidate Country concerned has started to institute measures of public administration and civil service reform. It appears that this kind of capacity has developed to some extent across nearly all countries in the Environment, Public Finance, Justice and Home Affairs (especially Border Control), Customs and Social Security fields. These also tend to be areas where the *acquis* is itself relatively well structured – even if in many situations it is both broad and complex.

62. **Needs assessment should be undertaken by the Candidate Country** institution at a strategic and operational level for the entire institution building process of which a particular Twinning is part: it cannot simply be limited to the narrow scope of that particular Twinning. This requires systematic analysis of functional requirements (human, equipment and financial resources) and assessment of the skill and knowledge competencies needed by the people who are going to operate the *acquis*.

A mutuality of interest should exist between the Candidate Country and the Member State

63. **The Candidate Country institution should have sufficient international contacts** to know what kind of Member State best may suit its situation in a particular area. A unique value of Twinning is that it is not just about know-how transfer, but it is also about building lasting and constructive relationships between the civil servants in two (or more) countries. There therefore needs to exist a degree of mutual respect and interest between the Candidate Country and the Member State and, if possible a similar approach to the law and practice of public administration.

64. Twinning is a competitive process in the sense that the level of demand in recent years has been very high relative to the supply. Certain countries and sectors have had to make do with expertise from countries other than their first preferences. In this situation, those countries that have had good international contacts with Member States have been in a

relatively strong situation. This strongly facilitates an appropriate “fit” and contributes to smooth covenanting and project implementation. It is evident especially among neighbouring countries and comes into play significantly in certain “cross-border” issues: thus Austria, Italian and German partners are to be found in Slovenian, Hungarian and Slovak Border Control projects, in certain environment projects and certain customs areas. The same is true for the Baltic States relative to the Scandinavian States and in particular Estonia relative to Finland.

65. However, satisfactory relationships need not be exclusively determined by geographical proximity (See Box 6).

66. The Member State institution needs to have some strategic vision (even if informal) and interest relative to the Candidate Country and area of *acquis* concerned. The Member State and in particular its PAA and project leader will be more effective if their motivation to be involved in Twinning emanates from a strategic vision or interest, balanced by a respect for the Candidate Country. Interim Evaluation cannot systematically assess whether such motivation is explicit in particular Twinning. However the case studies in Annex 6 do provide anecdotal evidence that this is happening and that it is desirable (See Box 7.)

Box 6: Examples of mutuality of interest

Most small Candidate Countries appear to desire a Twinning with Ireland in Economic and Social Cohesion – even if the supply cannot match demand.

There has been a tendency for the Baltic candidates to form close relationships with, and acquire Twinning partners from, the Scandinavian member states and Finland.

The “fit” between the Austrian and Slovenian partners in the Twinning on Chemicals – SL-9906.01.01.003 – SL 99/IB/EC/04 was related more to the size and subsequent scale of regulatory organisation of the countries than to geographical proximity.

Also in Slovenia, the “fit” between Swedish and German partners and the Slovenian Beneficiary in the Twinning on Free Movement of Workers and Co-ordination of Social Security Schemes (SL-9913 – Consensus III) (SI/99/IB-Co-01) related to the fact that the Swedes have a recent collective experience of adopting the *acquis* in the area while the Germans have a similar system.

In Slovenia, local evaluators reported that the Slovenian ministries regularly took up advance contact with Member States to locate suitable partners.

Box 7: Candidate Country and Member State linkages.

Finland’s extensive commitment to Estonia is well known and is evidenced by the ES-9905 – Development of Criminalistics and Forensic Science - ES9905/IB-JH 01.

The German and Austrian commitment to the Bulgarian environment sector is evident in the family of Twinning examined.

The UK appears to be particularly motivated to see public finance managed appropriately. (SL99/IB/FI01 – Development of External Audit – SL 9902.03.02).

The current Member States which border the Candidate Countries are clearly keen to ensure the *acquis* is adopted and implemented in areas such as Justice and Home Affairs and environment in future neighbouring Member States. The German Federal Ministry of Environment, Nature Conservation and Nuclear Safety has a special unit for co-operation with Central and Eastern Europe: this unit was the Member State partner for Twinning (BG/2000/I B/EN 01.C Transposition and Basic Practical Application of Regulations Related to the Law on Protection from Harmful Impact of Chemical Substances and Preparations BG 0003.06.03).

The Member State's team needs institution building skills as well as institution building knowledge

67. **The Member State's Twinning team needs facilitative, communicative skills.** Whether the PAA is primarily an expert or a project co-ordinator; it is highly desirable that he/she should have facilitative and communicative skills. The PAA needs to be able to engage quickly on appointment. S/he may not have the answer to every question but it is desirable that s/he can at least enter into an interactive dialogue and brainstorm or identify with the counterparts the main questions, issues and ideas that arise. This cannot be considered an obligatory qualification to be a PAA – and clearly in strongly technical areas, these qualities may take secondary importance. Nevertheless it is a major issue. The burden is on the visitor to establish him/herself, not the other way around. Clearly these skills are required in unusual measure in those (few) Twinning that are primarily mainly “advisory”: in these situations facilitative and communication skills, in addition to political astuteness, are essential. The more that Twinning embraces public administration issues – either horizontally or within sectoral Twinning – then the more essential these qualities become.

68. What is needed is development of a clear competency framework, defined by performance criteria since these alone will indicate the operational performance standard that is required for individual staff members to manage or operate systems. The framework needs to identify the personal competencies that are required to work in a certain kind of structure and cover attitudinal and behavioural issues as well as “how” roles and responsibilities are to be assumed and shared. A form of quality assurance needs to be built in, based on a system of on-going monitoring or validation. There exists a well-established methodology for this within the areas of human resource development and organisational development, known to most management consultancies in the public or private sector and to various schools of public administration. The evidence is that a more professional approach to training-related activities would enhance the efficiency and effectiveness of Twinning.

69. **Transfer activities need to be structured and monitored professionally and accredited** according to defined performance criteria. All the Twinning reviewed involve some form of training (whether explicitly described as such or implicit under terms such as workshops, study visits, seminars) as main support to the development of human resources. In the interviews, the nature and professionalism of training and other forms of workshops and study visits emerged as important. In terms of Covenant budgets – without counting the involvement of the PAA in any such capacity-building – training-related events accounted for a significant proportion of Twinning activity and in some cases were at the core of the Twinning. (e.g. the various Training of Judges Twinning found in several countries). In many situations the training has a training-the-trainers component.

70. However, EMS experience is that training and other “learning opportunities” were not generally the subject of systematic validation or feedback, still less accreditation. Internal monitoring of feed-back and validation by participants of activities appears insufficient in many cases and is not an activity in which many PAAs or their experts appear to have a high level of expertise. Secondly, a lack of professionalism about the entire “learning and transfer” process is reflected in many Twinning. While a training needs analysis is often undertaken, learning activities as described in Covenants are often articulated as objectives (to reinforce awareness) but with no clear performance criteria that would indicate the knowledge level expected. In many cases no form of formal verification of skills acquired was apparent, other than by “doing”. In most cases there was no formal or informal accreditation. Nevertheless,

there are instances of best practice involving training needs analyses and participant validation, verification of skills, and even a form of accreditation (See Box 8.).

More stress should be laid on developing partnership in design and implementation

71. The Candidate Country institution needs to be fully involved in the Covenanted process and shares the project management. Project design in general is considered still to be relatively poor by EMS evaluators especially with regard to lack of useable indicators of achievement, poorly formulated

project purposes and log-frame matrices. Several evaluators noted that the Twinning Covenant, by virtue of its rigour and clarity, particularly regarding the work-schedule, was significantly more useful than the project fiche. For the most part “objectives” and “guaranteed results” are treated as the same (frequently the term “guaranteed results” is to be found within parenthesis after the title “objectives”). The work schedule is consistently well designed and set out – even for less successful Twinning.

72. In general, it appears that the Member State leads the drafting of the covenant but that it is a shared task. The extent of the sharing is difficult to assess. In the successful projects reviewed, the evaluator was usually satisfied that both parties had been significantly involved in drafting the covenant. By contrast, in one failed Twinning the Member State involvement had been minimal while in another (also failed) the CC involvement was minimal. With regard to project management, the counterpart’s involvement appears to be secondary. The overwhelming anticipation seems to be that the PAA is *de facto* project manager. The result is that the extent to which the operational counterpart also played a role in project management with regard to Twinning activities was variable.

73. Nevertheless, evaluators of many of the more successful Twinning evaluators cited instances of joint management of activities such as training, study visits and workshops. The more recent 2000-2 Covenants usually specified the core Twinning Team on the side of the Candidate Country and related this very precisely to activities in the work schedule. By contrast, involvement in project management by the counterpart ministry (Hungarian Ministry of Economy and Transport) was weak in HU-0102-01 “ Strengthening Market Surveillance” a Twinning (HU01/IB/OT01) with negative impact on the project.

Box 8: Examples of best practice in human resource development.

BG/2000/IB/FI-02 on Public Administration: definition of performance criteria and validation through practical exercises

SL99/IB/FI01 on Development of External Audit: definition of performance criteria, validation through practical exercises and on the job pilots.

SL2000/IB/JH/01 on Police Co-operation: full accreditation of training

HU 2001/IB/JH02 on Training of Judges and Prosecutors in EU Law: training needs analysis, participant validation.

SK 00/IB/JHA on Fight Against Drugs: training, workshops, study visits – full accreditation of Slovak social workers to level of French counterpart organisation.

SR99/IB/EC/01 on Institutional Development in the Field of Standards and Certification: fully certified training of trainers programme for 15 trainers.

3.2. Features of Successful Actors

74. Successful Twinning depends on the performance of main actors: the PAA, his/her counterpart, the Member State's Project Leader (notably working through the Steering Committee) and the Commission Services (especially the relevant Task Manger at the Delegation).

PAA

75. The importance of the PAA is evident from the discussion above of critical and desirable factors. On the basis of EMS experience, the essential and preferable competencies (knowledge, skills and personal attributes) required in a PAA appear to be as follows:

Table 4: Essential and preferable competences of a PAA.

PAA Qualities	Profile
Essential	<ul style="list-style-type: none"> • Have understanding of the relevant area of the <i>acquis</i> and have relevant technical, administrative or policy experience relating to its implementation in a Member State • Have understanding and experience of the dynamics of organisational change in a public administration • Have skills to manage a project and work according to a predetermined project methodology • Be able to communicate orally and in writing in an effective manner • Be a self-starter and good organiser • Be highly regarded in the home administration • Be open and flexible • Be able to establish and maintain productive working relationships • Be able to function at the level appropriate to the project
Preferable	<ul style="list-style-type: none"> • Be expert in at least one significant project area • Be able to facilitate groups • Be able to network and promote commitment from others • Be effective at strategic and operational level

Counterpart

76. The Counterpart may be the Candidate Country Project Leader or someone delegated by him. Either way there needs to be a clear counterpart to the PAA, someone with whom he/she can work in tandem. This person must be able to act as a gateway or "platform" for the entire project within the administration. Failure to do so shifts the administrative burden onto the PAA. More seriously, the project begins to "happen to" the counterpart rather than "through and with" the counterpart. The essential and preferable qualities of a Counterpart are set out below.

Table 5: Essential and preferable competences of a Counterpart.

Operational Counterpart	Profile
Essential	<ul style="list-style-type: none"> • Be free to devote significant time to Twinning; seek to synchronise internal work programme with Twinning work schedule • Have some understanding of the relevant <i>acquis</i> • Enjoy full political support within ministry • Have good organisational and managerial skills • Understand own administrative system and how it works • Be well networked within own administration and able to act as conduit • Be open and flexible

Operational Counterpart	Profile
	<ul style="list-style-type: none"> • Be able to establish and maintain productive working relationships • Be committed to project, understand its rationale, • Speak English • Be technically and professionally competent in own area of work
Preferable	<ul style="list-style-type: none"> • Be assertive, including with Member State team. • Be able to articulate requirements and levels of satisfaction

77. The level of the counterpart is sometimes a problem, particularly if this is a delegated role. In cases where the organisation is very large, there may be a tendency for the level to descend the hierarchical scale. While this may not appear ideal, it is less serious than may be feared when the capability being created is operational. The reality is that in most of the Candidate Countries all the senior levels are highly political and few operational issues receive much attention at that level. Accordingly, for Twinning that install systems, particularly small systems (e.g. within a particular agency), an operational level counterpart is probably appropriate.

78. Many Twinning, particularly those straddling several institutions or sectors (e.g. chemicals sector, market surveillance sectors, or even health insurance institutions), require substantial political support for the PAA. Where the daily counterpart is not at the political level, it is essential that he/she enjoy support at that level so that there can be quick access if required. However, it is too simplistic, particularly at this stage of “operational” Institution Building, to assume that regular PAA access to the political level will, of itself, lever institutional change. While it will provide authority, institutional change in the context of Central and Eastern European administrations also requires continual prodding, coaching and persuading at lower levels as well. For this reason, the relationship with the operational counterpart remains essential.

Project Leader

79. The Member State’s Project Leader has an important role to play in giving strategic direction. All Covenants include Project Leader time inputs, sometimes as high as two or three months. The main forum for the Project Leader to exercise direction or correction is the Project Steering Committee that plays an internal monitoring role. However, in practice, its main benefit appears to be to co-ordinate and bring relevant actors together: in those projects – and there are many of them – that involve many ministries and actors, this is an important role. EMS evaluators did not highlight any particular “best practice” cases of steering group intervention. In general when problems have arisen, the Steering Committee and the Member State Project Leader appear to have been relatively slow to react.

Commission Services

80. According to the Twinning Manual, the Commission sets the legal, financial and procedural framework for Twinning projects and, with the Candidate Country, determines priorities and allocates funds to Twinning projects in the framework of National Programmes. Line Directorates Generals’ help in defining the institutional requirements of the acquis, in terms of the resources and competencies required, building on existing work by DG Enlargement’s Coordination Unit, would substantially assist the Institution Building

programming¹². In certain *acquis* areas such as Economic and Social Cohesion, Candidate Countries and their Twinning teams were left to guess at this up until March 2001, after which the Commission took a very clear view on the final requirements. Earlier Twinning in this sector operated in something of a policy vacuum and structures set up had, in certain cases, to be reviewed.

81. The involvement of line DGs is essential at programming and covenanting stage for Second Wave countries. The Delegations were found to play a substantial role regarding the Covenanting process. While it is important that the CCs have the opportunity to develop their own expertise, the Delegation in Romania has introduced a good practice, involving the hosting of joint drafting sessions between the partners at Covenanting stage to iron out residual difficulties. It also appears that the Delegation holds both partners to their commitments.

3.3. Appropriateness of Twinning and Related Instruments

Twinning and Twinning Light Instruments mobilise expertise only available in the public sector

82. For Twinning to be the relevant instrument for a project as defined by the Commission's Twinning Manual, the expertise required must fall into the public domain¹³. In almost all cases, this criterion is fulfilled: that does not mean however that the same expertise cannot also be found in the private sector, which in certain cases it plainly can be. Nor does it mean that all aspects of the expertise required, including the short-term experts, are necessarily always found in the public domain. The Manual concedes that in certain cases it may be difficult to find the expertise in the public domain. From the evidence, it appears reasonable to conclude that, in almost all the cases studied, the expertise was found in the public domain and highly likely that it could not have been found, either at all or in sufficient quantity to meet the level of demand of recent years, from within the private consulting market or through public consulting companies that sell public sector expertise.

83. One exception may be with regard to the Structural Funds and Regional Development. The use of private consultancy services is, even within the EU Member States, extensive in this area. However the expertise to carry out downstream Structural Fund-related activities, such as the establishment of a business incubator network, can be found in the public domain, i.e. among public regional development agencies (as evidenced in EMS Report R/SI/REG/02.136 covering Twinning Project SI-0004.01 Business Incubator Network in Pomurje).

All Twinning demand high levels of commitment from beneficiaries and member states

84. For Twinning to be the relevant instrument, the commitment of the CC and Beneficiary organisation has to be beyond doubt. This is often difficult to assess in advance, and only becomes clear after project start-up (Beneficiary organisations will obviously not admit to a lack of commitment when the project is being negotiated).

85. Nevertheless, it is essential to distinguish clearly between a) what is stated in the Covenant and agreed at the outset and b) what emerges later in the course of project implementation. Covenants themselves are, by this stage, relatively explicit with regard to

¹² "Main administrative structures required for implementing the *acquis*, Overview, Informal Working Document for information Purposes Only", April 2003, DG Enlargement Coordination Unit.

¹³ As defined in the Manual, ie including mandated bodies.

counterpart involvement in the project, including project management inputs. Clearly defined benchmarks that represent a series of intermediate outputs to result from activities are usually set out. While most derive from activities led by the Member State experts, not all do. Most involve a clause whereby the Candidate Country undertakes to provide relevant support to the Twinning, in terms of equipment or offices. However, this on its own is too modest a level of commitment to base a Twinning upon.

86. Evidently, in many cases, Beneficiary organisations fail to make available sufficient or adequate staff to “partner” the PAA and the Member State Twinning team. Thus in R/RO/ENV/02113 – “Implementation of the Environmental *Acquis*”, the evaluator questioned the suitability of counterpart staff both in terms of quantity and quality to partner the proposed Twinning.

87. Frequently it emerges – though at a later stage – that the Beneficiary organisation has not put in place an adequate “conduit” through which Twinning know-how can be transferred. But there is no evidence that this reflects a lack of commitment. It may rather reflect the pressures inherent on the Beneficiary organisation and the innocent, though serious, underestimation of inputs required. As an EMS Czech Country Summary Report notes: “Requests for Phare assistance - especially Twinning - are often drawn up without a clear view of what these projects will entail in terms of staff and time, and how they might complement the “everyday” work of the Beneficiaries”.

88. Covenants are also explicit with regard to the political commitments that Beneficiary institutions or the country as a whole need to take. These are usually of a legislative nature but they can also involve the need for ministerial or Governmental decisions. None of a sample of 30 Twinning lacked a stated political commitment at project outset. It is a positive feature that Delegations will not approve Covenants unless and until these commitments have been given.

Efficiency of Twinning Light is limited by complex Phare procedures

89. Interviews indicate that in Slovenia and Estonia in particular there has been a strong interest in Twinning Light dating back to 2001. In terms of programming, these Twinning appear consistent with the Commission’s Guidelines. In Slovenia, Twinning Light is seen as potentially useful for supporting the finishing stages of more complex Institution Building processes. The programming exercise of 2002 saw a slight increase in Twinning Light but there has been no evidence, even in Slovenia, of a wholesale switch from classical Twinning to Twinning Light. (See Box 9.)

Box 9: Evidence of slow launching of Twinning Light

In Slovenia, none of the Twinning Lights programmed under 2001 were operational before Autumn 2002, though a few 2002 Twinning Lights became operational much more quickly.

In Estonia, Twinning Light has in part been used in instances where classical Twinning may not be able to mobilize adequate partners or adequately quickly

In the Czech Republic, only a small number of Twinning Lights have been foreseen: currently up to 5 appear to be operational.

In Bulgaria, only one Twinning Light is currently operational.

90. There has evidently been some difficulty and confusion in gearing up for Twinning Light, which has certainly been manifested in slow starts. Since the instrument is to be used tactically and flexibly, then it is essential that it can respond rapidly to needs. The programming of an “Unallocated Reserve” for Twinning Light in many countries should allow

for this flexibility, but countries still need to be able to define their needs tightly and, critically, define the outputs they expect. In this sense, Twinning Light still requires an overall planning and programming framework that is strategically coherent, even if the use of the instrument is more tactical.

91. There appears to be a general recognition that the lead-in time to Twinning Light is currently excessive, and that the Commission Services are addressing this. This is clearly important. As Accession reaches its final stages for many countries it can be expected that unforeseen areas require rapid reinforcement, or particular tasks need to be undertaken. In principle, Twinning Light could act as a useful instrument in this situation and add to the possible responses that Candidate Countries can mobilize. That however depends crucially on the instrument proving user-friendly.

92. EMS currently has statistical ratings for 7 Twinning Lights, all but one of which is from 2001. The ratings reflect the very early stage at which all of these projects were evaluated. The most salient fact is that 71% have been rated satisfactory, but in general the evaluators have had difficulty in determining anything more specific. This accords fully with interviews which indicated that the priority must be to get Twinning Light moving more rapidly: only then will it be possible to see how it works in practice.

Technical Assistance can be an instrument of choice.

93. Many of the above considerations would be appropriate to any project involving external assistance to an organisation that is ultimately responsible for its own development. If external assistance does not require a political commitment (other than to accept the assistance), and if the expertise is not solely found in the public domain, over-emphasis on Twinning should be avoided and technical assistance may be more appropriate. However, since many of the factors of appropriateness are common to any successful external assistance, then it does not follow that, because Twinning is not possible or appropriate, then Technical Assistance must be.

4. CONCLUSIONS AND RECOMMENDATIONS

94. This chapter draws conclusions and makes recommendations, principally for implementation by the Member States, for further improving the value added by this instrument. Twinning receives a positive assessment overall in relation to installing the *acquis*, but further value could be added by including more human resource and specialist expertise and by doing more to foster strategic planning and public administration reform, in the absence of which sustainability is at risk.

Conclusions

Twining is an essential instrument

95. It is quite clear that relevant expertise in the *acquis* would not have been found in the private sector and, without the twinning instrument, the candidate countries could not have progressed as they have done towards meeting the membership objectives. It is also clear that twinning has fostered durable bilateral links with Member States that continue after the completion of the twinning assignments. Twinning has therefore proved itself an essential instrument for the pre-accession process and overall performance must be rated as satisfactory.

96. However, the always training activities of some kind in a Twinning, of whatever degree of formality, its practice of Twinning can still be improved within the current framework. Procedurally, there is still scope for design improvement, notably in relation to improving logframes and, relatedly, to better designed objectives and realistic and useable indicators, and to ensuring that Candidates', including counterparts', responsibilities and tasks are as clearly defined as those of Member State actors. This is a question of mainstreaming best practice rather than changing procedures.

97. Because there is evidence that some training activities have been poorly designed and implemented, there is an opportunity to raise the professional human resource development expertise available to Member States' teams. A comparison needs to be made of the expertise needed for the Twinning concerned, taking account of the range and balance of activities likely to be undertaken, and the competencies of the PAA and the Project Leader, as well as those of the CC counterpart. As there are almost likely to be desirable to include in the team a short term human resource development expert, who can be responsible for design and quality assurance of all transfer and training activities so that training is delivered, whether by that person or not, in accordance with the best standards of human resource development practice. Other experts may be needed, again depending on the exact knowledge and skill which the PAA possesses, where this can add further to the Twinning. Where appropriate, for example where the Twinning depends crucially on the existence of high level political support, consideration should be given to including experts with sufficient seniority to operate effectively with the political and top administrative staff.

Improvement in 'Second generation' twinning

98. As experience in the use of Twinning grows, important lessons have been learned by Candidate Countries, Member States and European Commission Delegations. Following the start-up problems of the "first generation" of twinings in 1998, there is a clear tendency to improved performance of the "second generation" of twinings since 1999. Nevertheless, the

results remain rather mixed for the key performance criteria of effectiveness and efficiency (the negative ratings remain at a high level of about 40%).

Sustainability is at risk

99. Without doubt, the key challenge facing Twinning (and other support) is that sustainability depends on the wider public administrative environment being supportive. Unless accompanied by comprehensive reform in public administration, Twinning risk raising elaborate Candidate Country structures on very shaky foundations.

100. All Twinning actors need to see adoption of the *acquis* as a process involving civil service reform and a change of approach within public administrations. Failure to do so is limiting the beneficial effects of twinning, particularly for more complex *acquis* components requiring inter-ministerial collaboration, such as the Integrated Administration and Control System (for the CAP). As the unique aspect of twinning is contact between member states' and candidate countries' administrators, twinning can have a positive added value in explaining the need for and promoting the development of longer-term planning and strategic expertise and improved horizontal public administration to ensure sustainability.

101. The public administration management expertise within Member States and in particular within National public administration schools constitutes a resource pool in this regard. These are the experts who assist Member States to introduce new systems and working methods. They could also support sectoral Twinning and PAAs to address the broader public administration issues associated with embedding the *acquis*, since few sectoral PAAs are likely to have the appropriate expertise. This could be done either through a variety of short-term experts or a dedicated organisational development specialist within a Twinning team.

Efficiency of Twinning Light is limited by complex procedures

102. Twinning Light is a useful instrument that adds to the 'toolbox' which Candidates can use in their Institution Building programmes, but its introduction has suffered 'teething problems', which the Commission's services are understood to be tackling. Since the instrument is to be used *ad hoc* and flexibly, it is essential to reduce the lead-in time so it can respond rapidly to needs. The programming of an "Unallocated Reserve" for Twinning Light in many countries should allow for this flexibility, but countries still need to be able to define their needs tightly and define the outputs they expect. In this sense, Twinning Light still requires an overall planning and programming framework that is strategically coherent, even if the use of the instrument is more *ad hoc*.

Technical Assistance can be an instrument of choice

103. There is growing tendency for stakeholders to make a discrimination, based on their experience, between the best roles for Twinning and Technical Assistance. Technical Assistance can be entirely satisfactory, and could be the instrument of choice, particularly where the *acquis* element is limited in scope and very precise as to the competencies required. The more complex the *acquis* element, and the more it involves other parts of the candidate country's administration, or involves a strategic or public administration reform dimension, the more important it is to adopt a Twinning approach.

Recommendations

This report recommends three sets of actions to enable Twinning to realise its potential more fully.

Action 1: Twinnings should take more steps to ensure that Candidate's public administration can sustain the project results

104. To heighten the beneficial side-effect which *acquis*-related Twinning can have on the horizontal public administration systems in the Candidate Country, the Commission should encourage the partners to include in every Twinning an obligation to examine, during the Twinning, the extent to which the prospects for impact and sustainability of the institution building to be undertaken is threatened by weaknesses in the public administration systems in place in the Candidate Country and, before the end of the project, to propose the steps necessary to improve those prospects [§ 60, 61, 100].

Action 2: Twinnings should promote the candidate's strategy development and Public Administration Reforms

105. To promote the development of more strategic thinking in the Candidate Countries, the Commission should encourage the partners to include in the Covenant a requirement to analyse, during the Twinning, the strategic context in which the Twinning takes place; to conduct a gap analysis in terms of sectoral strategy and institution-building needs for resources and competencies, and to work with the Candidate Country to embed the Twinning (and successor activities), as firmly as possible, within such a framework. Relevant recommendations as to action needed after the project ends, should be made in the project's final report. Such an approach would reinforce the Candidate Country's own progress towards economic and sectoral management as well as towards public administration and civil service reform. [§ 62, 100].

Action 3: The Twinning Teams should be strengthened

PAA training should be strengthened

106. The Commission is recommended to encourage the Member States to deploy their resources to improve PAA transfer skills, both in relation to the *acquis* component concerned and in relation to the wider public administration implications of that component, and to improve the quality of training activities within Twinnings [§ 67-70.75, 97].

107. Specifically, the Commission should encourage Member States to provide PAAs with adequate and systematic training, based on gap analysis compared with the profile and competencies of an 'ideal PAA' [§ 75, 97].

More specialist expertise should be deployed in Twinnings

108. The Commission should encourage Member States to consider the range of expertise which is necessary, if the Twinning is to achieve its objectives, and compare this with the competencies of the PAA and the Project Leader, as well as of the CC counterpart. In particular, it is likely to be desirable to include in each Twinning team a short term expert in human resource development, with responsibility for design, delivery and quality assurance of all transfer and training activities. Including other specialist Member State expertise, for

example in *acquis*-related Information Technology, should be considered where further value can be added to the Twinning, for example in influencing the wider strategic and public administrative context in which the *acquis* component functions through developing longer term planning or strategic development expertise. [§ 67, 94].

109. The Commission should encourage Member States to use their Public Administration Schools, or other HRD / organisational resources available to them, to devise and provide such training, and to contribute such experts. [§ 101].

Twinnings should, when necessary, include high level expertise to change decision-makers attitudes

110. Where the conditions for successful Twinning, in terms of levels of understanding and ownership, are lacking in an institution which, nevertheless, needs Phare support for institution building, the Commission Services responsible for programme design, should consider recommending the Member State to offer more senior key actors in Twinning projects, particularly as Project Leaders, to work with the top political and administrative echelons. [§ 97].

ANNEXES

Explanatory Note on Annexes

ANNEX 1. List of Twinning Samples from Database

This Annex lists the 86 Twinning, the details of which were entered on a database. These are all the Twinning covered by the EMS Consortium in its Interim Evaluation Reports for September 2002 – February 2003 (the period during which the Template required a rating to be given for every project), which were either concluded or well under way at the moment of evaluation.

ANNEX 2. Twinning Projects studied for Factors and Actors of Success

This Annex lists the 50 Twinning which were analysed in detail with EMS Team Leaders in local offices in order to determine the ‘factors and actors’ which lead to the success or otherwise of Twinning,

ANNEX 3. Main Questions used in Interviews with Local Evaluators

Interviews with EMS Team Leaders in local offices were based on the checklist in this Annex.

ANNEX 4. Factors Promoting / Inhibiting Success of Twinning at Project Level

Strengths and weaknesses inherent in the projects examined are identified in this Annex. These are set out in categories which cover design issues; the activities of the key actors, and the relationships between them.

ANNEX 5. Positive and Negative Remarks from Country Summaries

Annex 5 records relevant positive and negative remarks about Twinning found in EMS Country Summaries. These are set out in categories, predominantly relating to the DAC criteria and showing the country from which the comment derives.

ANNEX 6. Case Studies

This Annex sets out a small selection of Twinning case studies. Some are of the use of Twinning in a particular sector, others of individual Twinning. In all cases however they are evidence of best practice – at sectoral or project level or both - in terms of planning and using Twinning as an instrument for Institution Building.

ANNEX 7: Previous recommendations with regard to Twinning

The recommendations from three reports are repeated in this Annex; firstly those from the Commission’s contracted Assessment report of July 2000; secondly those from the Ad Hoc Report on The Twinning Instrument, OMAS, October 2001 S/ZZ/EUR/01006, and thirdly those from the European Court of Auditors Report 6/2003.

ANNEX 8. Attribution of Phare Programmes to Accession Partnership Fields

The Twinning sampled for this Report have been categorised according to Accession Partnership (AP) Fields. This approach has been adopted because there is not adequate uniformity about the way in which the various CCs attribute activities to ‘three letter’ sectors, nor is there sufficient identification of acquis chapters. A table mapping the various targets for Phare support to the AP fields is at this Annex.

ANNEX 9. Steps and Responsibilities for Twinning

A chart based on one provided by the Commission to the Court of Auditors and included in the latter’s Special Report No 6/2003 Concerning twinning as the main instrument to support institution-building in candidate countries.

ANNEX 1. List of Twinning Samples from Database

Report Number	AP Field	Component Number	Title
R/BG/AGR/02.013	Food production, Health and Consumer Protection	BG-9913.02.03	Improvement in Phytosanitary Control Twinning (BG/IB/AG/01/A)
	Food production, Health and Consumer Protection	BG-9913.03.01	Improvement in Seed Control Twinning (BG/99/IB/AG/01/B)
	Food production, Health and Consumer Protection	BG-9913.05.01	Administrative Reform Twinning (BG99/IB/AG/01/C)
	Food production, Health and Consumer Protection	BG-9913.06.01	Implementation of effective control in Vine and Wine Twinning (BG/IB/AG/01/D)
	Food production, Health and Consumer Protection	BG-0101.03.01	Phytosanitary Twinning (BG/IB/2001-AG-01-TL)
	Food production, Health and Consumer Protection	BG-0101.03.02	Organic farming Twinning (BG/IB/2001-AG-02-TL)
	Food production, Health and Consumer Protection	BG-0101.04.01	Improving veterinary control Twinning (BG/IB/2001-AG-03)
	Food production, Health and Consumer Protection	BG-0101.05.01	Restructuring of Fisheries and Aquaculture Twinning
R/BG/JHA/02.017	Justice and Home Affairs	BG-9911.03	Strengthening the Independence of the Judiciary and the Institutional Capacity of the Ministry of Justice
	Justice and Home Affairs	BG-0005.01	Strengthening of the Public Prosecutor's Office
	Internal Market	BG-0103.04	Streamlining Bankruptcy Proceedings
	Justice and Home Affairs	BG-9911.01	Institution Strengthening of the Bulgarian Border Police
	Justice and Home Affairs	BG-9911.02	Institutional Strengthening of the Bulgarian Police
	Justice and Home Affairs	BG-0005.03	Developing and Implementing a National Anti Drugs Strategy
	Justice and Home Affairs	BG-0103.06	Strengthening the Refugees Agency
R/BG/PAD/02.016	Public Administration	BG-0101.01	Strengthening the Institutional Capacity of the Central Bank
	Justice and Home Affairs	BG-0103.07	Combating Money Laundering
	Internal Market	BG-9910.02.01	Twinning for Approximation of Legislation in the Field of State Aid, Institutional Building of the State Aid Monitoring Authority at the MoF
	Internal Market	BG-0003.03	Support to the reform of the Public Procurement System
	Internal Market	BG-0103.05	Strengthening the National Customs Agency
	Taxation	BG-0006.03.01	Reform and Modernisation of the Tax Administration
	Financial Control	BG-0006.01	Strengthening Public Internal Financial Control
	Financial Control	BG-0006.02	Strengthening Public External Audit Institution

Report Number	AP Field	Component Number	Title
R/BG/SOC/02015	Economic and Social Development	BG-9918.02	Development of Human Resource and Information Capacity at the National Health Insurance Fund of Bulgaria (NHIF)
	Economic and Social Development	BG-0005.04	Child Welfare Reform
	Regional Policy and the Co-ordination of Structural Instruments	BG-0102.07	Preparing for future European Social Fund (ESF)-type programmes
R/CZ/ENV/02.033	Environment	CZ-0006.01	Implementing Structures for IPPC
	Environment	CZ-0006.02	Centre for Waste Management
	Environment	CZ-0006.03	Institutions for Permitting and Monitoring in the Air Quality Sector
	Environment	CZ-0106.02	Implementation of Water Framework Directive
	Environment	CZ-0206.01	Implementation of the Environmental <i>Acquis</i> at the Regional Level
	Environment	CZ-0206.02	Environmental Impact Assessment
	Environment	CZ-0206.05	Reinforcement of IPPC Implementation
R/CZ/ESC/02034	Environment	CZ-0206.06	Financing Tools to Implement the <i>Acquis</i> in the Environmental Sector
	Regional Policy and the Co-ordination of Structural Instruments	CZ/0010.01	Consolidation of the National Development Strategy
R/EE/INT/02.045	Internal Market	ES-9903.01	Metrology and Accreditation Centre
	Internal Market	ES-9903.02	Consumer Protection Board
R/HU/FIN/02059	Taxation	HU-9905.01.02.01	Harmonisation of the Hungarian Tax System
	Financial Control	HU-9905.01.03.01	Accounting and Government Finances
	Financial Control	HU-9905.01.03.02	Accounting and Government Finances
R/HU/INT/02058	Internal Market	HU-0102.01	Strengthening Market Surveillance
	Energy	HU-0102.06	Twinning Hungarian Energy Office (HEO)
	Energy	HU-0102.06	Twinning Hungarian Energy Centre (HEC)
R/HU/JHA/02061	Justice and Home Affairs	HU-9907.01	Strengthening of Border Management
	Justice and Home Affairs	HU-0103.01.02	Strengthening of Boarder Management
	Institution Building and Strengthening Judicial and Public Administration	HU-0103.02	Training of Judges and Prosecutors in EU Law
LV/AGR/02074	Food production, Health and Consumer Protection	LE 99.04.02	Modernisation and capacity building of food control at national and regional level
	Food production, Health and Consumer Protection	LE 00.09.00	Strengthening Latvia's Fishery Administration to meet the requirements of the common fisheries policy
	Food production, Health and Consumer Protection	LE 01.02.02	Development of the management mechanism of the Latvian agriculture in line with European Union's Common Agriculture Policy
LT/ENV/02085	Energy	LI-9912.01	Strengthening of Environmental Monitoring Capacities
	Energy	LT-0106.02	Radiation Protection Project

Report Number	AP Field	Component Number	Title
R/LT/JHA/02086	Justice and Home Affairs	LI-9908.01	Adoption and Implementation of the Schengen <i>Acquis</i> , Including establishment of a National Schengen Information System
	Justice and Home Affairs	LT-0203	Migration and Asylum Management System
	Internal Market	LT-0003.02.01	Strengthening Customs Procedures and Operations in the Lithuanian Customs Department and Regional Customs Administrations
R/PL/AGR/02.095	Food production, Health and Consumer Protection	PL-9906.01	Phytosanitary administration at future external borders;
	Food production, Health and Consumer Protection	PL-9906.02	Veterinary administration at future external borders
	Food production, Health and Consumer Protection	PL-9906.04	Preparation for the implementation of CAP
	Food production, Health and Consumer Protection	PL-0003.08	Fisheries Administration
	Food production, Health and Consumer Protection	PL-0006.01	Institution-Building for Rural Development
	Food production, Health and Consumer Protection	PL-0006.02	Institution-Building for Agri-Environment and Afforestation
	Food production, Health and Consumer Protection	PL-0006.03	Institution-Building for Early Retirement
	Food production, Health and Consumer Protection	PL-0006.04	Veterinary System for Laboratories and Disease Control
	Food production, Health and Consumer Protection	PL-0006.05	Border Inspections Points Phase II
	Food production, Health and Consumer Protection	PL-0006.06	Phytosanitary Administration
PL/INT/02.094	Internal Market	PL-9905.02	Liberalisation of capital movement
	Internal Market	PL-9905.03	Telecommunications regulatory authority
	Internal Market	PL-9905.04	State aids control
R/RO/ENV/02113	Environment	RO_0006.14	Implementation of the environmental <i>aquis</i>
	Environment	RO□0107.15	Assistance for the implementation of the environmental policies
R/RO/INT/02112	Internal Market	RO□9906.02	Strengthening the administrative capacity to manage the <i>Acquis</i> in the field of Competition and State Aid.
	Internal Market	RO□0006.01	Industrial Policy
R/RO/JHA/02115	Justice and Home Affairs	RO-9907.01	Meeting the obligations of the <i>Acquis</i> on border management
	Justice and Home Affairs	RO-0006.16	Strengthening the border management and asylum
	Justice and Home Affairs	RO-0107.16	Strengthening border management
	Justice and Home Affairs	RO-0107.17	Strengthening the management of the migration phenomenon in Romania
	Justice and Home Affairs	RO-9910.05	Fight against corruption
R/RO/PAD/02111	Justice and Home Affairs	RO-0006.17	Fight against drugs
	Public Administration	RO-9907.03	Institution Building for the Ministry of Public Finance

Report Number	AP Field	Component Number	Title
	Public Administration	RO-0006.04.01	Institution Building for the Ministry of Public Finance
	Financial Control	RO-0006.07.01	Strengthening the Romanian Court of Audit
R/RO/TRA/02114	Transport	RO-0006.15	Road-Worthiness Enforcement
	Transport	RO-0107.11	Improvement of road safety and institutional building in the field of transport
R/SK/INT/02.124	Internal Market	SR-9907.01.0001-00002	Implementation of Quality System at the Slovak Institute of Metrology
	Internal Market	SK-0004.05	Quality System in SUTN
R/SI/REG/02.136	Regional Policy and the Co-ordination of Structural Instruments	SI-0004.01	Business Incubator Network in Pomurje

ANNEX 2. Twinning Projects studied for Factors and Actors of Success

Reference	Title
Bulgaria	
BG 98/IB/AG-02	Implementation of <i>Acquis</i> with ... to Plant Protection
BG 99/IB/AG-01-C	Support to Integrated Policy Department
BG 99/IB/EN/01	Institution Building and Approximation of Law
BG 99/IB/EN/01A	Institution Building and Approximation of Law, Packaging Water and PCB/PCT
PL0003.13 / PL2000/IB/0202	Strengthen regional policy administration
BG/2000/I B/EN 01.C	Transposition and Basic Practical Application of Regulations Related to the Law on Protection from Harmful Impact of Chemical Substances and Preparations
BG/2000/IB/FI/01	Strengthening Capacity to the Ministry of Economy
BG/2000/IB/FI-02	Public Administration
BG-0003.06.01.01	Institutional Strengthening at national and regional level for implementation of drinking water
Poland	
PL0005.01/ PL2000/IB/JH/02	Twinning for border and visa policy
PI/0003.09/ PL2000/IB/TR01	Transport administration and <i>acquis</i>
PL2000/IB/EC02& PL/IB/2001/EC/03	Certification Phase 2 and Certification and Standards Phase 3 "Structures and Systems for Certification and Standardisation on the EU Single Market"
Romania	
RO-IB-99-CO-02	Development of Institutional Capacity of National and District Health Insurance Houses
RO 99/IB/JH/03	Reinforce the capacity to fight corruption and organised crime
RO 99/IB/JH/04	Development of integrated border management strategy for Romania
RO 2000/IB/AG/03	Strengthening the capacity to manage the veterinary <i>Acquis</i> , improvement of the capabilities at central and regional level to enforce and observe the new, harmonised veterinary norms
RO 2000/IB/AG/04	Wine <i>Acquis</i>
RO/2000/IB/FI/04	Strengthening the Court of Accounts of Romania
RO 2001/IB/EN/01	Twinning to further assist Romania in the transposition and implementation of legislation on waste management
RO 2001/IB/JH/01	Development of the legislative and institutional framework in the field of migration
RO 0006.17	Fight Against Drugs
Hungary	
HU-IB-1999-CO-01	Preparation for Implementation of Council Regulation No 1408/71 – Social Security of Migrant Workers
HU-9905.01.03.02	Government Financial Statistics and Reporting
Estonia	
ES9905/IB-JH 01	Development of Criminalistics and Forensic Science
Czech Rep	
CZ 0004.04	Establishment of the Energy Regulatory Authority (ERA)
CZ.0007.03/ CZ/2000/JH/IE/02	Strengthening actions against proceeds from Money Laundering and improving the institutional and technical framework for combating money laundering in line with EU legislation and practice leading to a higher rate of prosecution
CZ 0010.01	Consolidation of the National Development Strategy
CZ 0104.06	Effective functioning of Electricity Spot Market Operator (ESMO)
CZ 0104.01	Legislative and Institutional Framework for Tax and Customs Administration
CZ01.09.02	Training for auditors of the Supreme Audit Office

Reference	Title
Slovak Rep	
SK-0008.02 / SK 00/IB/JHA	Fight Against Drugs
Slovenia	
SL-9906.01.01.003 – SL 99/IB/EC/04	Chemicals
SL99/IB/FI01	Development of External Audit
SI 02/IB/JH/02	Modernisation of the Judicial System
R/SI/SOC/02.137	Free Movement of Workers and Co-ordination of Social Security Schemes
SL-9908.02	Organisation and Functioning of Judiciary – Training of Judges

ANNEX 3. Main Questions used in Interviews with Local Evaluators

In the context of a loosely structured interview concerning particular Twinning, the following questions were raised:

Conditions for Twinning (Relevance)

Did the Twinning conform to an Accession Partnership priority, was it clearly based in the Project Fiche and Financing Memorandum?

Were guaranteed results logically derived from the logframe without dilution of scope or intensity?

Was the goal clear? Was there sufficient political will; was there sufficient Candidate Country commitment?

Was a needs assessment carried out and if so when?

Did the Candidate Country want Twinning?

Had there been previous Twinning and did the particular Twinning conform to a coherent pattern?

Selection and Covenanting

Could the Member State and Candidate Country reach agreement easily on the focus and work schedule of the Twinning?

What was the balance of roles between Member State and Candidate Country in drafting the covenant?

What was the role of the European Commission Delegation?

Implementation

Were the guaranteed results reached (if complete) or is it likely they will be reached?

Did the Candidate Country provide the right conditions – access to key officials, offices, and equipment?

Did the Member State provide more than PAA and experts e.g. access to documents, informal contacts in home administrations

How did the PAA and the main counterpart communicate?

Did the Twinning team know how to “transfer” their know-how: as advisers, facilitators, trainers, coaches?

Were “transfer” activities accredited and was there a process of feed back and internal monitoring?

Did the Candidate Country counterpart contribute to overall project management?

Factors of Success

Cite specific factors of success (or otherwise)? Who were the main actors?

Good Practice

Cite elements of Good Practice if any – for example:

- the professional manner in which every activity was subject to a needs analysis and assessed afterwards as to its appropriateness and effectiveness
- the flexibility shown by the Twinning Team in meeting the unforeseen needs of the Candidate Country (consistent with Covenant)
- policy or advisory notes prepared by the Twinning team and widely disseminated, the flexible support given by the M-S administration in backing up the Twin
- in passing on documents, organising formal (study visits, secondments) and informal exchanges (telephone conferences etc)
- links continue between the administrations even though the Twinning is now complete etc
- other

ANNEX 4. Factors Promoting / Inhibiting Success of Twinning at Project Level

	STRENGTHS		WEAKNESSES
	ACTORS		ACTORS
CZ01.09.02	Pro-active support from the ECD	PL2000/IB/EC02 PL/IB/2001/EC/03	& Inflexibility of the ECD (e.g. not treating the highly specialised nature of some procurement with the due flexibility it needs)
PL2000/IB/EC02 PL/IB/2001/EC/03	& French partner is adept at project management, has high levels of technical competence and also has a commercial culture that seeks to provide customer satisfaction (and repeat business).	BG 98/IB/AG-02	Many of the agencies are too detached from the market sectors over which they have responsibility and this has implications for implementation and enforcement of the <i>acquis</i> . It also has implications for the success of Twinning at this level
	CLEAR IDENTIFICATION OF NEED		CLEAR IDENTIFICATION OF NEED
CZ01.09.02 / HU-IB-1999-CO-01	Clear focus of NPAA / <i>Acquis</i> providing clear focus on international standards, means and methods / Clear <i>acquis</i> giving focus to the Twinning.	CZ 0004.04	Risks not being identified in the project fiche and not mentioned in the Covenant
CZ 0104.06 / SL99/IB/FI01	Assistance is highly valued by Beneficiary as relevant, accurate and needed	BG 99/IB/EN/01A	Inability of either side to address the clear causes and implications of failed outcomes
CZ 0104.01 / CZ.0007.03 / PL0003.13 / CZ01.09.02 / ES9905/IB-JH 01 / SI/SOC/02.137 / SL99/IB/FI01	The need is well defined and owned / recognised / There are mutually recognised and clearly stated and recognised needs in line with strategy and NPAA / Clarity of mutual understanding and expectations	PI/0003.09	Delays in the publishing of the appropriate technical annex to the EU Directive prevented tendering for the design of the tachograph.
SK-0008.02	A large part of the project is defined by professional or technical tasks. This tends to give clear focus to a project.		
CZ.0007.03 / CZ01.09.02	Detailed preparation of the Twinning Covenant / The Twinning Covenant makes up for all the flaws in programming documents.		
RO 2001/IB/JH/01 / PL0003.13 / SL-9906.01.01.003 - SL 99/IB/EC/04	Good project design, involving stakeholder consultation / Flexible project design		
CZ01.09.02	Long term strategic planning in place before the project began / Sound ex ante preparation		

	STRENGTHS		WEAKNESSESS
BG/2000/IB/EN 01.C	The focus of the Twinning was good but clearly inaccurate by the time implementation started: both sides showed a willingness and capacity to adapt to changed circumstances.		
SK-0008.02	The training was accredited: this means that the results of this major activity are concrete and clear.		
SL99/IB/FI01	Training activities are rooted in a holistic and credible approach to organisational development and are preceded by proper training needs analysis. Appropriate performance criteria are set and monitored. Knowledge and skills imparted were validated through practical exercises and on the job pilot audits. Materials prepared were professional.		
SL-9908.02 & SI 02/IB/JH/02	The second Twinning benefits from the experience and results of the first Twinning through a clear strategic framework, continuity of the PAA and lessons learned from the first project		
	PAA IS COMPETENT AND PROACTIVE		COMMITMENT AND COMPETENCE OF PAA
PL2000/IB/EC02 & PL/IB/2001/EC/03	Both sides know each other well and it is clear that the French side are highly professional in service delivery. Equally, the Ministry knows how to use the Twinning partners as the work derives from clearly stated aspects of the <i>acquis</i> . (i.e., certification and standards are governed by quantifiable standards stated in the relevant EU directives.) Know how transfer is occurring as the (15) notified bodies are gaining official recognition and are becoming operational as the ... negotiations conclude the first round this summer.	RO 99/IB/JH/03	Lack of time spent in country by PAA
RO-IB-99-CO-02 / RO 0006.17 / RO 2001/IB/EN/01 / RO 99/IB/JH/03 / BG/2000/IB/FI/01 / BG/2000/IB/FI-02 / PL0003.13 / PL2000/IB/EC02 & PL/IB/2001/EC/03 / ES9905/IB-JH 01 / SL-9908.02 & SI 02/IB/JH/02 / SL99/IB/FI01 / SL-9906.01.01.003 – SL 99/IB/EC/04	Flexibility / experience / continuity of knowledge and commitment of PAA	BG 99/IB/EN/01A	Unsuitable PAA and the consequent strain on relationships that this occasioned

	STRENGTHS		WEAKNESSES
RO 2000/IB/AG/03 / RO 2001/IB/EN/01 / RO/2000/IB/FI/04 / BG 99/IB/EN/01 / BG 99/IB/AG-01- / CZ 0104.01 / PL2000/IB/EC02 & PL/IB/2001/EC/03 / HU-IB-1999-CO-01 / SK-0008.02 / SL-9908.02 & SI 02/IB/JH/02 / SL99/IB/FI01	Effective PA / Good coordination of activities / organisational and management skills by PAA / Good understanding of Phare procedures	PI/0003.09 / BG 98/IB/AG-02	Lack of relevant experience on part of PAA; lack of experience/understanding of Phare procedures; lack of project management experience
RO 2000/IB/AG/03 / CZ 0104.06	PAA speaking local language / being well-informed about the country. Fluency of Beneficiaries in counterpart's language		
HU-9905.01.03.02	PAA understands local problems and makes an effort to find solutions to these		
BG/2000/IB/FI/01	PAA had a thorough grasp of the policy process, of the particular policy issues in his own domain and an understanding of how to pursue organisational change.		
RO-IB-99-CO-02 / RO 99/IB/JH/03	Good communication and information exchange between PAA and counterpart / Good cooperation between PAA and Beneficiary		
CZ.0007.03 / CZ 0004.04 / PL0005.01 / PL2000/IB/EC02 & PL/IB/2001/EC/03 / SL-9906.01.01.003 – SL 99/IB/EC/04	PAA is well situated within Beneficiary institutions / Ministry		
CZ 0104.01	PAA is well situated in the DG and has good access to the Project leader		
CZ01.09.02	Appropriate level of PAA representation		
CZ 0104.06	PAA is a highly technically qualified Civil Servant and his assistance is being dovetailed into a long term strategic development plan		

	STRENGTHS		WEAKNESSES
	COUNTERPART IS ORGANISED AND/OR COMMITTED		COMMITMENT OF COUNTERPART
RO-IB-99-CO-02 / BG 98/IB/AG-02	Staff competent, well paid and experienced	RO 2000/IB/AG/03	Over-reliance on the PAA had implications as to the sustainability of the success of the project
SL99/IB/FI01	Presence of counterpart officer 100% dedicated to the project, who was thus always available to work with the PAA	PI/0003.09	Lack of support/strategic direction for PAA from Beneficiary side
R/BG/ENV/02.012 / CZ01.09.02	Staff retention in the key unit is high / HR needs recognised and advance recruitment implemented	RO 2000/IB/AG/03 / RO 2000/IB/AG/04	High labour turnover / staffing constraints
CZ01.09.02	Suitable induction training for new SAO staff to prepare for the project	RO 2001/IB/EN/01	Lack of capacity within the Ministry
CZ01.09.02	Appropriate level of technical and managerial competence	BG 98/IB/AG-02	At operational and especially agency level, the quality of staff and commitment of the institution falls short
BG/2000/IB/FI-02	The Beneficiary organisation is relatively small and well focused on <i>acquis</i> -related tasks.	CZ 0004.04	Structural changes involve HR sensibilities that need strategic direction and management
CZ 0104.06 / PL0005.01	Obvious counterpart for PAA at appropriate level	CZ 0004.04	Resistance to change
SL99/IB/FI01 / RO 0006.17 / RO 99/IB/JH/04 / RO-IB-99-CO-02	Support for the project at the highest level / Involvement from the Secretary of State / Vice president ... present throughout, providing momentum and commitment from a higher level	RO 2000/IB/AG/04 / RO 0006.17 / RO 99/IB/JH/03	Budget constraints raise a concern about impact and sustainability
RO 2000/IB/AG/04 / RO 2001/IB/EN/01 / CZ.0007.03 / BG 99/IB/EN/01 / BG/2000/I B/EN 01.C / BG 99/IB/AG-01- / CZ 0104.01 / ES9905/IB-JH 01 / HU-IB-1999-CO-01 / SK-0008.02 / SL-9908.02 & SI 02/IB/JH/02 / SL99/IB/FI01	Enthusiastic and willing counterpart / Good cooperation from counterpart / Committed, Effective and Competent counterpart / Counterpart is a decision-maker	RO 2001/IB/JH/01 / RO 99/IB/JH/04	Lack of government funds
CZ.0007.03 / CZ 0004.04 / CZ 0104.06 / PL0005.01 / CZ 0104.01 / PL0003.13 / SL99/IB/FI01	A clear structure has been put in place by the counterpart. Adequate capacity / resources have been committed to ensure the absorption of know how transfer / Adequate budget		

	STRENGTHS		WEAKNESSES
BG 98/IB/AG-02 / RO-IB-99-CO-02	Existence of a strong, central unit with overall responsibility for Accession negotiations, legal transposition and preparation of Twinning / Powerful institution and strong characters		
PL0005.01	There is an active Steering Group providing strategic direction in line with NPAA and Ministry policy documents. There is coherence and clearly defined priorities included in the strategic plan.		
R/BG/ENV/02.012	The knowledge and skills developed through Twinning have been shared and appropriately channelled within the Ministry		
R/BG/ENV/02.012	The counterpart has built up a clear understanding and knowledge of <i>acquis</i> -related requirements, a know-how on how to use and tailor Twinning to this task		
PL0003.13	Stable environment on Beneficiary side		
CZ 0104.01 / BG/2000/IB/FI/01 / PL0003.13	Beneficiary is well organised and willing to change / committed to relatively far reaching reform and learning		
HU-9905.01.03.02	The Ministry knew what they needed		
HU-9905.01.03.02	There was good coordination amongst Ministry departments		
RO 2001/IB/EN/01 / RO 2001/IB/EN/01 / RO 0006.17 / RO 99/IB/JH/04	Committed / Efficient PIU; Good coordination by PIU		
	GOOD RELATIONSHIP BETWEEN PAA AND OPERATIONAL COUNTERPART		RELATIONSHIP BETWEEN PAA AND COUNTERPART
CZ 0104.06 / PL0005.01 / PL0003.13	PAA office is co-located with the Counterpart / Good communications and access for PAA	CZ 0004.04	Communication with counterpart is difficult at appropriate / strategic level. (The PAA cannot communicate directly with the Head of the ERA and has to use intermediaries that are essentially too junior. Consequently, communication from the PAA to the Head of the ERA takes place via the PAA assistant who speaks to the advisor to the Head of the ERA who, in turn, relates the message.)

	STRENGTHS		WEAKNESSESS
CZ01.09.02	Sound project management and shared balance of responsibilities between the partners	CZ 0004.04	Working relationships are good at the operational task level, but not at the strategic level.
PL2000/IB/EC02 & PL/IB/2001/EC/03 / CZ01.09.02 / ES9905/IB-JH 01 / SI/SOC/02.137	Good working relationships / continuity of a sustained relationship / Long term bi-lateral working relationships in situ	CZ 0004.04	Lack of capacity in foreign languages of Beneficiaries
PL2000/IB/EC02 & PL/IB/2001/EC/03 / CZ01.09.02 / SI/SOC/02.137	Twinning Partners are a good fit	PI/0003.09	Problems with co-financing affected software procurement
PL2000/IB/EC02 & PL/IB/2001/EC/03	Twinning Partners has established a track record with the Ministry	PI/0003.09	Lack of continuity of management and direction (lack of impetus)
CZ 0104.06 / PL0005.01	Exact match between needs and MS skills and experience.		
SL99/IB/FI01	PAA's organisation has built up vast experience in Twinning and technical assistance in Candidate Countries		
	OTHER		
BG/2000/IB/FI-02	The activities and results, by their very nature, are focused and tangible – practical rather than theoretical. This again facilitates a results-oriented approach.		
PL0005.01	Good project administration and training		
BG/2000/IB/FI-02	Tasks are of a somewhat technical, non-political and non-policy nature, clearly understood.		
CZ 0104.01 / CZ01.09.02	There are no language issues, the Beneficiary speaks fluent French and all speak English		
CZ01.09.02	Good compliance with Phare procedures and ECD support		

ANNEX 5. Positive and Negative Remarks from Country Summaries

	DESCRIPTION	Reports
POSITIVES	<p>The contextual and programming conditions in which Twinning is used are improving</p> <p>Successes have been noted particularly where there was a clear national strategy and action plan, the Beneficiaries were well-organised with dedicated and experienced staff, and the Twinning partner or technical assistance contractor provided well-qualified and flexible staff</p> <p>Successes have been noted, particularly where Beneficiaries and the political environment are supportive, where Beneficiaries and Twinning Partners (or Contractors) work jointly to overcome design and other problems and where speedy implementation and synergies with other donor funding can be achieved.</p>	Slovenia Poland
	<p>Twinning is contributing significantly to the overall Institution Building process (definition of functions, development of capability - structure, resources, systems)</p> <p>Some Twinning have proved very effective in transferring expertise, and several programmes have contributed towards a growing awareness and understanding of broader European issues, which will help the country towards EU Accession.</p>	Romania
	<p>Activities implemented under Twinning are contributing towards the achievement of the immediate objectives, including the adoption/implementation of <i>acquis communautaire</i> and law enforcement.</p>	Poland
	<p>Long-term relationships have been built between Slovenia and EU Member States.</p>	Slovenia
	<p>Greater Efficiency is being achieved</p> <p>Problems with the preparation and implementation of Twinning projects, evident in the Phare 1998, 1999 and to some extent 2000, appear to have been ironed out.</p>	Czech Rep
	<p>Most Twinning projects from Phare 2001 have begun implementation within 6 months of the approval of project fiches.</p>	Czech Rep
	<p>The knowledge of Beneficiary institutions charged with the co-ordination of Twinning covenant preparation has significantly increased over this period. This has resulted in improved quality of initial project documentation and a reduction in the number of draft covenants submitted to the EC Delegation. As a consequence most Twinning projects from Phare 2001 have begun implementation within 6 months of the approval of project fiches.</p>	Czech Rep
	<p>Twinning as a vehicle for the delivery of assistance has become more effective as the teething problems experienced in 1998 and 1999 have been overcome.</p>	Czech Rep
	<p>EU staff have, with a few exceptions, been highly experienced and helpful</p>	Slovenia

	DESCRIPTION	Reports
	<p>Greater Effectiveness is Being Achieved</p> <p>Beneficiaries' involvement in project design and implementation has been higher for Twinning projects than for technical assistance projects. As a result, the effective use of project outputs, and hence sustainability, is much greater in the framework of Twinning projects.</p>	Czech Rep
	<p>Lessons are being learned and put into practice</p> <p>The projects are by and large well designed, and where design weaknesses occur in the original programming documents, they are corrected during the subsequent drafting process of Twinning covenants</p>	Czech rep
	<p>Phare Programmes 2000 and 2001 for the most part are performing better than their predecessors. This is principally due to increased awareness of Phare procedures by Beneficiaries, better project preparation (especially for Twinning) by all parties, and quicker processing of project documentation by the EC Delegation.</p>	Czech Rep
	<p>In the course of the year 2000, the EC Delegation, in conjunction with the Centre for Foreign Assistance, began running training courses on log-frame and Twinning covenant design, as well as on project cycle management. These courses have resulted in improvements in project design for Phare 2001 programmes.</p>	Czech Rep
	<p>The introduction of a set of deadlines by the EC Delegation for the submission of Twinning covenants and their approval has stimulated a much faster turnaround in their processing.</p>	Czech Rep
	<p>The Twinning light arrangement was judged to be a very useful and practical way to implement activities, even though the project itself was not implemented very efficiently.</p>	Slovenia
	<p>Transfer of knowledge has been efficient. Twinning proved to be an efficient way of transferring EU experience to Slovenia.</p>	Slovenia
	<p>The impact of Twinning projects on Beneficiaries is significant</p> <p>The Twinning projects were highly <i>effective</i> and will make a significant <i>impact</i> in terms of compliance with the <i>acquis</i>.</p>	Slovenia
	<p>Where specialist technical expertise is required, the assistance provided by the Twinning partners has, generally, been of great value to the Beneficiaries.</p>	Poland
	<p>Twinning has been very successful, and in a number of cases, close links have remained after the closure of the Covenant. Pre-accession advisers continue to play an important role within the Hungarian civil service.</p>	Hungary

	DESCRIPTION	Reports
	<p>Success is evident</p> <p>Sustainability of Twinning projects has been enhanced in most cases by the establishment of long-standing co-operation between Slovenia and the Twinning partner EU Member States.</p>	Slovenia
NEGATIVES	<p>Design of Fiche and Covenant is still a problem</p> <p>Major weaknesses remain to be addressed regarding the design of log-frame matrices as well as a poor level of understanding of programme design and the project cycle among the project Beneficiaries and the Centre for Foreign Assistance. The EC Delegation should strive to make the design of project fiches a joint and fully inclusive process involving the future programme managers of Twinning projects in Beneficiary institutions, the relevant task manager at the EC Delegation and sectoral expert from the European Commission.</p> <p>The inclusion of a logical framework matrix in the Twinning Covenant would significantly improve the effectiveness of project cycle management.</p> <p>A point of attention is related to the discrepancies between project fiches (PF) and, where Twinning is involved, the Twinning covenants (TC). The line ministries should ensure that inconsistencies between the project fiches and the corresponding Twinning covenants are recognised and documented.</p> <p>The European Commission (EC) should ensure that the guaranteed results of Twinning covenants are closely related to the Immediate Objectives/ Project Purposes stated in the project fiches.</p>	Czech Rep Poland Estonia Hungary
	<p>The use of Twinning may not be appropriate in all cases [relevance]</p> <p>In some cases the suitability of the Twinning tool was not properly assessed during the programming phase.</p> <p>Guidance needs to be provided to both Beneficiaries and potential Twinners about the need to link Twinning Covenants to project fiches and financing memoranda.</p>	Estonia Poland
	<p>Efficiency Problems Still Persist</p> <p>In terms of efficiency, serious delays in the implementation of some programmes have been observed</p> <p>It is evident from the data presented that planned start-up dates seriously underestimate the actual time it takes a project to progress from programming phase to implementation</p>	Bulgaria Czech Rep

	DESCRIPTION	Reports
	<p>Twinning was foreseen in a number of cases that were subsequently implemented as technical assistance because no suitable Twinning partner could be found</p> <p>Fundamental problems were caused by the failure to find Twinning partners in fields where corresponding Member State offices are generally small. Three of five Economic Affairs projects failed to find partners and were changed into TA Programmes.</p> <p>Lack of Twinning partnership offers and the time taken to draft Twinning Covenants has delayed the implementation of some programmes.</p> <p>In several cases there was no response from EU Member States, and planned Twinning projects had to be converted into conventional technical assistance. It took more than 9 months to convert the specifications of two planned Twinning projects into technical assistance projects, which reduced the work periods from 18 to 12 months.</p> <p>Beneficiaries have expressed concern over the cost of Twinning assistance (particularly for Pre-Accession Advisors), and questioned whether it would be more timely and cost-effective to use other mechanisms, such as technical assistance.</p> <p>An issue of key importance is that the future PAAs need to be involved in the preparation phase and use this period to get familiar with the situation, circumstances and key players in the project.</p> <p>The Twinning was not always flexible enough to allow adjustments according to the rapidly changing needs of the Beneficiaries</p> <p>Twinning-related problems often influence investments as well, as investment-components are often conditional on institution building.</p> <p>The need for Beneficiaries to conform to dual accounting procedures (where Twinning is linked with investment and co-financing) is complicated, and also created problems for timely financial management.</p> <p>There are problems with co-financing and disbursing committed amounts under Twinning, due to weak needs assessment, lack of necessary pre-feasibility analysis and low absorptive capacity of some Beneficiaries.</p> <p>Key issues have been delays both before and during implementation resulting in disbursement rates being low and programme extensions common, no clear pattern of improvement in programme design, including lack of clear Indicators of Achievement, lack of administrative capacity to deliver programmes, inappropriate Twinning, weak 'ownership' of programmes by stakeholders, and limited prospects of achieving wider objectives. The greatest concern lies in the sustainability of achievements.</p> <p>Proper financial and time management had suffered from delays, complicated tendering procedures and understaffing</p> <p>The commitments of a Member State Twinning partner, and its competence to deliver the outputs required of its Twinning contract, should be reviewed. The imminent Twinning thematic report should consider a Member State organisation's commitments and competence to deliver Twinning contracts.</p> <p>Twinning programmes are failing due in part to Member States not ensuring that organisations submitting and managing Twinning proposals and contracts are aware of, and effecting, Phare procedures. As a result, while one Beneficiary will produce the required outputs on time, this is due to its own efficiency and commitment and not to the Phare assistance provided.</p>	<p>Bulgaria</p> <p>Estonia</p> <p>Poland</p> <p>Slovenia</p> <p>Poland</p> <p>Estonia</p> <p>Slovak Rep</p> <p>Estonia</p> <p>Poland</p> <p>Poland</p> <p>Romania</p> <p>Slovak Rep</p> <p>Hungary</p> <p>Hungary</p>

	DESCRIPTION	Reports
	<p>The current method of choosing Twinning partners by an untargeted ‘open’ call for expressions of interest does not ensure that the EU partner has relevant experience to meet Romanian needs. The contribution of the European Union Partner must be relevant to the needs of the Romanian Counterpart and nominated advisors should be both appropriate for the task, and effective.</p> <p>Candidate Country Commitments do not always make for effectiveness</p> <p>Institution building and know-how transfer assistance is frequently unsustainable. Projects are designed and conducted in such a way that contractors and Twinning partners perform many of the activities with limited input from Beneficiaries - except in cases where project aims specifically include the training of trainers. The Phare Implementation Office should ensure that staff trained under Twinning and technical assistance projects have a formal role as trainers within their organisation</p> <p>In the case of performance budgeting, the maximum benefit from the PAA was not achieved due to the lack of a translator/assistant, and the limited availability of senior counterpart staff during 2001.</p> <p>Requests for Phare assistance - especially Twinning - are often drawn up without a clear view of what these projects will entail in terms of staff and time, and how they might complement the “everyday” work of the Beneficiaries.</p> <p>Programme management has suffered as a result of systematic, long-term understaffing [BG] or the replacement of a selected Twinning partner (more frequently the junior Twinning partner), causing delays in the drafting of the covenant and project implementation. The EC Delegation should ensure that Twinning covenants clearly state the obligations of the Candidate Country notably in terms of allocation of resources. [CZ] An important conditionality in the Financing Memorandum regarding the provision of sufficient and adequate staffing was not met fully, as the 1999 Twinning on performance budgeting suffered from the limited availability of a counterpart and staff in the Budget Department of the MoF. [SI]</p> <p>Effectiveness, impact and sustainability can still be improved</p> <p>Only a few significant effects from the Twinning were identified as sustainable</p> <p>There is generally little observable impact from preparatory and institution building projects, as they are not effective. Although legislation is generally effectively harmonised, there is a lack of impact from this assistance due to the lack of capacity to apply and enforce new legislation.</p>	<p>Romania</p> <p>Bulgaria</p> <p>Slovenia</p> <p>Czech Rep</p> <p>Bulgaria / Czech Rep / Slovenia</p> <p>Slovak Rep</p> <p>Bulgaria</p>

ANNEX 6. Case Studies

Introduction

In this Annex, we set out a small selection of Twinning case studies. Some are of the use of Twinning in a particular sector, others of individual Twinning. In all cases however they are evidence of best practice – at sectoral or project level or both - in terms of planning and using Twinning as an instrument for Institution Building.

1. Environment Sector - Bulgaria

Source: Interview with local Evaluator and Interim Evaluation Report R/BG/ENV/02.012 (Nov 2002)

The Environment sector in Bulgaria presents a picture of intensive, and over the years, improved attempts at *acquis*-related Institution Building: at the cut off date of the last Interim Evaluation in Autumn 2002, four 1999 Twinning, begun in 2000 or 2001 had or were on the point of completion and all were rated at least satisfactory. A further five 2000 Twinning were initiated in late 2001 or 2002.

Most of the 1999 Twinning have typically three aims: a) transpose legislation which *inter alia* defines key functions, b) define operational structures and tasks c) provide training and training materials and prepare future action plans for relevant bodies – which can then be implemented with either further Phare support or bi-lateral assistance. As the Institution Building process has gained momentum, the extent of work has come increasingly into focus and this explains why up to five Twinning have been programmed in 2000.

There is evidence of good structuring and sequencing of IB efforts in general and Twinning in particular. This is only possible if there exists a clear overview of *acquis* requirements and an ability to “segment” these into digestible work packages. This in turn presupposes an internal strategic capacity. In the case of the Ministry of Environment in Bulgaria such a capacity has been achieved: the Ministry recognised the sub-optimal experience of earlier Institution Building and Twinning and took concrete steps to address the problem. It established a horizontal unit with around 10 persons, responsible for legal transposition, set up linkages with line departments dealing with sub-sectors (e.g. waste water), and on this basis negotiated and defined a map of final requirements and a path by which to meet these.

In order to ensure co-ordination the Ministry’s horizontal unit acts as the official counterpart to all Twinning and takes the lead in developing Twinning arrangements and covenants. This even involved attempts to identify appropriate partners among the Member States. The same unit also takes responsibility for bi-lateral co-operation and Twinning operates in close synergy with it.

1999 Twinning tended to focus mainly on legal transposition and developed a body knowledge among staff involved in transposing EU environmental legislation into Bulgarian law. The later – arguably more difficult – phase, seen in 2000 Twinning, is now underway and by definition the centre of gravity of these Twinning has swung to the line departments or their agencies, as the task becomes one of establishing structures, resources and systems of implementation and enforcement. This requires the development of concrete operational skills

and expertise and inevitably demands a more human resource and organisational development focus to Institution Building.

This represents a logical and coherent approach to Institution-Building and Twinning.

Twinning	Programming Year	Implementation		
		2000	2001	2002
Institution Building and Approximation of Law, IPPC/Seveso (Twinning – Ireland)	1999	x		
Institution Building and Approximation of Law, Packaging Waste (Twinning-Germany)	1999		x	
Support of Air Quality Management at Local Level (Twinning-Germany)	1999	x		
Establishment and Institutional Strengthening of Water Management Authorities (Twinning-France)	1999		x	
Institutional Strengthening at national and regional level for implementation of drinking water... (Twinning-France/Germany)	2000			x
Institutional Strengthening for Implementation of EU Regulations on Trade in Species of Wild Flora and Fauna (Twinning-Austria)	2000		x	
Transposition and Basic Practical Application of Regulations Related to the Law on Protection from Harmful Impact of Chemical Substances (Twinning-Germany)	2000		x	
Training and Application of the IPPC Directive on Regional Level (Twinning-Germany)	2000			
Radiation Protection and Safety at Medical Use of Ionising Radiation (Twinning-Germany)	2000			x

All but one of the 1999 Twinning were considered successful and rated satisfactory or highly satisfactory. No major problems are reported with any of the 2000 Twinning.

“Institutional Strengthening at national and regional level for implementation of drinking water...” (Twinning-France/Germany) under BG-0003.06.01.01 in particular is progressing very well with a very able PAA, who has succeeded in finding additional German funds to cover certain pilot exercises and an effective counterpart and is characterised by an effective Franco-German co-operation. To date all benchmarks have been reached.

Below are described three of the 1999 Twinning in greater detail.

BG 99/IB/EN/01 - Institution Building and Approximation of Law, IPPC/Seveso (Twinning – Ireland) (Project Ref: BG-9912.01.01)

This Twinning involved the Irish Environmental Agency who provided the PAA. Counterpart was the Bulgarian Ministry of Environment and Water, specifically its EU Integration Department and its Prevention Activities, Air Protection and Waste Management Directorate. . The Twinning started in June 2000 and was completed in February 2002.

The Twinning was not ideally designed, being somewhat over-ambitious particularly with regard to sectoral coverage. It was evaluated six months after completion and rated satisfactory.

Overall objective was to enable the Ministry of Environment and Water (MoEW) to upgrade the environmental performance and safety standards of industry in Bulgaria. The project

purpose was to support the ministry with the task of progressing the implementation of Directive 96/61/EC on Integrated Pollution Prevention and Control (IPPC) and Directive 96/82/EC on the Control of Major Accident Hazards involving Dangerous Substances (the “Seveso Directive”) and to identify and agree further necessary steps to full implementation.

Main activities included support to legal transposition, development of guidelines to organise and accompany the permitting process and inspections, development of training materials and a training of trainers programme. The PAA was considered helpful, had a good understanding of organisational development issues, contributed directly to and conceived effective training within the ministry, environmental agency and regional inspectorates. Significant training materials were developed and put on CD-Rom: the Bulgarian side found this particularly useful. The Bulgarian side, within the context of the Twinning, issued a number of pilot permits relating to the Seveso Directive’s requirements, as validation of skills and systems developed. An action plan was developed for further preparations for the future. The operational counterpart acted as an effective gateway to other stake-holders.

Factors of Success

As indicated above the strategic planning context within the Ministry was promising.

Added to this critical aspect were:

- An effective PAA and counterpart organisation and the fact that the partners had previously worked together under bi-lateral assistance
- A professional approach to Institution Building from the Twinning team

BG 99/IB/EN/01A - Institution Building and Approximation of Law, Packaging Waste and PCB/PCT (Twinning-Germany) – Project Ref: BG-9912.01.02

This Twinning involved the Unit for Co-operation with Central and Eastern Europe of German Federal Ministry of Environment, Nature Conservation and Nuclear Safety and the Waste Management Department of the Bulgarian Ministry of Environment and Water.

Started in July 2001, it was completed after extension in September 2002 and was evaluated two months from its end.

The PAA was changed after signature of the Covenant, the German side had difficulty finding a replacement and the Bulgarian side was never happy with the final choice. The PAA came from a small German region, apparently had inadequate knowledge of the subject, was reluctant to pass on written materials and could not provide the guidance requested. The activities were carried out though the complaint from the Bulgarian side was that they had to do all the work, while the PAA defined his role very narrowly in terms of advice. The Bulgarians considered that the German side failed to register their stated dissatisfaction.

The Covenant itself was focused on mainly strategic outcomes: draft concepts for implementation and enforcement, awareness-raising among key stake-holders and various schemes and methodologies.

Factors inhibiting Success

The fact that in the same ministry Twinning has been generally successful suggests that the broader context was favourable to success, but that ultimately specific factors related to this Twinning determined a sub-optimal outcome.

In this case it appears the main factors inhibiting success were:

- unsuitable PAA and the consequent strain on relationships that this occasioned
- the inability of either side to address the clear causes and implications of failed outcomes.

BG/2000/I B/EN 01.C Transposition and Basic Practical Application of Regulations Related to the Law on Protection from Harmful Impact of Chemical Substances and Preparations (Twinning-Germany) Proj.Ref. BG 0003.06.03

This Twinning also involved the Unit for Co-operation with Central and Eastern Europe of German Federal Ministry of Environment, Nature Conservation and Nuclear Safety and the Coordination of the 15 Regional Inspectorates on Environment and Water Directorate, sector “Chemicals” of the Bulgarian Ministry of Environment and Water.

Started in October 2001, it was completed in January 2003 and evaluated in August 2002.

The objective was to assist the Ministry to transpose five important directives in the area of chemical safety (92/32/EE, 88/379/EEC, 76/769/EEC, 2455/92 and 93/67/EEC) and to reinforce the implementation and enforcement capacity, mainly through training. In addition the Twinning was to develop a detailed phased programme for the implementation of chemical legislation.

This Twinning was considered very successful: despite certain unforeseen issues, it succeeded in meeting objectives and in certain areas achieved more. At start of implementation it was discovered that the Bulgarian side had already developed draft laws for the three directives and required advice on modifications. One of the proposed laws was found to be wholly unsatisfactory – a development that had not been foreseen at the time of Covenanting. The PAA was obliged to re-organise short-term inputs to meet the new requirements. Despite this the Twinning met all its benchmarks, the counterpart remained highly committed at all times. At the start of the project the counterpart organisation hired a further two persons to ensure that the Twinning could be effective in terms of transfer and organisation.

The PAA was considered to be highly professional, helpful, expert, flexible and open to understanding difficulties on the Bulgarian side.

Factors of Success

In addition to the generally favourable factors of success pertaining to Institution Building and Twinning in this ministry, the specific factors of success for this Twinning were:

- Both the PAA and counterpart were committed and competent and prepared to invest generously in achieving results.
- The focus of the Twinning was good but clearly inaccurate by the time implementation started: both sides showed a willingness and capacity to adapt to changed circumstances.

2. BG/2000/IB/FI/01 – Strengthening Capacity to the Ministry of Economy (BG – 00.01.01)

Source: Interview with local evaluator. Interim Evaluation currently underway.

This Twinning is remarkable in many respects, not least for the kind of PAA involved, the issues his work has raised for the project and more generally for the success of Twinning in tackling fundamental conditions within the Bulgarian public administration for adopting and applying the *acquis* effectively. At time of writing the precise outcome is still unknown.

A German PAA with a background in senior policy-making (former Member of the European Parliament, Finance Minister and Prime Minister of the Land of Sachsen-Anhalt) headed this Twinning, which involved the German Federal Ministry of Economics and Technology and the Bulgarian Ministry of Economy. The Twinning Covenant does not hide the major implications of this Twinning. It states as “general objective in the long term”:

- “...to support the Candidate Country to achieve the ability to take on the obligations of membership, including adherence to the aims of political, economic and monetary union. The wider objective of the Twinning Project in the medium term is to support Bulgaria in promoting its competitiveness through transparent privatisation, market-based restructuring and a favourable business environment. The immediate objective is to restructure and re-orient the new Ministry of Economy (MoE) and equip it to develop economic and sector policies to foster competitiveness and growth.”

The Covenant enumerates as project aims “the following reforms and project results”:

- reorganisation and restructuring of the Ministry
- management capacity of the ministry
- development of appropriate economic policies
- cross-cutting human resource development.

Apart from the evident ambition in terms of scope, it is the political and policy ambition of this Covenant that is most striking. Reorganisation and restructuring of the Ministry includes nothing less than the “clarification of the role and objectives of the Ministry as a whole and for each department and team, if relevant. Institutional restructuring includes refining the role of the Ministry in regard to other ministries and national institutions in Bulgaria.”

Other aims are equally clear and the guaranteed result for each is expressed as a solid, mutual commitment: for example the guaranteed result of institutional restructuring [of the Ministry] is stated as “based on a mission statement and a medium-term strategy with the support of the Member State and officially passed by the Candidate Country”.

The work plan is thorough and extensive and even though many of the results are of an organisational or policy nature, they are characterised by sound benchmarks and are clearly indicated in terms of strategies and papers to be officially adopted by the Ministry.

The project was evaluated twice, and rated highly satisfactory, implying that it has fully met its benchmarks and more.

This has been a highly successful project with an exceptionally senior and capable PAA and to date a solid commitment from the Ministry concerned. In terms of methodology, the project has been masterful: all activities are fully on schedule and have been professionally carried out. Relations between the two sides have been good.

But as the Covenant makes clear, effectiveness in this case requires nothing less than the restructuring of the ministry and most of its internal and external relations, roles and responsibilities. ***This is public administration reform within a sectoral ministry with a key role to play pre- and post-Accession.*** The Covenant takes as its starting points not merely the *acquis* that must be adopted and implemented but rather the Ministry's own stated strategic commitment to fundamental reforms that will allow it to assume the *acquis*.

A key difficulty has however recently emerged. The PAA has unambiguously recommended that the Ministry be able to take policy decisions as opposed to political or merely administrative decisions. To this end, he has proposed and argued strongly for a new function, that of an administrative, i.e non political Director General with the power to take policy decisions. The Bulgarian side have serious difficulties with this recommendation which challenges the prevalent understanding of political and administrative roles – something which leaves little space for policy roles and certainly does not consider them appropriate for civil servants. The issue, at time of writing, has gone to Government.

Factors of Success

Even if this particular issue ends with the Bulgarian side refusing the PAA's most recent recommendation, the Twinning will clearly have been successful in other respects. The factors of success are:

- The Bulgarian Ministry appears to have been committed to relatively far reaching reform – even if the PAA may have been more ambitious in this regard.
- The PAA was by all accounts excellent – and singularly well-placed and experienced to undertake this assignment. He was evidently committed ambitious for significant results.
- Exceptionally among PAAs he had a thorough grasp of the policy process, of the particular policy issues in his own domain and an understanding of how to pursue organisational change.

3. Source: Interview with local evaluator and Interim Evaluation Report, R/SI/SOC/02.137

Free Movement of Workers and Co-ordination of Social Security Schemes (SL-9913 – Consensus III) (SI/99/IB-Co-01)

This Twinning, involving Swedish National Social Insurance Board, which provided the PAA, the German Federal Ministry of Employment and Solidarity and small level of French inputs, started 21 March 2001, was completed in December 2002 and evaluated in February 2003.

The Slovenian counterpart was the Ministry of Labour and Social Affairs and the Ministry of Health.

The overall objective was to adopt the *acquis* with respect to the free movement of workers and co-ordinate Slovenian social security schemes with EU *acquis*. The Twinning objectives was to strengthen the capacity to transpose and enforce provisions laid down in Regulations 1408/71, 574/72, that is the corpus of Community law relative to social security cover in the context of free movement.

Activities included the revision of a series of previously bi-lateral agreements and their integration into a multi-lateral arrangement with other EU Member States, compliant with *acquis* requirements. This was supported by significant training of a highly technical nature, the development of relevant structures, systems and tools (e.g. forms) to ensure that Slovenia, upon Accession, can actually issue relevant documentation ensuring social security conformity for its own and other EU citizens. In view of the inherent complexity of the issues, the project straddled various institutions on the Slovenian side.

The Twinning was considered highly satisfactory since, not only did it carry out all activities but did so with high professionalism and flexibility. The Swedish team was deployed some days in advance of the official start date and at own expense so as to assist the Slovenian side meet important dead-lines related to work on Regulation 1408/71. Seventy experts were actively involved in the project: 31 from Sweden, 10 from Germany, 1 from France and 30 from Slovenia. Changes to programmed events proved unavoidable for various legitimate reasons: despite the heavy administrative workload to which this gave rise (31 side letters), project management coped well

The EC Delegation was so impressed by the quality of several of the reports produced by the project that they forwarded them to Commission services in Brussels for reference

All training was systematically validated on a participative basis with each participant having to set down on paper what they had learned and how they would use their new knowledge and skills.

Project activities and results were impressive. 35 seminars were undertaken for more than 700 participants from both national and regional/local level, internships were organised for 13 key officials in Sweden and German institutions. A National Task Force grouping key Slovenian institutions responsible for operating the entire systems was put in place. New administrative procedures for posting of workers with transfer of various social benefits were approved, practical guides for their operation were put in place, relevant documents translated into Slovenian, electronic version of key forums elaborated and made available on an accessible IT system.

Factors of Success

- The Twinning Partners were a good fit: Sweden had recently undergone a similar process when it acceded to the EU and had collective and conscious memory and experience of “adopting the *acquis*” in this important area, while the German social security system is not unlike that found in Slovenia.
- Both the Swedish PAA and the Slovenian counterpart were highly professional and maintained a close and effective working relationship
- The Slovenian side was clear with regard to its needs and ambitious for success. More importantly the Slovenian side was fully aware of the importance for small, externally – oriented Member State, of this particular part of the *acquis*.

- The high level of “systematisation” of this part of the *acquis* also added to clarity.

4. Justice and Home Affairs Sector – Training of Judges

Organisation and Functioning of Judiciary – Training of Judges

Source: Interviews with local evaluators and Interim Evaluation SI/JHA/02.127 and SI/JHA/02.138.

Two Twinning have occurred in this sector – one from 1999 and one begun more recently in November 2002.

Project SL-9908.02 Justice Administration involved a Twinning “Organisation and Functioning of Judiciary – Training of Judges “ – between the Slovenian Ministry of Justice and the German Federal Ministry of Justice with support from the French Ecole Nationale de la Magistrature. Begun in September 2000, it was twice extended for a total of 9 months up to 31 May 2002.

The Twinning had three aspects: organisation and functioning of the judiciary, training of judges, State prosecutors and State attorneys, and Assistance with the adoption of the *acquis*. In practice focus of Twinning became assistance to the Ministry of Justice in preparing legislation since participation from the judiciary was low.

The Twinning helped to bridge the gap between judges and lawyers, and between the Ministry of Justice and judges.

Training however gave priority to the Ministry itself. More broadly the first project helped raise awareness and basic knowledge. It was evaluated as having made a serious contribution to the establishment of productive working relations between judges and lawyers and the introduction of a more efficient working arrangements leading to a reduction on case backlogs.

This Twinning organised two mid-term conferences to assess progress to purpose and to identify further issues both short and long-term requiring attention. These were organised specifically to encourage the various parties to find common ground, and sign up to a series of actions to reform the judiciary, which later were incorporated in an Action Plan adopted by Parliament.

Part of this Action Plan fed into the more recent Twinning (SI 02/IB/JH/02 – Modernisation of the Judicial System). This started in November 2002 and is to last 12 months. It continues with the same PAA as previously. Evaluated at three months into implementation it was progressing well. This consists of 3 sub-projects: (1) Implementation of long-term institutional changes in the judicial system, (2) Review of the separation of responsibilities and powers between the Ministry of Justice and the judiciary, and (3) Training of officials of the Ministry of Justice and Court Administration. The first is an important focus including changes to appellate procedures, implementation of a new type of judicial officer (paralegal), and implementation of default judgement in civil procedures and summary punishment orders in criminal procedures.

Factors of Success

- Taken together these two Twinning provide an example of a coherent and structured approach to Institution Building and the use of Twinning. With hind-sight it is clear the first Twinning was somewhat over ambitious.
- The second Twinning benefits from the experience and results of the first Twinning: it is shorter and more focused on key remaining areas. Above all it benefits from a clear strategic framework (Action Plan) approved by Parliament. It benefits from continuity – through the same PAA. And it carried forward the same type of best practice seen in the first Twinning: the activities are internally validated and monitored with the result that feed-back and lessons are recorded and learned.
- The first Twinning to an extent pioneered practice in a less than comprehensive strategic framework. By developing awareness and knowledge in addition to producing core results, it created conditions that allow not merely for a more effective second Twinning but a more coherent and structured Institution Building process.
- The PAA also deserves significant credit: an experienced judge, he is considered dynamic, expert, politically astute, a good project manager, capable of developing and driving forward a change process. The Slovenian counterpart to both Twinning is also considered effective.

5. SL99/IB/FI01 – Development of External Audit – SL 9902.03.02

Source: Interview with local evaluators and Interim Report R/SI/FIN/02.134 – Oct 2002

For this Twinning, the UK's National Audit Office provided the PAA and many of the experts covering the development of financial and performance audits. The counterpart was the Slovenian Court of Auditors, which recently had committed itself to renewal to assume its role relative to oversight of public finance.

This Twinning is remarkable for its exceptional level of best practice even though the Covenant does not appear particularly well designed. Nevertheless at implementation stage the Twinning proved itself a model of exceptional best practice. Interim evaluation reports rated it satisfactory and highly satisfactory on two successive occasions.

The Twinning objective was to enhance the systems of financial control in Slovenia to the standards expected of the Member States of the European Union by strengthening the institutional capacity of the Court of Audit of the Republic of Slovenia to meet their responsibilities under the *acquis communautaire*.

Subsequent to an exhaustive institutional analysis, which identified exact know-how gaps at the institutional and personal level, an effective organisational development was undertaken. The main medium of transfer was through training courses, workshops and seminars. On the job training was done through pilot audits.

Results of the Twinning can be measured in terms of performance criteria: the Slovenian Court of Auditors is able to perform audits on the regularity, conformity and efficiency of operations of relating to public funds.

The Twinning performed all proposed activities and more in a highly professional and participative manner. The level of transfer and close co-operation was exceptional and this was reflected in the manner of working.

The PAA was highly qualified in her field and a capable project manager. She had previously worked as a short-term expert in Slovenia. She enjoyed a very close and productive relationship with her Slovenian counterpart. The counterpart organisation was stable: its Annual Report testifies to its commitment to fundamental institutional change to be able to perform new functions according to the demands of the *acquis*. Its President was fully committed to the reform programme and a full-time counterpart to the PAA was made available. The Court freed up substantial human resources to enable a real know-how transfer: uniquely four CVs of Slovenian counterparts appear in the Twinning Covenant together with descriptions of how they will be involved in the activities and how they would assist in the management of the project. Over 70% of Court of Audit staff were involved in the Twinning in one manner or another.

The Twinning serves as an example of how the Twinning instrument could evolve into the future within a logic of increasing partnership and appropriation by the counterpart institutions of the actual management of the project.

Factors of Success

- The evidently high commitment of the counterpart organisation was integral to the organisation's future strategy. Within the Twinning it translated into very concrete actions e.g. share in project management, inclusion of CVs, freeing up resources to "partner" the various Twinning activities.
- The commitment was based on a healthy but ambitious strategic, self-interest: the Slovenian Court of Auditors knew what it didn't know and what it had to learn – and it was fully conscious of the time pressure in which to integrate the necessary know-how.
- The PAA was herself both expert and capable of project management. Her organisation has built up vast experience in Twinning and technical assistance in Candidate Countries. There is strong evidence that the UK views proper oversight of public finance as a strategic priority for the Candidate Countries.
- The training activities were rooted in a holistic and credible approach to organisational development. They were preceded by proper training needs analysis. Training was characterised by appropriate performance criteria and was monitored as to its effectiveness throughout the project: knowledge and skills imparted were validated through practical exercises and on the job pilot audits. Materials prepared were professional.
- Finally the impact was institutional: the Twinning worked to ensure that individual skills were integrated within appropriate working culture characterised by structures, systems and tools.

6. Justice and Home Affairs - Hungary

Source: Interview with local evaluator and Interim Evaluation R/HU/JHA/000.40]

HU-9907.01.07 Restructuring of the existing immigration policy (HU99/IB/JH01)

In this Twinning the partners were Sweden (leading country) and the Netherlands: they were selected in February 2000 and the project started on 22 January 2001.

The aim of Twinning was to upgrade the management capacity and administrative structure of the institutions and agencies dealing with immigration policy in order to prepare Hungary for accession. This Twinning was designed to complement the asylum and refugee activities being carried out under HU-9805.01. Fight Against Organised Crime, HU/98/IB/JH01

The activities focused on EU practices and procedures for receiving refugees and asylum seekers. Specific activities included seminars, workshops and study visits covering topics on: (i) Familiarisation with the Swedish Immigration System (ii) Implementation of a Fingerprint Identification System; (iii) Country of Origin Documentation; (iv) Reception of Asylum Seekers; (v) Integration of recognised refugees; (vi) Dublin Convention.

On evaluation it became clear that the Hungarian system is running smoothly, personnel have been trained, and the technical preparation will ensure the future connection to EURODAC (Unified European fingerprint identification system and database)

Results are as follows:

Action plans were prepared on the related topics, i.e.

- the tasks concerning the full establishment of the key institutions
- establishment of the Country of Origin Documentation Centre and the internal IT network
- improvement of the circumstances of the procedure related to the reception of asylum seekers, both on the side of the personnel of the centres and the asylum seekers
- measurements that have to be taken to ensure a smooth integration of recognised asylum seekers.

The action plans were elaborated with the active and constructive participation of the Hungarian experts, they fully reflect the Hungarian needs and comply with the EU standards in this field. The plans were approved by the leadership of the Office of Immigration and Nationality, part of them are already included into the new implementing decrees of the Act on Asylum. On the final evaluation all parties expressed their view that the Twinning had been successful.

Factors of Success

The Twinning was prepared by a previous Twinning.

There was extremely good cooperation between the MS and Hungarian experts.

The nature of the issues made the involvement of the foreign experts indispensable and thus their assistance was welcomed by the Hungarian authorities.

7. Public Finance - Hungary

Source: Interview with local evaluator and Interim Report R/HU/FIN/02059, December 2002

There have been several Twinning in this sector in Hungary going back to Phare 1998. A Taxation Harmonisation Twinning involving Austria and the Hungarian Ministry of Finance's Tax Administration Department, a later two-year Twinning HU-9803.02.01 involving the UK's National Audit Office and a further Twinning on "Foreign Aid Monitoring" involving France and the Hungarian Government Central Office.

1999 Twinning built on this experience. Four Twinning were evaluated in a recent evaluation: three of the four were satisfactory, one however had to be cancelled due to a failed covenanting process (HU-9905.01.01). This was reconverted into Technical Assistance.

The contextual conditions are in general very favourable to Twinning in this area: the Ministry of Finance is among the most professional of Hungarian ministries with good quality staff and relatively clear working practices. It is used to foreign assistance (including bi-lateral assistance) and by now familiar with EU practice. Its EU Integration Department is the counterpart to all Twinning and its Director is highly competent and dedicated.

In general the PAAs and experts together with the counterparts have been highly professional and committed. Twinning covenants the overall projects of which they have been part have usually been well designed and always well-conceived. That Twinning can mobilize the level and quality of expertise relevant to the accomplishment of these tasks is a significant achievement.

HU-9905.01.02 involved a **Twinning HU99/IB/FI/02 “Harmonisation of the Tax System”** that was considered successful (though no rating was given). The Finnish National Board of Taxes provided the PAA and together with Austria short-term experts and the International Department of Hungarian Tax Office was the counterpart. The Covenant is relatively well drafted: precise with regard to the various tasks and the method of transfer as well as the commitments, including staff commitments of the counterpart. The internal logic and the balance between legal transposition and policy/decision-making on the one hand and enforcement/implementation is good and augurs well for effectiveness.

The project was a direct follow-up with **Twinning HU98/IB/FI03** involving Austria and the UK and some of the activities are in direct continuity with it.

The wider objective was given as the transposition and effective implementation of the Internal Market and Financial *acquis* concerning taxation. The project purpose was given as the adoption of the legal *acquis* and reorganisation of the tax administration in five specific fields. This meant that the tasks of **Twinning HU99/IB/FI/02** relating to the Ministry itself were of a mainly legislative and policy nature, those relating to the other fields more of a technical or implementation nature.

As part of the legal harmonisation process, EU directives were screened and their requirements interpreted, relevant capabilities were put in place, in areas such as VAT, preferential tax rates and exemptions. Twinning also addressed the areas of tax administration, direct tax harmonisation and control and audit.

Achieved results are manifest: the Central Liaison Organisation has been put in place and made operational, staff have been trained in control and audit methodology. Advice has been provided which has helped close the Taxation Chapter in Accession negotiations. Seminars, workshops and study tours have been the main instruments in deepening understanding of Hungarian experts with regard to issues and needs.

A close operational and flexible relationship developed between the two partners. Both were located in the Tax Office. The counterpart organisation was considered serious, pro-active, committed; the Finnish PAA and short-term experts professional. The quality of training

received particular praise from the Hungarian side. The division of roles and responsibilities between the Finnish and Austrian partners was clear and worked well.

The project has been favourably evaluated: no further Twinning is foreseen since no further need for external assistance is seen. In its "Informative Report to Directorate General on Enlargement" of May 2001, the Hungarian Tax and Financial Control Administration stated:

- "After completing the project currently underway [i.e. Twinning and related IT projects]. Our tax administration does not wish to use Phare resources to hire the services of a new, either long-term or short-term expert. On the other hand, prior to Accession, we do count, if we may, (possibly within framework of the "Twinning-light" program) on help by the French tax administration, based on a "Co-operation Agreement" containing annually prepared and specific issues and task, in order to meet the interim requirements of the European Commission".

This indicates both that most of the Institution Building is considered complete, that the Hungarian side can identify certain residual issues to tackle and that they are clear about the nature and type of assistance required. This is clearly a positive indicator of substantial progress.

That Twinning can mobilize the level and quality of expertise relevant to the accomplishment of these tasks is a significant achievement.

Factors of Success

- PAA: technically competent, helpful, flexible
- Technically professional experts, good trainers
- Commitment of counterpart organisation: operational counterpart was director of the International Department and was actively involved.
- Finally, in this area the *acquis* is relatively technical rather than policy-sensitive: it needs to be applied with relatively few major policy or political decisions.

HU-9905.01.03 – Accounting and Government Finances – HU99/IB/FI/03 “Accounting with special regard to Government Finances”

This Twinning involved the French Organisation of Accountants who provided the PAA and the Swedish Ministry of Finance. The counterpart was the Hungarian Ministry of Finance's Department of Accounting.

The objective of the Twinning was the transposition and effective implementation of the EU *acquis* in the fields of government finances and accounting with special regards to appropriate EU directives and international accounting practices.

The Twinning started in December 2000 and finished on January 2003: it was evaluated near its end. The PAA was considered highly effective organiser. He provided a close operational link. The counterpart was young and competent and assertive and together a close and effective relationship was established. The counterpart made clear at the start that he wanted reports with clear, concrete advice and technical information that would allow the Ministry of Finance and financial institutions to adapt to EU accounting rules. The division of roles and responsibilities between the French and Swedish partners was logical and worked well.

All benchmarks were met and the Hungarian side met all its (mainly legislative) commitments. Activities involved: survey of accounting practices in Member States, two training programmes, assistance regarding the improvement of financial institutions and application to specific sectors and areas.

HU-9905.01.03.02 Government Financial Statistics and Reporting

This Twinning involved a Swedish PAA and the Ministry of Finance's Department of Budgets. The Twinning was designed to assist Hungary achieve international statistical comparability in the context of economic and monetary convergence criteria. The Twinning resulted in an EU conform public finance data collection system for budgetary planning information. This has helped improve the multi-annual forecasting system.

The PAA was considered very effective and enthusiastic, the counterpart highly committed. Study visits to France, Italy and Sweden were considered very helpful by the Ministry.

Factors of Success:

- The counterpart knew exactly what it wanted
- The various departments of the Ministry co-ordinated their activities well
- The PAA understood the Hungarian side's problems and made every effort to find appropriate solutions.

8. Finance and Banking – Czech Republic

Source: Interview with local evaluator and 1st Draft IE Report R/CZ/FIN/02.036 dated 10 March 2003

CZ01/IB//OT/02 Legislative and Institutional Framework for Tax and Customs Administration CZ 0104.01

In this Twinning, the Twinning partner is the French Direction Generale des Impots and Direction Generale des Douanes et Droits Direct (CFTD). The Beneficiary is the Ministry of Finance's General Directorate of Customs / Central financial and Tax Directorate (CFTD).

The project – which consists solely of Twinning - is a follow up to a previous Twinning CZ 9903.01 and 0.9MEURO is allocated to the 21-month project that began 1 September 2002. Expected results include alignment of legislation for VAT and excise duties in line with the *acquis*, developing organisation and administrative structures for collecting VAT & excise, training trainers (140-150) and implementing new procedures for EU compatible IT systems. The project is due to end in May 2004.

The project is underpinned by a strategic plan for the Ministry of Finance's General Directorate of Customs and CFTD that follow the accession strategy, NPAA and *acquis*. The Directorate has a clear vision of the impact of accession on their work. The Czech side also wished to benefit from the Twinning in terms of advice on future activities beyond those envisaged in the project.

The French side are highly experienced and their expertise is particularly relevant as in 1993, they had to restructure their tax administration by transferring particular competencies from the tax administration and transfer them to the customs administration. There is good professional communication and networking between the partners and real capacity building within the Directorate using Twinning as a key instrument for its long-term development.

The Covenant is high quality with clear benchmarks, timings, methods and detailed appropriately to provide good guidance for both sides.

Factors of success

- Czech side is well organised and open to change
- Appropriate capacity and resources have been deployed to facilitate absorption
- The need is well defined and owned / recognised
- PAA is well situated in the Directorate and has good access to the Project leader
- There are no language issues, the Beneficiary speaks fluent French and all speak English
- The Czech counterpart is strong and is a decision taker
- PAA has good consultancy skills and project management ability. He is well organised and deploys his short-term experts (27) well. He is also highly technically competent including in Phare procedures.

Project: CZ01/IB/FI/02 Training for auditors of the Supreme Audit Office CZ01.09.02

Source: Interview with local evaluator and Interim Evaluation Report R/CZ/FIN/02.036 1st draft dated 10 March 03.

This Twinning involves the German Supreme Audit Office (Bundesrechnungshof) and the International Relations Department at the Czech Supreme Audit Office (SAO).

The PAA is Vice President of the Court of Audit in Hessen and the counterpart is the Head of audit Section and Head of International relations at the SAO. The Twinning began in April 2002 for a period of 14 months.

The project purpose is to "to strengthen the Supreme Audit Office external financial control functions to the level of Supreme Audit Institutions of the EU Member States"

Project preparation was subject to a rigorous process and the ECD gave a lot of support to the drafting of the Twinning Covenant. Prior to project start, the ECD held a workshop to explain and explore procedures and rules to both sides and did this to ensure a high level of awareness and a better understanding of both sides expectations.

The project is being well implemented by those involved with good co-ordination and co-operation. It was well planned in advance (ex ante preparation) particularly with regard to how specific activities were to be carried out. The *acquis* in this area refers to international standards, methods and techniques so there is a clear focus on the processes to be followed in line with EU standards.

There is a good fit based previous bi-lateral co-operation that has been on-going for 10 years. Although there has been no history of Twinning and no previous Phare involvement, good working relationships were developed in the preparation phase.

The Czech partner prepared well for the project by recruiting extra staff needed and by giving training in professional skills. Language training was also given and this continues. The cohort to participate in the project was selected in advance from a mixture of long established and new staff. This means there is a capacity to absorb, retain and transfer know how to other colleagues at appropriate levels within the organisation.

The SAO is implementing a long term HR strategy in support of their "Strategic Development Plan" which was drafted in 2000 and approved by the Board in 2001. Part of the strategic thinking has been to include the Twinning Instrument as a means of organisational development, with specific reference to the HR component.

Activities are mainly pilot audit studies that serve twofold purposes: audit development and increased professionalism, as well as serving a real audit functional need.

There is a balanced share of responsibility between the PAA and the Counterpart for project management and technical implementation. Adequate resources have been deployed to the project and the PAA is located within the SAO. The Czech side recognises and values his expertise and demonstrate. The Czech side recognised the need for technical know how and clearly positioned themselves to exploit the Twinning instrument in an entirely appropriate, effective and efficient manner.

Factors for success

- Sound ex ante preparation
- Pro-active support from the ECD
- Clarity of mutual understanding and expectations
- Detailed preparation of the Twinning Covenant
- Long term bi-lateral working relationships in situ
- Appropriate level of PAA representation
- Appropriate level of technical and managerial competence
- Right fit between partner organisations
- Long term strategic planning in place before the project began
- HR needs recognised and advance recruitment implemented.
- Suitable induction training for new SAO staff to prepare for the project
- No language barriers
- Clear focus of NPAA / *Acquis* providing clear focus on international standards, means and methods
- Willingness and ownership of the technical and organisational need for the project
- Sound project management and shared balance of responsibilities between the partners
- Good compliance with Phare procedures and strong ECD support.

ANNEX 7: Previous recommendations with regard to Twinning

A. Recommendations in Assessment report of July 2000

1. Concerning the Candidate Countries Administrations (Project Leaders, NCPs, Counterparts)

a) In general

- Increasing the commitment of the CC administrations
- More attention to the absorptive capacity of CC administrations during the programming phase
- *Gathering and structuring the experiences by the Commission in a handbook, the role of the current Twinning Manual*
- Describing the obligations of the CCs more in detail in the covenant
- More careful attention to the selection and terms of engagement of the counterpart
- Providing more guidance (not rules) on the role of the MS Project and the level of his involvement
- Marketing Twinning more vigorously, incentivising potential PAAs, applying more persuasive measures to participate by the MS National Contact Point

b) As concrete measures

- Developing a 'welcome pack' for PAAs and STEs by the CCs
- Specifying in precise terms in the covenant the CC contribution by man-days per expert
- Making budgetary provision in the covenant of the cash contribution required from the CC
- Role of the counterpart (and partly of the PAA) at the selection stage and in the covenanting negotiations; specifying in the covenant the expected amount of time in man-days
- Technical assistance in case of co-operation with several OC ministries; case of required inputs from another ministry
- Role and special conditions of the Project Leader

2. Concerning the Member States' Administration (Project Leaders, PAAs)

a) In General

- Easier participation of MS administrations in Twinning activities

b) As concrete measures

- Enabling site visits on the part of the interested MS administration
- Participation of other MSs in particular projects managed in the form of a sub-contract to the lead MS
- Obligation of the PAA and the Project Leader to attend the presentation of the proposal
- At least one visit to the CC by the MS partner during the covenanting process – funded by the Commission

3. Concerning the European Commission and Delegations

a) In general

- Improving flexibility and responsiveness of the Twinning mechanism
- Commission making its presence felt in the programmes
- Developing a direct and stronger relationship between CCs and the line DGs
- Commission and NCPs playing a leading role in organising the learning process
- Involving Delegations more closely in Twinning by playing a more active role, by greater engagement in the planning and implementation and taking more responsibility; giving more support to PAAs
- Strengthening the resource base in the Delegation by the Commission
- Sorting out of the respective responsibilities of Delegations and national Embassies
- Further streamlining of the procedures for invoice handling
- Further consideration of the trade-off between entitlements and budget restrictions
- Abandoning of the Flat Rate Compensation
- Careful and expert drafting of the project fiche
- Simplifying and shortening the covenant process through greater delegation from the Commission to the Delegations and from the Delegation to the Twinning partners
- Monitoring and control of individual projects by the Delegation (Task Managers)
- Reconsidering the requirement of a review of the covenant after the second quarterly report

b) As concrete measures

- Identification of a Twinning Liaison Officer within each relevant DG
- Approving covenants and major amendments by the Delegation
- Delegation's responsibility for assisting with the PAAs professionally related contracts MS Embassy's responsibility for personally related problems
- Direct funding by the Commission of 2 or 3 short missions to the CC by the PL and the designated PAA
- Furthering the capacity to design good fiches by PHARE support
- Extension of successful Twinning projects which are close to the achievement

B. Recommendations from Ad Hoc Report on The Twinning Instrument, OMAS, October 2001 S/ZZ/EUR/01006

The Commission Services are recommended to adopt the following policy positions: (i) Twinning should be used, as a priority, for supporting Public Administration Reform and Civil Service development; (ii) Generalised insistence on twinning for *acquis* institution building should be withdrawn; (iii) Twinning for institution building should be subject to effective and independent prior appraisal of suitability and commitment. In particular, Ministers or top officials with the power to secure implementation of necessary change should be fully informed of the twinning and required to give specific commitments to promote systems changes and provide resources. The Commission Services should develop a methodology, and issue guidance, on this matter; and (iv) Given the likely situation that some Candidate Countries will accede to the EU with inadequate public administrations to operate the *acquis*, the Commission Services should start to consider what, if any, support might be given to them, on a transitional basis, including through twinning, after accession.

The Commission Services should contract a repeat assessment of twinning, with ToR more narrowly defined and concentrating on the sustainable impact of twinning and twinning light.

With regard to the specifics of twinning: (i) the Commission Services should reconsider the approach to programming and project design, which are as relevant to twinning projects as to any others, taking account of the recommendations in the OMAS Ad Hoc Report for improvements; (ii) The concept of “guaranteed results” for twinning should be dropped. It is unspecific, has not been shown to be operationally useful and leads to some conflict with the logframe methodology. It should be replaced by highly specific objectives and properly defined indicators of achievement and benchmarks, in accordance with the logframe methodology, and as for other Phare projects; (iii) Member States should be more involved in the development of twinning project Fiches, and thereby have more ownership of them. Potential Member State twinning partners should be put in touch by the Delegation with those, such as previous twinning advisers and Phare project leaders, who have “inside knowledge” of the proposed partner institution; (iv) A profile of the requirements for a successful Pre-Accession Adviser, in terms of personality type, and skills and knowledge required, should be drawn up, taking account of the observations quoted in the present report; and (v) Training needs assessment for Pre-Accession Advisers should be an integral part of the team selection process.

C. Court of Auditors Report 6/2003

CONCLUSIONS AND RECOMMENDATIONS

A positive initiative

56. The strengthening of administrative capacity (institution building) became a priority of PHARE support in November 1998.

A strong administrative capacity is vital for the candidate countries of central and eastern Europe, not only because of the specific needs of EU accession but also for the general transition towards increased competitiveness in the global economy. Twinning is the main PHARE instrument for strengthening administrative capacity in the context of accession.

57. Member State administrations and public institutions have unique knowledge and specific experience concerning the implementation and enforcement of the *acquis communautaire*. Before 1998 the Commission mobilised advice mainly from the private sector. However, best advice from the private and public sectors is needed for the institution-building process, so twinning is a laudable initiative by the Commission to assist candidate countries in acquiring the capacity to adopt, implement and enforce the *acquis*.

58. The Commission has a final responsibility for the twinning programme but it is not directly involved in the twinning projects and thus has limited possibilities to influence them. The concept of twinning, although positive overall, implies that the shared responsibility between the Commission, candidate countries and Member States hampers a clear and straightforward accountability structure (see paragraphs 23 and 24).

Limited achievements of ambitious objectives

59. In general, the twinning projects acted as catalyst in setting the candidate countries' reform in motion, bringing together specialists from Member States and candidate countries' administrations.

Most progress was made in the adoption of the *acquis communautaire* through legislation. However, progress was rather less regarding its implementation and enforcement, The Court's

analysis of completed projects indicates that the achievements have in general fallen short of the stated objectives. The so-called 'guaranteed results' could often be achieved only partially within the project period. It was too optimistic to expect that a fully functioning, efficient and sustainable candidate country organisation would exist in a given field after one twinning project, the average duration of which is 18 months. Success was often jeopardised by the multitude of functions and participants in the process and a lack of accountability (see paragraphs 19 to 24). The effect of administrative complexity also hampered the full achievement of the desired results. Too much time was spent on purely administrative issues, to the detriment of the main task, namely advising candidate countries on institution-building (see paragraphs 33 to 44).

Improving the delivery

60. To increase the value for money and to improve the achievement of results twinning should be more focused on the timely delivery of results. The capacity to deliver could be strengthened in the following ways:

(a) greater attention should be given to the formulation of a limited number of realistic and achievable objectives, which clearly address identified weaknesses in administrative capacity; (1) Communication from the Commission on the Action Plans for administrative and judicial capacity, and the monitoring of commitments made by the negotiating countries in the accession negotiations, COM(2002) 256 final of 5.6.2002.

(b) the procedures for assessing the achievement of results should always be fixed in each covenant, possibly through the use of performance indicators or benchmarks;

(c) the covenants should also stipulate that the sustainability of the results must be evaluated after the completion of a project. The term 'guaranteed' is misleading as long as payments are not tied to the achievement of these targets and it is recommended that the use of the word 'guaranteed' should be discontinued.

(d) the Delegations should monitor the achievement of project benchmarks more promptly, in order to allow timely action to be taken, such as reorientation of the project or even its termination.

Making twinning quicker and less complex

61. Twinning involved lengthy procedures and was too much occupied with the micro-management of inputs. 30 % of all projects in the 2000 selection round had not yet been started in February 2002 (see paragraph 34). The Commission has already demonstrated its readiness to take corrective action (see paragraphs 27 to 32). However, further improvements are still necessary to simplify the lengthy procedures at the various stages from needs assessment up to project finalisation:

(a) all stages of project preparation (involving the candidate countries and Member States as well as the Commission) should be rationalised without compromising the respect of sound administrative practice;

(b) the Commission should speed up its own internal consultation procedures between Headquarters, Delegations and line DGs by respecting pre-set deadlines;

(c) the Commission should simplify and accelerate the payment procedures without disregarding the risks involved;

(d) in general, the Commission should consider the use of fixed price or lump sum contracts requiring specified deliverables.

Choosing twinning more selectively

62. Institution-building is not only twinning. The use of twinning is too often the default choice when considering institution-building (see paragraphs 45 to 51). The Commission should increase its efforts to develop a coordinated and balanced deployment of different instruments for institution-building (general horizontal support to the public service (see paragraph 21), private sector input, participation in Community programmes).

63. For cases where mandated bodies are acting as possible twinning partners, the Commission should establish a procedure enabling it to pay more attention to the costs involved (see paragraphs 46 to 48).

Building on knowledge and experience

64. Four years of twinning have created a store of specific knowledge and relationships. PAAs from the first projects are leaving and new PAAs are arriving. The Commission should create a PAA network (perhaps via the Internet) to preserve the store of specific knowledge, to spread good practice and to reduce the risk of errors recurring.

Outlook

65. Twinning will remain relevant far beyond the envisaged accession. Projects starting just before accession will last for up to two more years. The normal PHARE support will have to be continued for candidate countries which are not part of the first wave of accession. In addition the Commission foresees the funding of a transition facility for institution-building (available to new Member States after accession) covering actions not eligible for the Structural Funds. Improvements to the instrument will therefore be worthwhile because twinning is likely to continue for a considerable time.

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ANNEX 8. Attribution of Phare Programmes to Accession Partnership Fields

AP Fields:	Types of Project:
Political Criteria (POL)	Reference to Copenhagen Political Criterion in title Assisting Minorities
Economic Criteria (ECON)	Reference to Copenhagen Economic Criterion in title Economic/Structural Readjustment Focus Measures Supporting Macro-economic Stability
Internal Market (INT)	Financial Services Banking Accounting Insurance Stock Exchanges and Securities Payment Systems Company Law Free Movement of Goods Freedom to Provide Services Public Procurement Intellectual Property Rights
Economic and social development (ESD)	Social Inclusion Certain Civil Society Development Projects Certain Economic and Social Cohesion Projects
Food production, Health and Consumer protection (FHC)	Agriculture Creation of a CAP Paying Agency Food Safety Phyosanitary Border Veterinary Controls Health
Transport (TRA)	All Transport Projects (Excluding CBC ones) 61.4% of LSIF Projects ¹
Energy (ENE)	All Energy Projects (Incl. Nuclear Safety)
Environment (ENV)	All Environment Projects (Excluding CBC ones) 38.4% of LSIF Projects ²
Reg. Pol. and the Co-ordination of Structural Instruments (REG-SF)	Capacity-building for the Structural and Cohesion Funds (SCF). Supporting the Production of the NDP. Regional Policy Other Investment (particularly ESC) designed to develop SCF capacity
Public sector (PUB)	Justice and Home Affairs Law Enforcement Border Control Statistics Taxation Financial Control General Strengthening of the Public Administration
Cross-border Co-operation (CBC)	Between CCs and EU-MS (INTERREG) Between CCs ³
Other EU programmes (EU PROGS)	Tempus, etc
OTHER	Special Projects that cannot be placed in another AP Field ⁴

¹ A number of Phare supported LSIF Projects relate to project preparation for ISPA investments. In several of these cases it is not possible to identify whether they relate to environment- or transport related issues and so 61.4% of the funding has been allocated to the TRA AP Field and 38.4% to ENV, reflecting the environment/transport split for all ISPA investments.

² Ibid.

³ Including CBC Environment and Transport Projects.

⁴ E.g. PL-O112 Flood Damage.

ANNEX 9: Main steps and responsibilities in twinning

Steps		Responsibilities						
		CC Partner	MS Partner	Delegation	CFCU	HQ Twinning team	HQ Country team	Line DG
1	Programming	X		X		X Phare Unit / Twinning team	X	X
2	Circ' of fiche, offers to Deleg'n					X		
3	Offers to stakeholders			X				
4	Selection of partners	X						
5	Inform HQ			X				
6	Inform MS					X		
7	Draft covenant	X	X					
8a	Covenant to Steering Cttee			X				
8b	Approval of budget			X	X			
9	Management of Steering Cttee,					X		
10	Final assessment of covenant, presentation to Cttee						X	Opinion
11	Verification of compliance with conditions, endorsement of covenant.			X	X			
12	Implementation, reporting	X	X					
13	Payments				X			
14	Monitoring			X			Info	Info
15	Compliance with guaranteed results			X				
16	Approval of final invoice and payment				X subject to 15			

This interim evaluation has been launched
by the European Commission,
Directorate-General for Enlargement,
and carried out by the EMS Consortium.
The EMS Consortium bears the full responsibility
for the report and its conclusions.

